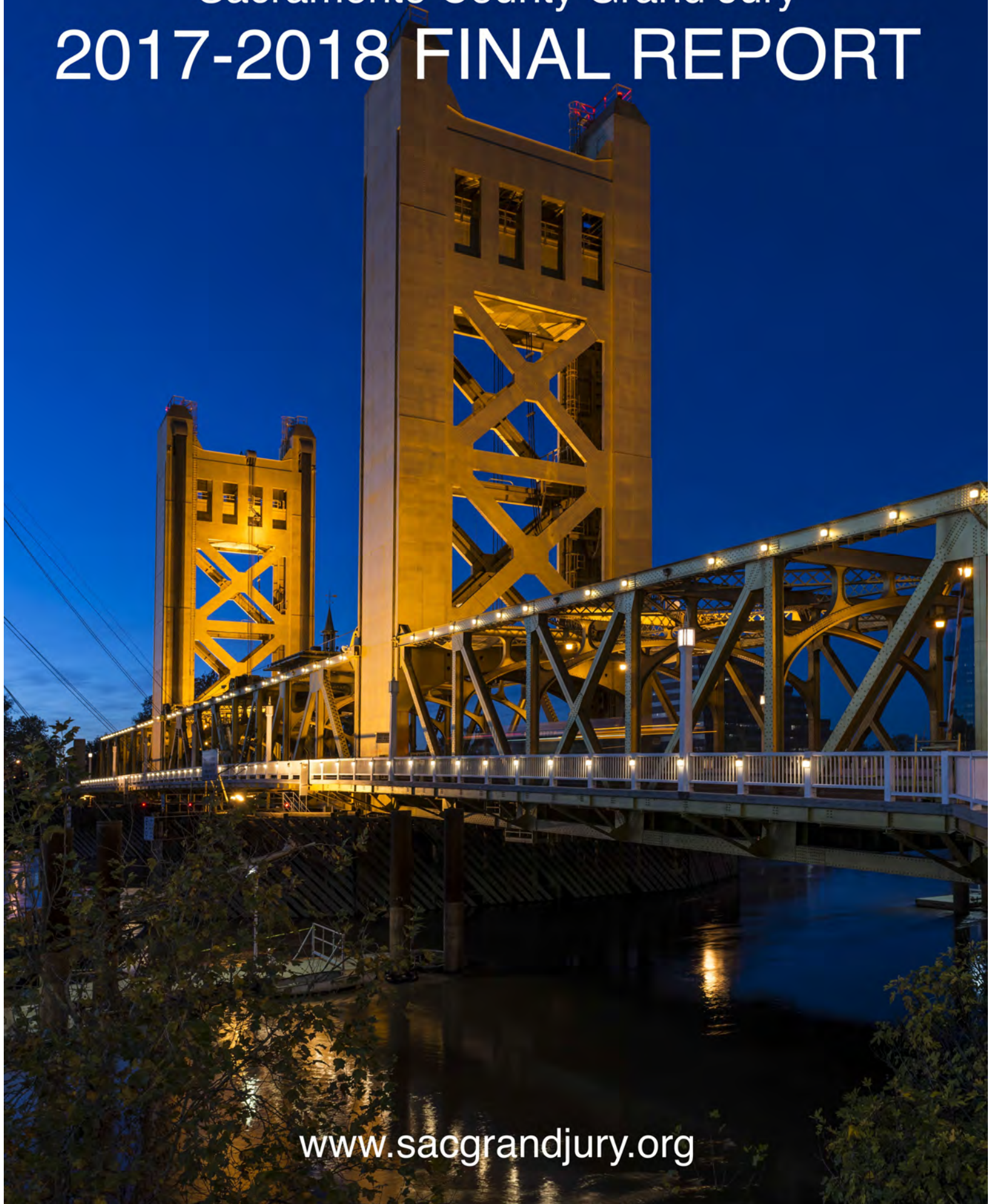


Sacramento County Grand Jury 2017-2018 FINAL REPORT



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Sacramento County Grand Jury 2017-2018

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Back Row:

Arlene Caron, Jeff Molander, Michael Hankey, Robert Courtnier, Craig Wilson, Janice Powell-Fitchett

Second Row:

Paul Lindsay, Nancy Holt, John McGrath, Cheryle Roberts, Judith Messier, Suzanne Baxter

Front Row:

James Fong, Richard Turner (Foreperson), Judge Russel Hom, Becky Castaneda (Grand Jury Coordinator), Ada Lehner

Not Pictured:

Paula Wright, Mary Stafford, Henry Favro

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Sacramento County Grand Jury 2017-2018



SUPERIOR COURT OF CALIFORNIA COUNTY OF SACRAMENTO Grand Jury

Richard Turner
Foreperson

Suzanne Baxter

Arlene Caron

Robert Courtnier

Henry Favro

James Fong

Michael Hankey

Nancy Holt

Ada Lehner

Paul Lindsay

John McGrath

Judith Messier

Jeff Molander

Janice Powell-Fitchett

Cheryle Roberts

Mary Stafford

Craig Wilson

Paula Wright

June 29, 2018

The Honorable Russell L. Hom
Advisor judge of the Sacramento County Grand Jury
Sacramento Superior Court
729 Ninth Street, Department 22
Sacramento, CA 95814

Dear Judge Hom:

As required by Penal Code section 922, the 2017-2018 Sacramento County Grand Jury is please to submit its final report. This document includes findings and recommendations regarding the operation of local government agencies within its jurisdiction. It is the result of numerous interviews, site visits, document reviews, research via publications and newspaper articles, and many group discussions.

It represents the dedicated work of the 19 members of the grand jury, who came together these past 12 months seeking to have a positive impact on the communities in which they live. It reflects all of our diverse backgrounds and expertise but speaks with one voice.

Thank you for your guidance and advice during our tenure, and we would also like to acknowledge the support and expertise of Assistant County Counsel Krista Whitman and Chief Deputy, Sacramento District Attorney's office Stephen Grippi. In addition, the grand jury would like to acknowledge the assistance of our Grand Jury Coordinator Rebecca Castaneda.

It has been a distinct honor for this grand jury to serve our community these past 12 months. We believe our efforts will help to improve local government and make Sacramento County a better place for all its citizens.

Sincerely,

A handwritten signature in dark ink, appearing to read "Richard Turner".

Richard Turner, Foreperson
2017-2018 Sacramento County Grand Jury

GJ/I-1 (rev. 9.9.13)

(Mailing Address) 720 Ninth Street • Room 611 • Sacramento, CA 95814
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The Role of the Sacramento County Grand Jury

Section, 23, Article 1 of the California Constitution requires that a grand jury “be drawn and summoned at least once a year in each county.” The Sacramento County Grand Jury has been drawn annually for more than 100 years.

To satisfy the constitutional requirement, state law describes the selection of grand jurors, and the watchdog and indictment functions of a grand jury. The grand jury authority is located primarily in Penal Code sections 888-939.91, et seq., and the accusation process that leads to the removal of a public officer is described in Government Code sections 3060-3075, et seq.

The grand jury is not the same body as a “petit” jury selected to hear evidence in a single case in a trial court. Instead, a grand jury is empaneled for a one-year period to perform several functions that are described in law. Broadly, the grand jury is charged with assuring honest, efficient government that operates in the best interest of the people of the county. The primary function of the grand jury is to examine aspects of county government, special districts, school districts and city government.

Specifically, this includes:

- Civil Watchdog – to inquire into the willful or corrupt misconduct of public officers; to investigate and report on at least one county officer, department or function; and to inquire into the condition and management of public correctional facilities within the county.
- Criminal Indictments — to present to the court a criminal charge of a public offense against a person based upon evidence considered by the grand jury.
- Accusation – to remove from office a public officer based upon evidence of willful or corrupt misconduct considered by the grand jury.

The grand jury is an arm of the Sacramento County Superior Court and is considered part of the judicial branch of government. As such, the grand jury may ask the advice of the advisor judge to the grand jury, the county counsel or the district attorney. The grand jury may inquire into or

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investigate a matter based on a complaint or upon its own initiative. The grand jury may subpoena witnesses and documents, conduct interviews, and consider evidence presented to it by the District Attorney's Office or the California State Attorney General. Law prohibits witnesses from disclosing their interview, testimony or other proceedings of the grand jury. The authority of the grand jury does not extend to the courts or to state departments or operations.

The Sacramento County Grand Jury is composed of 19 citizens who:

- Are 18 years of age or older;
- Are Sacramento County residents for at least one year before selection;
- Have sufficient knowledge of the English language;
- Are in possession of their natural faculties and
- Possess a fair character.

Generally, jurors are selected in a random lottery process. The advisor judge, representing the Superior Court of California, appoints a foreperson from the selected grand jury panel and administers the oath to all jurors. The oath requires each juror to diligently inquire into matters where the juror can obtain legal evidence and cannot disclose any of the proceedings, discussions, names of individuals interviewed or votes of the grand jury. The juror's term of service is July 1 to June 30 of the following year.

Sacramento County residents interested in serving on the grand jury can obtain an application online at www.sacgrandjury.org or by calling the grand jury office at (916) 874-7578.

Any individual may file a complaint with the Sacramento County Grand Jury. A complaint form can be found at the end of this report.

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Sacramento County
Grand Jury Report

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Is There A Home for Every Foster Child?

SUMMARY

In Sacramento County, there are approximately 2100 children in out-of-home care, served by child welfare agencies. The foster care system is a complex and multi-faceted operation that requires the active cooperation and collaboration of numerous county entities. Although funding has significantly increased over the years, readily available placement opportunities for all levels of youth in need remains a critical issue for Sacramento County.

BACKGROUND

The San Francisco Chronicle published several articles in 2017, reporting that the Sacramento County Children's Protective Service's (CPS), Centralized Placement Support Unit (CPSU) had kept children for extended periods of stay. The Chronicle stated that "abused and neglected children are poorly supervised, sleep on the floor and are often preyed upon by human traffickers".

CPSU is an intake center and not licensed to house children for more than a 24-hour period. The California Department of Social Services cited the CPSU for "operating as an unlicensed shelter due to the extended stays of youth" and ordered them to stop housing children by September 30, 2017.

The grand jury conducted a targeted investigation of the foster care system in Sacramento, focusing first on the CPSU and the mandated changes resulting from the issued citation and corresponding September 30, 2017 deadline. The grand jury also looked into the entities that work with the CPSU as part of the overall foster care youth intake process.

The CPSU leases space on the campus of the Children's Receiving Home (CRH) shelter at 3555 Auburn Road, Sacramento, California. Youth that have been removed from parental or caretaker custody or youth that have run away and are in need of out of home care, are all processed through CPSU.

The situation with extended stays has decreased significantly since Oct 1, 2017. The Community Care Licensing Division continues to perform unannounced periodic audits at CPSU.

METHODOLOGY

The 2017-2018 Grand Jury:

- Toured the Children's Receiving Home (CRH) and the Centralized Placement Services Unit (CPSU)
- Reviewed:
 - California's Child Welfare Continuum of Care Reform legislative mandate document of January 2015
 - State of California Health and Human Services Agency Facility Evaluation Report (January 19, 2016)
 - Senate Bill 855: Commercially Sexually Exploited Children (enacted 2014)
 - Assembly Bill 403: *Continuum of Care Reform* (CCR)
 - CPS financial records and organizational charts pertaining to CRH and CPSU
 - Relevant county communications and incident reports
- Interviewed:
 - Children's advocate attorney from the Children's Law Center of Sacramento
 - Administrative staff from Department of Health and Human Services (DHHS)
 - Administration, management and social workers at CRH
 - Social workers at CPSU
 - Administrator from a foster family agency in Sacramento County
 - Social workers and an executive from Sacramento County
- Researched numerous media sources:
 - San Francisco Chronicle (8/13/17; *State Orders Sacramento Foster Care Office to Close, 9/17/17 Foster Shelter Violates Rights*)
 - Sacramento Bee (8/15/17; *Sacramento County Foster Care Agency Must Close Illegal Shelter, State Says*)
 - CBS local.com (7/10/17 *Sacramento County CPS Office Used to House Children*)
 - CLCCAL.org (1/20/16 *Sexually Exploited Girls in Need of Services*)
 - www.governing.com/topics/health-human-services/gov (10/10/2017 *Nowhere Else to Go, Why Kids are Sleeping in Child Welfare Offices*)
- Examined CRH area crime analysis reports from the Sacramento Police Department

DISCUSSION

The Centralized Placement Support Unit (CPSU)

The CPSU was established in 2010 to have dedicated staff conduct a comprehensive assessment of each child to understand the circumstances, family history and mental health issues in order to identify the most appropriate and least restrictive placement that will meet the youth's needs. The CPSU has experienced, compassionate and dedicated staff whose priority is the welfare of the children they serve. They are focused on problem solving and pro-actively communicate suggestions to their management. The social workers at the CPSU have relatively low turn-over when compared with other units within CPS.

The CPSU has experienced, compassionate staff whose priority is the children they serve

Children's Receiving Home (CRH)

The Children's Receiving Home is a primary placement source for CPSU. CRH is a private non-profit organization that receives over \$6 million annually from Sacramento County. Resource staffing and funding allocation were thoroughly reviewed as well as how CPSU and CRH work together to place children with families in the foster care system.

The current co-location of the CRH and CPSU is in a high crime neighborhood. The 2017 Sacramento Police Department Crime Analysis Unit reported 3,149 missing persons within a two-mile radius. The location is in close proximity to motels, bars and adult shops, increasing the potential for children to be exposed to sex trafficking by predators in the area. The location puts CPSU staff and traumatized youths in undue danger.

One of the challenges of placing youth in an appropriate environment is having their cooperation as they can legally refuse placement for any reason. Children (12 and older) who have been in/out of the foster care system may repeatedly refuse placement and/or leave the premises at any time. CPSU and CRH staff have limited ability to intervene. Although they have security guards at the CPSU, it remains a highly vulnerable and questionable area to accept and shelter traumatized children.

In March 2018 CRH filed an application with the State of California to become licensed as a Short Term Residential Treatment Center (STRTC) in accordance

with Assembly Bill 403 which mandates that all group homes make the transition to STRTCs by the end of this calendar year. The reimbursement rate for STRTCs is \$13,500 per child per month, compared to the \$9,800 monthly rate CRH currently receives per child per month. CRH anticipates providing placements for 36 children in their STRTC with a treatment time of 3 to 6 months, a shorter time than a regular group home placement.

According to staff, the CRH is underutilized with a bed occupancy rate of about 55% of their capacity. Several people interviewed told the grand jury that the low utilization was due to the lack of adequately trained staff because of high turnover.

CRH receives
\$9,800 per child
per month from
Sacramento
County

Additionally, the need to group children according to their age and development level further limits occupancy. Another reason given was the safety concern of placing the higher risk youth and the less traumatized youth together in the residential cottages. The \$9,800 monthly rate applies to all CRH youths including those requiring minimal support to those needing extensive services.

In September of 2017, the Board of Supervisors allocated an additional \$700,000 to the CRH to address the issues cited in the violation. The funds were used to remodel a comfort room into a sibling cottage with 10 beds, increasing the total number of licensed beds from 89 to 99. They also used the funds to hire more staff but continue to have a high number of unfilled positions.

Recent Legislation – Senate Bill 855 and Assembly Bill 403

SB 855: In 2014, California enacted legislation (SB 855) stating that sex trafficked children are victims and as such are more properly served by child welfare. The legislation essentially reclassified these children from the probation/correctional system to the child protective services system and are now referred to as Commercially Sexually Exploited Children (CSEC). This transition resulted in an influx of higher risk children with greater needs for placement.

Sacramento County received additional funds through participation in an opt-in initiative to develop programs to recruit more foster homes that accept CSECs. Although more support services have been developed, home placements remain an urgent need.

AB 403: Continuum of Care Reform is a comprehensive reform effort to make sure that youth in foster care have their physical, mental and emotional daily needs met and that they have the greatest chance to grow up in permanent and supportive homes. Continuum of Care refers to the spectrum of care settings for youth in foster care, from the least restrictive to the most restrictive and most service intensive environments. The bill supports a shift in placement options from congregate care (group homes) settings to resource family settings. The goal is to better meet the needs of youth in foster care and to promote positive outcomes for those youth as they transition out of foster care. AB 403 addresses these issues by giving families who provide foster care, now known as resource families, targeted training and support so that they are better prepared to care for youth living with them.

Placement Options

There is a nationwide shortage of resource homes which has also been an ongoing challenge in Sacramento County. Although CPS received \$1 million for recruitment, retention and support, no formalized plan and timeline has been developed. CPS has two social workers whose responsibility is to interface with the public to find, recruit, retain and support resource families. These recruitment social workers have been focused on transitioning current foster families to the CCR resource family model since Jan. 2017, negatively impacting recruitment of new foster families. A relatively low-level staff person has had primary responsibility for recruitment. While everyone employed at CPS has been asked to promote fostering children, a higher level of commitment and accountability is needed.

Despite the additional training for resource families mandated by AB 403, it is unlikely that the highly traumatized children removed from their families due to abuse and neglect will have more immediate and long-term placement opportunities. Many of these children have been in and out of the foster care system for years and have experienced repetitive trauma. As a result, these children are difficult to place due to assaultive behaviors such as fire setting, drug addiction, sexual acting out and suicide attempts. They may also victimize younger children, destroy property and habitually run

Additional
financial
expenditures
have not
resulted in
obtaining more
foster homes

away. These “outlier” children have been refused foster care by resource families, group homes and until recently the CRH.

It is clear to the grand jury that additional financial and human resources have not resulted in obtaining more foster homes. CPS has relied heavily on CRH to accept the difficult-to-place youths. The county has fewer group home settings so at times has utilized group homes in other areas to accept Sacramento County children. The practice of placing children out of county is unpopular with teens and their advocates because an out-of-county placement further disrupts their lives and distances foster children from their communities. There is a decreasing number of placement options for traumatized youths who cannot be maintained in a family type setting. The common response to our inquiries throughout our investigation of how to deal with these children was typically “to find more foster homes.” This limited response lacks insight and innovation. It raises the concern that the recent changes for CRH to accept all CPSU referrals is short-sighted even if CRH eventually becomes a Short Term Residential Treatment Center (STRTC).

ACCOUNTABILITY

The investigation was challenging. The grand jury sought to understand the aggregate cost and effectiveness of the current CPS intake/placement model of which the CPSU is part of but was unable to get sufficient data to do so. Based on numerous unanswered questions, it was evident that data collection and targeted analysis is inadequate pertaining to budget expenditures and outcomes.

The grand jury was disappointed to learn that most effort and expense is still spent on a foster family model that has been in place for decades even though this model is not keeping up with the demands of the expanded population. Although AB 403 was designed to enable families to care for the children, the required training and transition phase is slower than anticipated and lacks a plan/timeline to deliver the desired results.

Agencies need to consider more innovative approaches to better serve their expanded population

The County Executive Office (CEO) is responsible for the county budget and recommending departmental policies to the Board of Supervisors. The Board

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depends on the CEO for factual, timely and complete information so they can make decisions on behalf of their constituents. The public deserves to know what is happening with these abused children and how resources are being spent. Lack of long range planning for Sacramento County traumatized and troubled youth has created a chronic problem which resulted in the Department of Social Services forcing CPS to take action, long overdue.

FINDINGS

- F1. CPSU has experienced, compassionate and dedicated staff whose priority is the welfare of the children they serve.
- F2. The current location of the CPSU is in a high crime neighborhood that places CPSU staff and traumatized youths in undue danger.
- F3. Since the enactment of SB 855 in 2014, no measurable progress has been made to find suitable options that address the unique treatment and placement needs of the expanded population of high risk children.
- F4. There is a lack of communication on spending priorities between senior management and the needs of the service providers.
- F5. CPS and DHHS are still focused on ineffective recruitment strategies rather than considering innovative approaches to gain more placement models for the expanded population it serves.
- F6. CPS personnel hired to recruit placement opportunities for children are unable to focus their efforts due to other job activities.

RECOMMENDATIONS

- R1. Acknowledge the social workers and supervisors of the CPSU for their outstanding service and dedication.
- R2. Relocate the CPSU to a safer environment.
- R3. Develop a plan and accelerated timeline to increase placement options for all children with immediate needs and children requiring Short Term Residential Treatment Centers.

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- R4. Senior management needs to improve transparency and open communication between county policy makers and service providers so that budget allocations better match the needs of Sacramento County foster children.
- R5. Create an analytical model that compares cost effectiveness, resulting in the ability to pro-actively develop and implement alternative models.
- R6. Determine the necessary hiring or utilization of existing staff to allow recruiters to focus exclusively on placement opportunities for children.

Request for Response

Penal Code sections 933 and 933.05 require that the following officials submit specific responses to the findings and recommendations in this report to the Presiding Judge of the Sacramento Superior Court by Sept. 30, 2018.

County Board of Supervisors

All Findings and Recommendations

County Executive

All Findings and Recommendations

Mail or hand-deliver a hard copy of the response to:

David De Alba, Presiding Judge
Sacramento County Superior Court
720 9th Street, Department 47
Sacramento, Ca 95814

In addition, email the response to:

Becky Castaneda, Grand Jury Coordinator @castanb@saccourt.com

Strengthening the Internal Audit Functions of Sacramento County

Summary

The 2017-2018 Sacramento County Grand Jury conducted an investigation of Sacramento County's Internal Audit Process. We found that the county does not regularly perform independent operational audits, letting departments audit their own operations and processes. Independent outside operational audits can prevent waste, fraud and abuse. Based on our research, it is apparent that failing to properly exercise its oversight responsibility costs Sacramento County taxpayers' money.

Our focus was on 'best practices' which could be incorporated into Sacramento County operations. The grand jury study focused on auditor autonomy and independence, transparency, accountability, and a different method of audit selection based on a concept of 'risk' as discussed later in this report.

Interviews with local county and city officials gave the grand jury valuable information and insights regarding how the Internal Audit Unit (IAU) operates, where it fits within organizational structures and obstacles to the 'best practices' that were identified. These obstacles include issues such as staffing, policies and procedures, budgeting, and the priority, or lack thereof, that the County Board of Supervisors (Board) places on the IAU within the organizational structure.

The grand jury has outlined nine findings and recommendations which we believe can help Sacramento County as they build upon the foundation they have in place and as they move to optimum efficiency. Further, the grand jury believes that if the Board and county leadership are truly committed to improving their operations, the tools and opportunities are all there for them to become a success story and to be an example for others to follow.

Background

The issue of strengthening the internal audit functions of the County of Sacramento came to the attention of the 2016-2017 Grand Jury too late in the year to undertake an investigation, therefore, the matter was tabled for a future grand jury to pursue.

After reviewing practices in other jurisdictions, the 2017-2018 Grand Jury determined that this issue is significant enough to the taxpayers of the

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County of Sacramento to warrant an investigation into what appear to be issues of a lack of transparency, independence, and accountability.

Methodology

What investigative techniques were used

- An informal review of the internal audit departments of the twelve largest cities and counties in California
- An in-depth review of the internal audit/auditor-controller operations of four of the most populous city and county governments in California was undertaken through research on the internet
- A number of formal interviews of City and County of Sacramento officials were conducted with staff representing the Internal Audit/Auditor-Controller divisions as well as executive management
- A review of numerous documents, both internal and external to the County of Sacramento, as well as review of nationally recommended auditing standards for governmental entities.

Internet Review

The internet research was valuable, as it portrayed the scope and depth of the different internal audit and auditor-controller functions among different jurisdictions. The grand jury was able to gain good insight into their operations and transparency of information provided to the public.

The website review was not a verifiable way to gain a proven understanding of how each internal audit department operated within the jurisdictions. However, the review was effective in terms of understanding how each city and county elected to provide relevant information. The individual websites are valuable portals for the public. The better websites were effective in portraying their internal audit departments as solid fiduciary custodians of how public dollars are utilized for governmental functions.

Review of Audit Practices in Other Jurisdictions

The review of other cities and counties allowed the grand jury to compare the County of Sacramento with many other organizations. We looked at the following:

- The quality and depth of the website and accessibility of information for the public
- Strength of independence of the internal auditing process
- The position of the Internal Auditor in the organization's overall hierarchy

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- Presence of an oversight committee or independent peer review function
- Internal Auditing Policies and Procedure document online
- Availability of completed internal audits on website
- Monthly status reports documenting the progress of the audits toward completion
- Availability of information on 'planned' audits for the next one or two years
- The availability of a whistleblower/fraud hotline and suggestion portal for the public's use.

Many of the more populous cities and counties were not necessarily better than the smaller organizations in providing public information for their internal audit function. We chose to review the following jurisdictions:

Orange County

Orange County appears to have a strong internal audit division and an informative website. The Auditor-Controller serves in an elected position and reports directly to the Board of Supervisors. Internal auditing is one of several functions that the auditor-controller supports. An oversight committee is in place and includes five 'private sector' members. The website includes strong mission and values statements and stresses that "Disclosure + Clarity = Transparency," as a fundamental way of communicating its functions, values and results to the public.

The Auditor-Controller's office ensures that complicated documents like the Comprehensive Annual Financial Report (CAFR) are accompanied by a Citizens' Report that condenses the salient points of an often 250+ page document into an easily readable and understandable 10-12 page narration, reducing accounting terminology and legal jargon into plain English. Completed internal audits are online, awards are mentioned, and interested citizens can sign up for the departments 'e-newsletter' for updated information.

City of Sacramento

The internal auditor at the City of Sacramento serves in an elected position and reports directly to the City Council. There is a staff of six with diverse academic and work experience backgrounds. This is unlike many organizations that hire strictly individuals with financial or accounting backgrounds. The staff is directly engaged in a variety of

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financial and process audits and reports to and takes direction from the City Council.

The Internal Auditor has no connection to, or responsibilities on behalf of, the City's Finance department. This position operates independently of other city organizations. Internal audits are scheduled in advance, as the need arises, or at the request of the Sacramento City Council. A proposed scope of work for each audit is developed. The scope of work includes estimated savings to the taxpayer, as well as realized savings as independent milestones are met.

Completed internal audits are posted online and indicate a strong diversity of subject matter audited. The City has a comprehensive website, providing excellent transparency as to their vision, objectives and status of ongoing audit work and results. The City of Sacramento also maintains a Fraud Hotline with a link on their website.

City of San Jose

The City of San Jose has a solid internal audit program with a very well-developed website for communicating information to the public. The City Auditor is appointed by the City Council and has a staff of 15. The auditing section of the website has a strong mission statement, posts internal audits online and includes progress reports with potential financial savings. Work plans for the near future are also included, as well as internal audit work processes and standards.

A long list of awards is listed for past audit work. A video interview with the City Auditor is included on the website, allowing the public to gain an understanding of the department's purpose and direction.

Alameda County

Alameda County's elected Auditor-Controller has multiple functions apart from internal auditing. The Auditor reports to the County Administrator and the Board. Alameda County has a strong vision statement, job descriptions, and a good personnel contact list. Past CAFR's and Single Audit Reports are included online.

Discussion

Internal Auditing

"Internal auditing is an independent, objective assurance and consulting activity designed to add value and improve an organization's operations. It helps an organization accomplish its objectives by bringing a systematic, disciplined approach to evaluate and improve the effectiveness of risk management, control, and governance processes." (Institute of Internal Auditors (IIA))

The responsibilities and duties of an internal auditor are to independently perform the following:

- Objectively review business processes
- Evaluate the risk management procedures that are currently in place
- Protect against fraud and theft of the agency and county assets
- Ensure that the agency is complying with relevant laws and statutes
- Make recommendations on how to improve internal controls, policies, and procedures.

Commonly Accepted Audit Standards

There are accepted standards for the practice of accounting within the government sector, covering strict financial auditing, as well as operational, or process audits. Government auditors conduct audits using a combination of Yellow Book and Red Book standards.

The Yellow Book

The U.S. Government Accountability Office, which issues the Yellow Book, is an independent, non-partisan agency that investigates how taxpayer dollars are spent. Their work includes auditing agency operations for efficiency and effectiveness and determining how well programs are meeting their objectives.

- The Yellow Book contains standards for financial audits, as well as performance audits. It does not, however, discuss overall audit planning strategy.
- Auditor independence is championed by the Yellow Book.
- The Yellow Book standards also clearly require that auditing staff must collectively have "adequate professional competence" and technical knowledge.

The Red Book

The Institute of Internal Auditors (IIA) issued the International Professional Practices Framework (IPPF) in 2009, known as the Red Book.

- The Red Book defines Internal Auditing as “an independent, objective assurance and consulting activity designed to add value to an organization’s operations.”
- The Red Book emphasizes auditor proficiency and competency. Internal auditors should possess skills, knowledge, and other competencies needed to perform their responsibilities.
- It emphasizes the concept of auditor independence.

Difference Between Yellow and Red Books

Where the two differ substantially is in the nature of audit planning. The Red Book states that overall audit planning for an organization “must establish risk-based plans to determine the priorities of the internal audit activity” (Section 2010). Further, the plan must be based on a documented risk assessment done on an annual basis. As mentioned before, the Yellow Book does not address this issue.

Types of Internal Audits

- Financial Audits seek to ensure an organization is using accepted accounting procedures to create and manage financial information through the review of financial statements.
- Compliance Audits are used to evaluate an agency’s compliance with applicable laws, regulations, policies and procedures.
- Performance Audits assess whether an agency is meeting the goals and objectives set forth by the policy makers. If the agency is not meeting its stated goals, the internal auditor will identify process shortfalls and make suggestions for improvement to the policy makers.
- Operational/Process Audits assess the overall efficiency and reliability of an agency’s control mechanisms. It is an objective review of the way an agency uses resources.

The Job of the Internal Auditor and the Scope of internal audits

There are four common techniques which make up the internal auditing process and allow auditors to collect information and evidence, analyze the collected data and report back with suggestions for improvement as needed:

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- Observing the agency operations and environment
- Inspecting the specific risk management, financial reporting and productivity strategies that are currently in place
- Inquiring or asking questions of management personnel related to the effectiveness of the current internal controls
- Confirming whether the goals and objectives of the business are being met.

Auditors apply their professional judgment to determine the standards by which agency activities are measured. This involves:

- Conducting special studies
- Analyzing business policies, processes and procedures
- Defining audit objectives
- Deciding the nature and extent of the audit procedure
- Stating final opinions and conclusions
- Reporting and distributing findings to the board and management.

One of the most important aspects of an internal auditor's job is the ability to perform an objective evaluation of an agency's activities. If agency politics prevent the internal auditing department from performing its job with autonomy and independence, the agency will not receive the benefits that are associated with an honest internal audit such as increased efficiency and productivity, decreased waste, potential savings of taxpayers' dollars and legal compliance.

Risk Assessment Modeling

Risk Assessment is a process to identify and quantify "risks" inherent in the organization and the quality of its controls over those risks. Establishing a model to schedule reviews is simply not enough, there must be a robust independent review and analysis of an operation to ensure that work is done efficiently, economically, and correctly. Simply put, the greater the risk, the greater the need for review.

The Risk Assessment approach to performance auditing has several advantages:

- It goes beyond simple compliance to established practices and identifies areas most in need of improvement
- It can eliminate archaic practices that no longer serve a necessary purpose
- It can eliminate redundant processes
- It can improve cross departmental practices and processes

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- It can optimize the use of existing resources
- It can identify wasteful and possibly illegal practices
- It can save taxpayer money.

It is difficult to attribute actual amounts of savings derived from performance audits, as each is different in scope and nature. However, our internet research and our interviews revealed that it is possible to achieve estimated savings of \$3.00 for every \$1.00 invested when jurisdictions conduct performance and operational audits. That would be considered an excellent return on investment for any organization.

To this point, we have been discussing general internal accounting practices, as well as practices in other jurisdictions in order to establish a basis of comparison to Sacramento County.

Sacramento County Current Auditing Practices

The County of Sacramento performs annual financial reviews of cash management and procurement cards. Some reviews are in the annual audit plan and some are requested by county agencies or departments. In both instances, auditors and agencies mutually agree on what is to be audited and how much will be spent on the audit. The agencies requesting reviews must pay for them out of their agency budget.

It appears that the county does not conduct independent, outside performance or operational audits. Performance or operational audits normally have been performed by the same unit or section that is being audited. Simply put, units are auditing their own work products!

Independent outside performance or operational audits can provide a more accurate assessment of the efficiency and effectiveness of an agency's operation. Such audits help to identify deficiencies and issue findings with corresponding recommendations for improvement.

Internal Audit Unit (IAU)

"The IAU is responsible for the audit functions of Sacramento County. This includes performing financial and compliance audits for County departments, special districts, Federal and State grants, joint power authorities, trust funds and other districts whose funds are deposited in the County Treasury. Reviews are performed of the Comprehensive Online Management Personnel and Accounting (COMPASS) for Sacramento County, and how various departments utilize COMPASS and the established internal controls. The IAU also conducts

compliance audits and reviews of transient occupancy tax, utility tax and concessionaires doing business within the County, and investigates any cash or property losses occurring within the county" (Sacramento County Website: Internal Audits).

According to the current County of Sacramento Organizational chart, the IAU is under the Assistant Controller-Auditor, who is under the Director of the Department of Finance (DOF), who is under the Deputy County Executive for Administration, who is under the Assistant County Executive, who reports to the County Executive, who reports to the Board. It is important to note that there are four (4) levels of supervision between the IAU and the County Executive and five (5) levels between the IAU and the County Board. These many layers of reporting diminish accuracy, effectiveness and accountability.

Accounting Database System

The County, as well as the IAU, uses an antiquated financial database called the Comprehensive Online Management Personnel and Accounting system (COMPASS) which was established sometime in the early '90's and it is updated annually by the vendor. One individual the grand jury interviewed discussed the complexity of the system and how it is challenging to use. It requires specific training to learn the system and additional training and usage to gain efficiency. In addition, they have to purchase ancillary software as needed which is then integrated into COMPASS to address needed changes, upgrades or improvements. There is a COMPASS Steering Committee which meets to discuss changes, planning and resources. IAU staff attends COMPASS meetings occasionally but are not regular members of the committee.

Current Budget Process

The IAU prepares annual audit plans and apportions staff hours to each audit with corresponding dollar values for which they must budget. Additional revenue is collected by the IAU from agencies who request reviews of their agency or any part thereof because those agencies must pay out of their own budget. The problem with this arrangement appears to be that agencies may opt not to request audits/reviews because of budgetary restrictions. Given IAU's staff limitations, agencies may not be audited for multiple years. According to audit plans provided by the IAU for the past three years, there are some county agencies that have not been audited for several years and some agencies that have never been audited.

Budget Process Change

The County is implementing a change in the budget process regarding internal audits.

One witness told the grand jury “this change will involve a three-month process for risk assessment and produce a ‘heat map’ plotted to show high and low risk by county department, which would result in a ‘template’ to work with for the next five years and an audit plan developed for high risk priority. The difference with the new budget process is that they will have an audit plan which will remove the budgetary issue and problems with departments saying they don’t want to pay, for example, for a cash review.”

Audit Committee

Audit Committees are often created to review and approve audit plans, review audit reports, and generally provide oversight for internal and external audits, the CAFR and to provide advice to the Board. Sacramento County recently revived their Audit Committee.

Several witnesses within County government were asked about the composition of the current audit committee and whether they saw any benefit to having a board member on the committee in an advisory capacity. They stated that discussions have been held regarding the “pluses and minuses” of having board members present at their committee meetings, but no decision has been made. Witnesses were asked about having someone from the outside or non-government representative as an audit committee member. One individual stated that this is happening in other counties and believes that they would embrace it if it happens.

Independence – Change in Organizational Structure?

It is interesting to note that 47 of the 58 counties in California have elected Auditor Controllers, insuring the independence of the position (this data was taken directly from the State Controller’s office. Interestingly, Sacramento County is annotated as having an elected Auditor Controller, although this has not been the case for many years).

Witnesses were asked if it would be helpful if the IAU had a more direct connection to the Board. One response was, “other counties have that method. We can report to the board now but not necessarily a direct communication.”

Transparency

The IAU website is not user friendly. The county's website did not reflect the 45 audits performed annually.

The CAFR and the Single Audit Reports are on the website. These reports are written by accountants and meet reporting requirements but are not easily readable or understandable by the general public.

The grand jury learned that the DOF currently does not have an Information Technology (IT) Specialist to maintain the website and it is updated by IAU staff as time permits. Only one IT tech is assigned to the Finance Department, helping to resolve desktop issues for 179 employees. His responsibilities do not include website updating or maintenance.

The grand jury believes that transparency of information is evident when:

- The overall website and the internal auditor section is well designed and inviting to the reader
- The internal auditor section has a strong vision statement
- An organization chart is provided with a comprehensive description of the staff, their training, duties and roles in the department
- An indication of the reporting relationships between the internal auditor within the organization and whether that individual is a division chief, department head or executive manager
- There is an oversight committee that drives direction of the internal audit function
- Completed audits over the last several years are included on the website
- An audit work plan for the coming year or two is included
- A monthly status report on milestones completed for each audit that is carried out
- A cost-benefit structure is incorporated that identifies estimated cost savings of each audit, once completed, and actual dollars saved as each audit recommendation is carried out by the affected department/function
- A method exists for the public to make suggestions regarding perceived operational problems and to make voluntary, anonymous reports of fraud and abuse.

Staffing

The grand jury learned that the IAU's staffing is budgeted to include 7 professional auditors. However, there have been two positions which have not been filled for some time. It was mentioned by at least one witness that some of the IAU's staff also do "all sorts of other things in the department of finance". Retention issues were mentioned and attributed to two factors: 1) the loss of staff to private industry, 2) The loss of employees to other County agencies, either to direct promotion or transfer to an agency with better and more defined promotional opportunities. There was a general concurrence that the unit could use more employees. It was noted that most, if not all of the IAU staff, are accountants.

Looking to the Future

The County has been studying the best practices of other governmental organizations and is considering using all or parts of the Red Book, for both financial and operational audits. In 2017, the County Department of Finance determined that they needed to develop and implement a risk assessment approach to internal auditing of county agencies.

In August of 2017, the County issued a Request for Proposal (RFP), inviting proposals "for conducting a risk assessment study and developing a risk-based model which will be used to prioritize audits/reviews to be performed". Under a section called Scope of Work, the County's main expectations were:

- Extensive Departmental background information to be obtained
- Identification of risk factors to both operational and financial processes and internal controls
- High, medium, and low risk profiles
- A means of updating profiles, under changing conditions and changes in identifiable risk factors.

In response to the RFP, a proposal was accepted by the County in December 2017 and a completed report is expected to be delivered to the county by May 30, 2018. The following components were also identified:

- Identifying and cataloging auditable activities, and to assess those activities on a yearly basis, using, but not limited to the following criteria:
 - An overall numeric score
 - An overview of operation

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- Key operating objectives
- Potential near-term significant risks
- Recommending quantitative and qualitative evaluation method
- Providing a user-friendly tool to prioritize audits based on risk level
- Establishing a three to five-year audit plan.

The discussion on risk assessment echoes what the grand jury heard and reported above. It is an understanding of how actions expose the entity to risk, either through direct loss, inefficiency, or lack of effectiveness. Ultimately, the goal is to find optimal efficiency and effectiveness, eliminate redundancy, and move beyond mere compliance with established procedures and processes.

Two important areas of concern are conspicuously absent from both the RFP and from the accepted proposal:

- There is no mention of auditor independence nor is there any mention of audit unit composition. As discussed above, there are many approaches to the concept of internal controls (operational audits), but there is one consistent requirement: the independence of the auditor. The auditor must be free to pursue issues where the data leads.
- Noticeably missing is any mention of a diverse auditing team, bringing together broad academic and professional experiences, fostering a wider approach to operational audits.

Conclusion

Sacramento County is in the first steps of transforming their audit process from financial reviews to include independent performance and operational reviews. The grand jury recognizes that Sacramento County is taking this initial step, but it will require hard work, diligence and a significant change from “everyday” procedures to ensure the success of this shift. The grand jury recognizes that the transition from current practices to the ‘optimal’ practices, outlined in this report and in the consultant’s proposal, will be a multi-year process. It is critical that the elected officials of the County of Sacramento continually review the process and take the necessary steps to ensure its success.

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The grand jury identified the following findings and offers the following recommendations:

Findings

- F1. The Sacramento County Internal Audit Unit lacks the necessary independence to perform operational audits and report their findings directly to the Board of Supervisors. Currently, there are five separate levels of supervision between the unit and the Board. As stated earlier, the grand jury believes that these multiple layers of reporting can diminish accuracy, effectiveness, and accountability.
- F2. Sacramento County lacks a process for independent outside operational audits. The current practice is for departments to perform operational audits from within, using an operational audit team composed of members of that department. This approach reinforces long standing practices, and does not lend itself to innovation, efficiency and streamlining.
- F3. There is a lack of public transparency in the current audit process. Websites are disorganized and confusing. It is not easy to find a current schedule of audits or past audits. There are no clear mission statements or objectives shown for the Department of Finance or its sections.
- F4. Current staffing levels are not at maximum strength and are not sufficient to undertake an increased role in performing internal operational audits.
- F5. Sacramento County currently lacks staff in the audit section with the breadth of experience or broader education to also process operational audits, in addition to financial audits.
- F6. Audit Reports that are available to the public are often written to address specific accounting and legal needs and are not readily understandable to the public. Reports conform to financial standards, requiring some degree of experience on behalf of the reader.
- F7. The Audit Committee is comprised of department heads. Other governments that have established audit committees have included decision-makers (elected officials) and members of the public to assist the Board and the Auditor in fulfilling oversight responsibilities.

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- F8. The Internal Audit Unit, as well as the Department of Finance as a whole, are understaffed in IT Support. Maintaining transparency of operations to the public is difficult, if not impossible, without adequate IT support.
- F9. The Internal Auditor has infrequent, irregular input to the COMPASS Steering Committee.

Recommendations

- R1. Create an elected position of County Auditor. Remove the Internal Audit Unit from the Department of Finance, eliminating unnecessary levels of supervision.
- R2. Emphasize independent operational audits to review processes and procedures. Emphasize Risk Assessment Modeling to develop operational audits and scheduling.
- R3. Establish a strong mission statement and objectives for the Internal Audit Unit. In order to ensure increased transparency, the County should work to improve its website and to support it, using a dedicated individual, either from the Department of Finance or from the County's Information Technology support staff.
- R4. Staffing increases are necessary to also undertake operational audit workloads.
- R5. Hire and retain staff with a wide breadth of education and experience that they can bring to operational and process audits.
- R6. Make all reports more transparent to the public, particularly the readability and accessibility of completed operational and performance audits.
- R7. Maintain and expand the Audit Committee to include one or two members of the Board of Supervisors. The Board should also consider appointing members of the Public to the Audit Committee
- R8. Improve Information Technology support for the Internal Audit Unit and for the Department of Finance.
- R9. The Auditor should be a permanent member of the COMPASS Steering Committee.

Request for Response

Penal Code sections 933 and 933.05 require that the following officials submit specific responses to the findings and recommendations in this report to the Presiding Judge of the Sacramento Superior Court by Sept. 30, 2018.

County Board of Supervisors

All Findings and Recommendations

County Executive

All Findings and Recommendations

Mail or hand-deliver a hard copy of the response to:

David De Alba
Presiding Judge
Sacramento County Superior Court
720 9th Street, Dept. 47
Sacramento, CA 95814

In addition, email the response to:

Becky Castaneda, Grand Jury Coordinator @castanb@saccourt.com

Cosumnes Fire Department: “Second Chance to Make It Right” - School Inspections

SUMMARY

Inspections of schools for compliance with fire codes are essential for the safety of school children, including those in the Elk Grove Unified School District (Elk Grove), Galt Joint Union School District (Galt) and for the public in the community. The public has a reasonable expectation that the Life Safety & Fire Codes are being met for the schools in the districts.

The 2017-2018 Sacramento County Grand Jury (grand jury) opened an investigation into the Cosumnes Fire Department (CFD), specifically for its responsibility to oversee Fire & Life Safety inspections of schools within its jurisdiction. This report looks at the inspection process as it relates to high schools as they are the most vulnerable and with the largest student population.

The Sacramento County Grand Jury was informed last year of the lack of inspections of schools in the Galt and Elk Grove school districts. CFD, which is responsible for these inspections, came under media scrutiny after The Sacramento Bee reported that the fire marshal's staff did not perform state-mandated fire inspections on Elk Grove and Galt schools. The headline read: “Department under scrutiny for lack of inspections.”

The grand jury investigation concludes that the Cosumnes Fire Department's process is deficient in a number of areas:

- Inspections are not being performed in a timely manner.
- There is an ongoing lack of documentation in regard to inspections and re-inspections.
- Review of data received from high schools indicates no positive incentives for school administrations to react to noted violations due to lack of enforcement. With no citations having ever been issued, failure to correct violations after issuance of a citation may result in legal action up to and including fines and/or jail time.
- A report from Citygate Associates, Inc. (a management consultant firm) was delivered to CFD on May 26, 2015. Implementation of the report's recommendations is still not fully completed.
- Implementation of CFD's “Image Trend” web-based Report Management System software for the fire inspections and re-inspections has not been accomplished.

Based on the above cited deficiencies, the CFD is a long way from completing its mandate for annual school fire inspections.

BACKGROUND

In May of 2015, Citygate Associates, LLC presented a detailed report which reviewed field deployment and headquarters staffing functions for the CFD to the Cosumnes Community Services District.

The headquarters process study addresses the following questions:

Is the current methodology and staffing for Fire Administration and Emergency Medical Services oversight appropriate and is it meeting all best practices for the Department?

As noted in the report "It is important to state that administrative functions, in every fire department, are critical to the safety of the firefighters and public. Fire and emergency services departments in the 21st century must be data-driven."

CITYGATE'S SIGNIFICANT ORGANIZATIONAL OBSERVATIONS

Citygate's operational review and the CFD's questionnaires revealed significant issues facing the department. One of the main issues showed that becoming a data-driven organization was very important and critical. "The significant problems already described with the response data are only some of the many problems with CFD's current Records Management System (RMS). In addition, the Department had a paramedic patient Electronic Patient Care Report (ePCR) for a period of time and reverted back to a paper PCR system due to significant issues with the program. The department is implementing Image Trend, a web-hosted RMS that also includes an integrated ePCR and electronic fire inspections. The challenge now is committing staff hours to complete the configuration and transition to presenting training for the new RMS and ensuring compliance. This will be a first step in becoming a data-driven organization."

This system has been partially implemented, but the majority of the information derived from these inspections is still being accomplished through use of a paper-based system.

In April 2017 the Sacramento Bee ran an article discussing the lack of state mandated fire inspections largely due to the CFD's failure to carry out these inspections. The grand jury began to look into these inspection issues in Elk Grove and Galt school districts in mid-2017, prompted by the Sacramento Bee article and complaints from the general public.

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The grand jury looked into both the Citygate initial evaluation report of 2015 and the Sacramento Bee article of April 2017. The grand jury interviewed key personnel of local fire departments. Members accompanied a fire inspection team on regular school fire inspections. Members also visited the CFD headquarters to evaluate the progress to date on their data system implementation.

METHODOLOGY

INTERVIEWED

- Cosumnes Fire Department staff
- Sacramento City Fire Department staff

REVIEWED

- Citygate Associates, Inc. Report- Cosumnes CSD Fire Department Standards of Cover and Headquarters Services Assessment, Vol. 2 of 3 – Technical Report, dated May 26, 2015.
- California Fire Inspection Guide, based on the California Code of Regulations
- Department of Forestry & Fire Protection Checklist (Office of the State Fire Marshal)
- Self-Prep for School Inspection guide/handbook
- Cosumnes Community Services District duties and responsibilities for Fire Chief, Fire Marshal and Assistant Fire Chief
- Galt Herald Newspaper articles dated January 11, 2017
- Sacramento Bee Newspaper article dated April 15, 2017
- Elk Grove Citizen Newspaper article dated April 28, 2017
- State Fire Marshal's website:
<http://osfm.fire.ca.gov/firelaws/firelaw>
- 2017 Annual Fire and Life Safety inspection reports from Elk Grove Union School District: Cosumnes Oaks High School, Elk Grove Charter School, Elk Grove High School, Franklin High School, Galt High School, Laguna Creek High School, Monterey High School, Pleasant Grove High School
- 2017 Annual Fire and Life Safety inspection reports from Galt Joint Union High School District: Elk Grove Charter School, Estrellita Continuation School, Galt High School, Elk Grove Charter School

TOURS

- Cosumnes Fire Department Headquarters and Administration
- Observed a fire inspection at an Elk Grove high school
- Observed a fire inspection at an Elk Grove elementary school

DISCUSSION

Articles - Various articles were reviewed to help us understand the background of this investigation. Articles reviewed included: The Citygate report Vol. 2 - Technical report dated May 26, 2015, The Galt Herald Newspaper article Jan. 11, 2017, Sacramento Bee Article April 15, 2017, The Elk Grove Citizen Newspaper article dated April 28, 2017, and the 2017 Annual Fire and Life Safety inspection reports of high schools in Elk Grove and Galt school districts.

After review of these articles and reports, it was clear there was a lack of regular fire safety inspections of local schools under the purview of CFD. The department had been under scrutiny as indicated in the articles mentioned due to lack of inspections and lack of leadership.

An example of the lack of timely inspections and documentation was evidenced by the response in April of 2017 to a Galt resident's request of the district for the annually required high school inspection records. He was told by CFD that they were unable to locate the inspection records for the past three years. The CFD Fire Chief, at the time, went on to tell the Galt Herald "Although we have performed several code-related inspections at various school campuses, we have not performed a formal annual inspection of the Galt School District facilities within the past three years."

The grand jury notes that a new Fire Chief was promoted from within in July 2017 and a new Fire Marshal was hired the previous year, both to help usher in new department leadership.

Interviews - The grand jury interviewed staff from the Cosumnes Fire Department and from the Sacramento City Fire Department (SCFD). We were informed of the past issues both organizations had with inspections and leadership as well as current issues and improvements. This information identified the need for increased staffing to help with inspections. The CFD does not fund a position to ensure that a skilled and knowledgeable person is in position to analyze the results of this software. A new computerized program to help with input and continuous updates on inspection dates, as well as ongoing ticklers for upcoming inspection dates was purchased by both organizations. However, as of this investigation, only SCFD has fully embraced this technology.

Sacramento City Fire Department was able to improve their inspection rates and yearly appointments. Cosumnes Fire Department is going through this process though the grand jury is not sure how this is progressing due to lack

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of information about follow up school inspections from CFD. The grand jury was told, however, that currently the CFD record keeping systems were still about 50% paper-based. The department's high school inspections are in this range. Still, they hoped to have them all inspected in 2017 and re-inspected in 2018.

Both the new Fire Chief and the Fire Marshal are aware of the issues surrounding the lack of CFD school inspections. Plans were for the system to be ready for regular use by the first of 2018. The Fire Marshal has been working on realigning inspector workloads and has been involved in implementing the new data system Image Trend. The Fire Marshal is also working to make the system more applicable to information gathering and the inspection process. Currently the inspectors are conducting school inspections and manually entering the data into the system.

Inspections – As noted in the interviews above, it came to the grand jury's attention that inspections had not been done in a timely manner by the CFD, but they were trying to get all schools inspected in 2017. The grand jury was given copies of all inspections that were completed in Elk Grove and Galt high schools and all of them had violations that needed to be corrected. The grand jury has no record that the re-inspections were being completed in the Elk Grove high schools. There has been a history in both fire departments of lack of school inspections. Sacramento City Fire Department seems to have addressed this need, but Cosumnes Fire Department has not done so in a timely manner. There has been a change in leadership in CFD but there is still an urgent need for greater attention toward school inspections, due to the risk of safety to our area children.

Conclusion - There is an ongoing lack of focus on, and documentation of, inspections and re-inspections. Previously purchased software has not been fully implemented. This must be a priority in the department but does not seem to be the case given the span of time this issue has been lingering. Cosumnes Fire Department was aware they had a problem with inspections; they had not had regular inspections of school sites for the past five years. In 2017, they began the process of inspections and re-inspections. This process has not been followed in a consistent manner, as evidenced by the grand jury's investigation.

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The grand jury reviewed all high school inspections and the violations at each location. Only three (3) of ten (10) reports indicated violations being addressed. There is no evidence of any other school violations being corrected.

The grand jury received inspection reports from all seven Elk Grove high schools in the CFD, all dated since October 11, 2017. The three Galt schools in the district submitted inspections dated January of 2017. Given CFD recent history (3-5 years), this is progress. A list of the code violation detail was also provided. The grand jury made a spread sheet showing each code violation by school listed in these inspections reports. The spreadsheets indicate that code violations for the ten (10) high schools in CFD range from 11 to 39. The results from the compilation of the data are reflected in the chart at the end of this section.

What is evidenced is that most of this data is not readily available from CFD and had to be manually constructed. This is another example of the inefficiency in the department due to lack of a current web-based RMS data system.

This is a very high concern. School children are at risk because of the lack of inspections and placed at further risk if the safety violations are not corrected.

The chart below reflects the most common violations found in the high school inspections. There is a lack of enforcement of violations. As a result of the investigation, the grand jury determined there is no record of citations issued for violations not corrected before the re-inspection to any of the high schools.

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CONSUMNES FIRE DEPARTMENT ALL HIGH SCHOOL FIRE INSPECTIONS TOP 11 VIOLATIONS		TOTAL
Incorrect use of extension cords and flexible cords		17
Not providing specialized padlocks on vehicle gates		15
Improper use and storage of flammable decorative materials		9
Not providing fire drill documentation		9
Not all portable extinguishers have been maintained		9
Not providing fire hydrant inspection documentation/records		9
Items obstructing egress (pathway to exit)		9
Not all Fire Department Connections are labeled		9
No daisy chaining [linking of electrical cords together]		9
Not all fire alarms/systems, etc. have been maintained		9
Not providing fire alarm system inspection, testing and maintenance records		9

The question remains: When will the department complete the configuration and training of the new Report Management System (RMS) ensuring compliance with inspections?

FINDINGS

- F1. CFD has an ongoing lack of focus, priority and accountability in regard to inspections.
- F2. There is a lack of documentation of inspections and re-inspections.
- F3. Previously purchased Image Trend software has not been fully implemented.
- F4. Review of data received on high school re-inspections indicates 70% non-compliance.
- F5. There is no incentive for schools to resolve listed violations due to lack of CFD enforcement. Not correcting these violations increases the risk to children in Elk Grove and Galt school districts.

RECOMMENDATIONS

- R1. Amend the job description for the Fire Marshal to include responsibility and accountability for California Fire Code required inspections. It is recommended that CFD implement scheduled rotation of all inspectors through all inspectable job classifications.
- R2. Establish and develop a training program for all applicable personnel and a staff of fully trained professionals to ensure continuity in the processing of the documents.
- R3. Fully implement Image Trend software to improve documentation of inspections and re-inspections. The data system should include the ability to capture and identify violations, especially repetitive violations. Work with vendor on technical support.
- R4. School administration needs to be actively involved in the remediation of noted violations.
- R5. CFD should process unresolved violations after re-inspections by issuance of citations.

Request for Response

Penal Code Sections 933 and 933.05 require that the following officials submit specific responses to the findings and recommendations in this report to the Presiding Judge of the Sacramento Superior Court by September 30, 2018.

- Fire Chief of the Cosumnes Fire Department [findings and recommendations #1, 2, 3, 5]
- Cosumnes Community Services District Board [findings and recommendations #1, 2, 3, 5]
- Superintendent of Elk Grove Unified School District [finding and recommendation #4]
- Superintendent of Galt Joint Unified School District [finding and recommendation #4]

Mail or hand-deliver a hard copy response to:
David De Alba, Presiding Judge Sacramento County Superior Court
720 9th Street, Dept. 47
Sacramento, CA 95814

In addition, email response to:
Becky Castaneda, Grand Jury Coordinator at castanb@saccourt.com

A Tarnished Jewel: The Status of Illegal Camping on the American River Parkway

Summary

The American River Parkway (Parkway) is a 23-mile urban greenway along the American River that community leaders often refer to as the “Jewel of Sacramento.” An estimated 5 to 8 million annual visitors enjoy the wildlife and recreational options present in the Parkway. Because of increased illegal camping the last several years, the Parkway is unable to be fully utilized. The purpose of this grand jury report is to review the issue of illegal camping on the Parkway and the efficiency of current law enforcement practices. We offer a more effective strategy to address illegal camping on the Parkway.

Methodology

The grand jury interviewed individuals from the following agencies:

- Sacramento City Police Department
- Sacramento County Executive
- Sacramento County Department of Regional Parks

The grand jury reviewed the following:

- County Executive reports to Board of Supervisors dated July 1, 2017 and August 23, 2017
- County Executive Parkways and Unincorporated Communities Clean Up and Safety Initiative Monthly Reports (January-March 2018)
- City of Sacramento Fire Department Annual Reports 2015 and 2016.
- Sacramento Bee article (“Rangers cite half as many homeless people this year for American River Parkway camping”) dated December 20, 2016
- Sacramento Bee article (“A choice for Sacramento: Save the parkway or let it become a sewer for good”) dated August 21, 2017
- Sacramento Bee article (“Lower American River contains unsafe levels of E.coli”) dated August 27, 2017
- Sacramento Bee article (“How highly paid bureaucrats are blocking a massive plan to help Sacramento’s homeless”) dated October 23, 2017

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- Sacramento News and Review article (“HOT cops: Sacramento’s ‘homeless outreach team’ offers eviction notices, citations”) dated November 30, 2017
- City of Sacramento website:
<https://www.cityofsacramento.org/Police/Resources/Impact-Team/Homeless-Metrics>
- Sacramento County Board of Supervisors’ website:
www.bos.saccounty.net/Pages/BospublicMeetings.aspx
- Sacramento City Codes website:
<https://www.gcode.us/codes/sacramento>
- Sacramento County Codes website:
<https://www.gcode.us/codes/sacramentocounty>

In addition, members of the grand jury attended the August 23, 2017 Board of Supervisors’ meeting in which the County Executive’s report: “Report Back on Parkways and Unincorporated Communities Clean Up and Safety Initiative” (continued from July 11, 2017; Item No. 71) was presented.

Background

The 23-mile Parkway offers wildlife enjoyment and a variety of recreational activities including fishing, boating, rafting, swimming, golfing, running, biking, and hiking. Several parks, golf courses, horse trails, picnic areas and boat launches are also located within the Parkway along with 82 miles of maintained trails.

Between 5 and 8 million people enjoy the Parkway annually. Meanwhile, an estimated 200 illegal campers are present on and along the Parkway at any given time. A large concentration of these campers is located on the lower six-mile section of the Parkway that ends at Discovery Park at the confluence of the American and Sacramento Rivers.

The adverse impacts of illegal camping are significant and include crime, safety, fire, trash, water quality, public health, and reduced use of the Parkway. Violent crime on the Parkway in 2017 increased 20% compared to the same time period in 2016. The majority of the 25 reported crimes from Jan-June 2017 involved homeless individuals. Of those reported crimes, most were assaults.

The water quality of the American River has been impacted by illegal campers. Levels of E. coli bacteria found in the lower American River in a 2017 study exceeded the federal threshold for safe recreational use. Because the lower

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river does not receive any sewer discharge, the most likely sources of E. coli are illegal campers, recreational users of the river and birds.

According to the 2015 City of Sacramento Fire Department Annual Report, the Parkway saw record fire activity, with over 70 separate incidents, some burning many acres. The City of Sacramento Fire Department and Metro Fire responded to 79 fires along the Parkway in 2016 that burned more than 260 acres. This is the largest number of fires reported in the last 5 years.

The greatest concentration of trash is in the first six miles of the lower Parkway. From January to October 30, 2017, five hundred tons of trash were removed at an annual cost of \$2 million. Four to five tons of trash are routinely removed during daily trash rounds on the Parkway.

Current Efforts to Address Illegal Camping on the Parkway

The Sacramento County Code allows camping only with a permit issued by the Director of Regional Parks, which does the lion's share of illegal camping enforcement along the Parkway. County Park Rangers enforce this and other County of Sacramento ordinances relating to littering, water pollution, fires, weapons, dogs off leash, in parks after hours, etc. Within the city, Park Rangers and City Police address campers pursuant to the Sacramento City illegal camping ordinance. The County Sheriff responds to crimes associated with illegal camping enforcement in the unincorporated areas of the Parkway. Violations can result in an infraction or misdemeanor. Misdemeanors are a more serious crime than an infraction, punishable by up to a year in jail. An infraction is only punishable by a fine, with no jail time or probation.

The Sacramento American River Parkway Plan of 2008 established a cooperative effort between law enforcement agencies to maintain a safe Parkway. Although the Sacramento County Park Rangers are responsible for the daily patrolling of the Parkway from the confluence of the American and Sacramento Rivers to Hazel Avenue, they share concurrent enforcement responsibilities in overlapping jurisdictions. These overlaps include the Sacramento County Sheriff's Department, The City of Sacramento Police Department, and the City of Rancho Cordova Police Department.

According to information provided by the County Executive to the County Board of Supervisors on August 23, 2017, the Sacramento Department of Regional Parks allocated \$1.4 million for five Rangers and three maintenance staff to clear illegal camps for the 2016-17 fiscal year. An additional \$1.7 million for maintenance and \$2 million for ranger patrol and County ordinance enforcement were allocated. To address increased need, \$449,000 was allocated in fiscal year 2017-18 for Parkway debris removal and a Visitor

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Services Team pilot project. The Park Resource Team, which was designated in January 2017, consisted of seven rangers and three and a half maintenance positions and associated equipment with a primary focus on the 23-mile stretch of the Parkway. During an approximate four-month period they made 156 arrests, contacted 373 camps, issued 590 illegal camping citations and cleared tons of debris from the Parkway. The arrests were for crimes other than illegal camping such as outstanding warrants and a drug or weapons possession.

Sacramento Sheriff's Homeless Outreach Team (HOT) addresses homeless issues in unincorporated area communities related to illegal camps and nuisance crimes. The HOT team is comprised of two full time sheriff's deputies at a cost of \$628,104. In addition, \$240,000 is allocated for the Collection Equipment Operator and a boom truck for refuse removal. The HOT team's annual statistics indicate 240 camps were abated; 2,220 citations issued (which includes repeat offenders, often described as "service resistant") and tons of refuse collected.

The Sacramento City Police Department's Impact Team provides services to more than 2,000 individuals experiencing homelessness, which includes some of the illegal campers on the Parkway. Using "compassionate policing", the Impact Team provides outreach to the chronically homeless and attempts to connect those individuals with mental health, housing and other services.

In September 2017, the Sacramento County Board of Supervisors approved \$5 million in funding for the Parkways and Unincorporated Communities Clean Up and Safety Initiative. The objective was to decrease the incidence and mitigate the impact of illegal camping in the American River and Dry Creek Parkways and the unincorporated communities. The funding adds two Sheriff's Homeless Outreach Teams (HOT) along with debris removal from Waste Management and Recycling to support the unincorporated communities; two Regional Parks Illegal Camping Teams and three Debris Removal Teams, both operating seven days a week; one Animal Control Officer to address animal issues in the Parkways and unincorporated communities; four Sheriff's vehicles; four dump trucks; two bobcats with trailers; ten Ranger vehicles; and one Animal Care vehicle.

According to the March 2018 monthly status report from the County Executive's office regarding the Parkway's initiative, the following positions have been filled:

- 2 FTE (full time equivalent) Ranger Supervisors
- 2 FTE Senior Park Maintenance Workers

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- 4 FTE Park Maintenance Workers
- 6 FTE Park Maintenance Aides
- 1 FTE Sheriff Sergeant
- 10 FTE Deputy Sheriffs

Vehicles and equipment added according to March 2018 status report:

- 2 Regional Parks vehicles
- 4 Sheriff vehicles
- 2 Dump trucks rented
- 2 Bobcats with trailers

Debris removal provided to the HOT detail has included 38 hours of service resulting in 21 loads and 37.17 tons as of the end of March 2018.

While it is difficult to arrive at a definitive figure regarding total expenses for services to address illegal camping on the Parkway, the services and equipment cited above for 2016-2018 total approximately \$11.4 million.

Discussion

The present approach to dealing with camping in the Parkway is not effective. Camping is unequivocally illegal yet occurs on a large scale. While there are expensive programs to address Parkway impacts, these programs largely deal with symptoms, not causes and prevention. Millions of dollars are spent each year on trash pick-up, firefighting and patrolling.

Estimates indicate that 2,000 people may be sleeping outside in the Sacramento area on any given night. At least 200 are camping in and alongside the Parkway. Of that number, an estimated 100 are “service resistant” or “chronically resistant”, meaning that they will not go to available housing shelters and/or utilize community services to get back on their feet. It is these estimated 100 persons that should be the primary focus to keep the Parkway free of illegal campers.

County park rangers have the lead responsibility of dealing with campers on the entire Parkway. The vast majority of such camping takes place in the lower portion of the Parkway that is within the city limits. Accordingly, the city's illegal camping ordinance is used to cite people for camping. (Sacramento City Code Section 12.52.030. See also Penal Code Sections 370 and 647 (e)). The present situation works as follows:

- Given historical staffing levels, the rangers have not been able to be proactive in looking for illegal campsites. Thus, campsites that are not

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readily visible often can be used for long periods of time. The August 23, 2017 County Executive report to the Board of Supervisors has resulted in budget increases for additional staffing to address these issues.

- When rangers come upon a campsite or respond to a complaint, their approach differs depending on whether the camp is occupied. If unoccupied, a 48-hour notice is posted that the camp must be removed. If it is not, the campsite is taken down. If people are at the site, they will either be told to leave or be issued a citation. In either case, if the people set up a camp again, even if nearby, the process starts all over.
- While illegal camping could constitute a misdemeanor, citations are routinely issued as an infraction. The citations are like a traffic ticket. The illegal camper is given a court date and a potential fine. Many of the illegal camps are located on the lower portion of the Parkway so that the persons are able to use the Loaves and Fishes Center during the day. There is a free legal clinic at this location that assists illegal campers with citations. A department of the Sacramento County Superior Court holds designated court sessions to clear the citations. Persons who cannot pay the fine are routinely given community service to perform at Loaves and Fishes and other locations.

The bottom line is that virtually no one who is only camping in the Parkway is ever arrested or ever serves jail time. This shell game of citing illegal campers and campsites, cleaning them up and allowing illegal campers to set up new campsites in nearby areas is nonproductive. It will simply not prevent illegal camping.

An Expansion of Existing Approaches

The grand jury recommends that a more effective strategy to address the problem of illegal camping in the Parkway be centered on revising existing City and/or County ordinances. A strong “stay-away” ordinance should be adopted. Such an ordinance would provide balanced options. Persons caught illegally camping would be given the option, at the election of the citing officer and the consent of the individual, of going to a facility providing housing services and signing a directive of not illegally camping again. Those agreeing would be placed on a “stay-away” list. All persons who do not consent or who violate the stay-away order would be arrested and charged with a misdemeanor. Having this ordinance would properly

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focus law enforcement on “service resistant” campers. The grand jury understands that the County has established a task force to update its ordinances. This update may not include a strong stay-away ordinance that would apply to illegal camping in the Parkway. We encourage the County to adopt a more effective ordinance program to address this issue.

Conclusion

Most, if not all of Parkway illegal campers are homeless. Homelessness itself is not a crime, but crimes committed by the homeless are, including illegal camping. A carefully crafted “stay-away” ordinance is a balanced way to address the issue. Those persons willing to avail themselves of such an option can avoid a criminal response, whereas “hard-core” campers who are unwilling to utilize services can be dealt with through a law enforcement option. The result should be a great reduction in the number of illegal campers in the Parkway.

Findings

- F1. An inordinate amount of the money and effort spent on the parkway is a result of the approximate 200 illegal campers on the parkway.
- F2. Current ordinances do not act as an effective deterrent to illegal camping in the Parkway.

Recommendations

- R1. The focus should be on the removal of the estimated 100 “service resistant” campers on the parkway.
- R2. A carefully crafted “stay-away” ordinance should be considered by both the City and County.

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Request for Response

Penal Code Sections 933 and 933.05 require that the following officials submit specific responses to the findings and recommendations in this report to the Presiding Judge of the Sacramento County Superior Court by September 30, 2018.

- Sacramento County Board of Supervisors
- Sacramento County Executive
- Sacramento City Mayor

Mail or hand-deliver a hard copy response to:

David De Alba

Presiding Judge

Sacramento County Superior Court

720 Ninth Street, Department 47

Sacramento, California 95814

In addition, email response to:

Becky Castaneda, Grand Jury Coordinator at castanb@saccourt.com

Middle of the Night Jail Releases: Balancing Safety and Jail Processing Concerns

Summary

Late-night/early morning releases of detainees from the Sacramento County Main Jail (Jail) in downtown are a regular occurrence. Such releases are problematic on a number of levels. The purpose of this 2017-18 Sacramento County Grand Jury Report (report) is to review this issue. The report will examine ways to 1) minimize the number of late-night/early morning releases, and/or 2) reduce the potential of safety problems for both the persons being released and the community.

Methodology

During the course of the investigation, the 2017-18 Sacramento County Grand Jury (grand jury) interviewed personnel from the following organizations:

- Sacramento County Sheriff's Office
- Sacramento Superior Court

In addition, the grand jury toured the Jail on November 9, 2017 and reviewed the following documents:

- Various news articles and internet sources related to the issues of late-night releases from detention facilities
- Sheriff's Department County of Sacramento Operations Orders and Releases
- Advanced Technology Information Management System website: www.atims.com
- Other grand jury reports on the subject, including:
 - 2013-2014 Santa Barbara County Grand Jury Report
 - 2013-2014 Humboldt County Grand Jury Report
 - 2015-2016 Sacramento County Grand Jury Report

Background

According to the Sacramento County Sheriff's Office, over the last two years an average of 136 persons were released each day from the Jail. Between the hours of 10:00 p.m. and 5:00 a.m., around 50 persons were released each day. Based on the grand jury's research, the consensus is that letting people

out of jail in the middle of the night is a concern, especially when no one meets them. According to sources interviewed, releasing certain detainees in the middle of the night when public transportation is unavailable, most shelters are not open and social services are closed, can lead to serious trouble. Such persons may have committed serious crimes in other jurisdictions. Released persons may search for drugs and/or become victims of crime. While there were two extreme examples outside the jurisdiction, one where a released individual was murdered, and another froze to death, most unfortunate circumstances are drug related.

The Jail is a very busy place. Jail personnel acknowledge that they process releases without regard to the time of day. They indicate that if anything was paused, the whole detention system could break down. They also indicate that any delay in releasing detainees raises constitutional issues regarding freedom and civil liberties. In light of the fact that the Jail is over-crowded and the need to keep the system moving, this report examines what additional steps can be taken to insure the safety of those released in the middle of the night.

Discussion

Release Process: During our extensive discussions with persons working at the Jail, several items are noted. First, Jail staff was found to be uniformly dedicated, hard-working and care about their work. Second, they work in a very crowded, fast-moving and stressful environment. There is a high percentage of turn-over of detainees on a daily basis. Accordingly, the system is constantly churning.

Persons are released for various reasons. Many are pursuant to a Court Ordered Release (COR), while some have completed their sentence, and still others are released on bail. In other cases, there is no COR. A sizable percentage of people being released have been booked into the Jail for misdemeanors and are released on a citation to appear in court on a future date. Driving under the influence cases (DUI's) are a major component of this category.

Court personnel have a very efficient system for tracking CORs. Such orders are processed and sent to the Jail throughout the day. The vast majority of release orders are communicated to the Jail by 4:30 p.m. but none after 5:30 p.m. CORs are processed at the Jail by court desk personnel and given to release officers.

Administratively, the jail is divided into two units with two shifts each: Unit A Day, Unit A Night, Unit B Day and Unit B Night. The manner in which desk

personnel process CORs can affect the time inmates are released. Getting release orders to the release officers as early as possible can minimize late night releases. In this regard, there appears to be no uniform procedure as to how Jail desk personnel get the names of persons being released pursuant to CORs to the release officers. While there is a written protocol, it has not been reviewed or revised in some time. Additionally, it appears there is no one person responsible for overseeing that the four court desk shifts act uniformly.

The detainees not subject to CORs, such as DUI's, are processed and released from the Jail when they sober up, which often can occur in the middle of the night.

Can late night releases be minimized: It is the opinion of the grand jury that steps can be taken to minimize late night releases without interfering with the Jail's need to keep the system flowing. As mentioned above, the Jail is made aware of CORs by 4:30 pm. in the vast majority of cases. While the Jail's processing system is quite old, a better effort can be made to process and release these detainees by 10:00 p.m. Non-court ordered situations, such as DUI's, could be handled differently. The grand jury feels there is some discretion on the part of release officers to retain people at the Jail during middle of the night hours where no ride is available and safety concerns are present. Such persons need not be gravely impaired as outlined in California Welfare and Institutions, Code Section 5150, Detention of Mentally Disordered Persons.

Advanced Technology Information Management System (ATIMS): The Sheriff's office has contracted with a private company, ATIMS, to implement a modern jail management system. This computer software platform system is designed exclusively for jail operations and has been implemented in 17 counties, including nine in California. Empirical data indicates that the system will modernize jail, courts and administrations' functionality and will result in much speedier decisions, including quicker processing of persons being released. The system will also improve work flow processes posed by the demands of large detention facilities such as the Jail. This system is currently scheduled to be operational in 2019. We recommend that ATIMS implementation be given priority in order to speed up the processing of persons being released in a way to minimize late night releases.

Mitigation of safety issues for late-night releases: The grand jury feels that several other steps can be taken to improve the safety of those persons that are being released from the jail in the middle of the night:

- A written or electronic checklist of options: Inmates are not always advised of their options upon release. A written or electronic checklist

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of such options should be developed and utilized. Failing to advise detainees of options upon release during late night hours creates avoidable safety issues for both the detainees and the community. The checkout form should be signed by both Jail personnel and the persons being released. The form should contain the following:

1. The person's right to use of a telephone to arrange for pick-up.
2. Information for persons being released about their right to stay in the facility until daylight hours. In this regard, we note that the present policy of the Jail is to allow such persons to stay in the release tank until morning as the release tank is a rather dark and unattractive place. We strongly recommend that persons be given the option to stay in the well-lit lobby area.
3. A list of the location of nearby ATM's. Presently, any money in the possession of a person when arrested is returned upon release in the form of a debit card. Information on the use of the card, that it could be subject to a service charge and that an amount under \$20 may be lost should also be included.
4. Information to persons being released that they may speak to Jail personnel called "navigators." These navigators have the ability to arrange for rides from the Jail and put persons in touch with service facilities. In this regard, nighttime navigators are now present at the Jail and shelters that may be open late at night.
5. Information to persons being released of a taxi option.

This simple form listing and documenting these options will address many of the safety concerns presented by late night releases. While it can be argued that the Jail's responsibility to detainees ends at the time of release, use of such a form can reduce the County's exposure to liability if persons being released either commit crimes or are the victims of crimes once they leave the jail.

- Taxi Service: The grand jury recommends that the County provide a free taxi option for persons released in the middle of the night that have no available ride. Vouchers could be provided, or a taxi service contract could be awarded. The budget impact should be minimal and a small price to pay for added safety and lessening exposure to public liability.

Conclusion

Addressing the concerns of late night releases involves a balancing of safety issues with Jail overcrowding/need-to-keep-the-system moving issues. Given that balance, we are recommending that late night releases be minimized and that steps be taken to ensure that released individuals are informed of their options.

Findings

- F1. The new jail management system (ATIMS) being implemented in the Jail will modernize and make more efficient all jail operations from intake to release.
- F2. Until the ATIMS system becomes operational, the Jail continues to process releases without regard to the time of release. This results in more than necessary late-night releases occurring on a daily basis.
- F3. There may be inconsistencies within the different shifts regarding how CORs are processed by Jail desk personnel and given to release officers. The chain of command, including who is responsible, is not defined.
- F4. The Jail has no written checklist type system in place to inform inmates of their options upon release.
- F5. The Jail does not have a taxi service contract or taxi voucher system that would provide persons being released in the middle of the night with the free option of a taxi service.
- F6. The present debit card system is not user friendly, does not offer a cash option, and may result in a service charge. Further, use of the system may result in the loss of amounts under \$20.

Recommendations

- R1. Implementation of the new ATIMS system should be expedited and specifically be aimed at minimizing late night releases.
- R2. Until implementation of ATIMS, steps should be taken to minimize late night releases as recommended.
- R3. Existing written instructions on processing CORs should be updated with a goal of processing such releases consistently and as quickly as possible.
- R4. A written or electronic checklist-type release form should be developed and utilized to fully inform persons being released of their options during late night hours to incorporate all suggestions previously noted.

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- R5. The County should contract or use a voucher system to provide a taxi service option for late night releases.
- R6. The existing debit card system should be reviewed, with the aim of making it more user friendly. Persons being released should be given cash if their balances are less than \$20.

Request for Response

Penal Code Sections 933 and 933.05 require that the following officials submit specific responses to the findings and recommendations in this report to the Presiding Judge of the Sacramento County Superior Court by September 30, 2018.

- Sacramento County Sheriff

Mail or hand-deliver a hard copy response to:

David De Alba

Presiding Judge

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In addition, email response to:

Becky Castaneda, Grand Jury Coordinator at castanb@saccourt.com

The State of Library Services in Sacramento County Public Schools

Summary

A November 2016 California State Auditor's report found that "California has by far the poorest ratio of students to credentialed teacher-librarians in the nation." The 2017-2018 Grand Jury's review focused on whether this alarming ratio is true in Sacramento County, outlines the basic causes, and looks at the various ways that library services can be enhanced.

Background

According to the 2016 California State Auditor's report, "California school districts reported employing only one teacher-librarian on average for every 7,414 students, for a total of 841 teacher-librarians statewide." This compares with other populous states such as New York, Texas, Florida and Illinois, all with a teacher-librarian employed for approximately every 1,500 students.

Credentialed teacher-librarians, referenced as 'librarians' through the remainder of this report, hold a teaching credential and have also completed specified curriculum in library science. In California, the number of teachers with active credentials authorizing them to provide library services has declined since fiscal year 2008–2009. In Sacramento County, many librarians in public school districts were laid off during this time frame as a result of the recession. Some were hired back later on; other vacancies were filled by non-credentialed library technicians, or not at all. Based on these trends, and the limited supply of librarians available in the marketplace, even school districts that are interested in hiring librarians may face difficulties in filling vacancies.

California has, by far, the poorest ratio of students to credentialed Teacher-Librarians in the nation

In 2010 the California State Board of Education (SBE) adopted the 'Model School Library Standards.' These standards recommend having one full-time librarian for every 785 students. This is ten times the current level of librarian staffing in California. Although the model standards describe a strong foundation as to what library services should include by grade level, the recommended criteria are not mandated for implementation. The

degree of librarian staffing for Sacramento County K-12 public school districts mirrors the statewide findings.

The school library plays an important role in preparing students to live and learn in a world of information. An American Association of School Librarians (AASL) publication (Empowering Learners: Guidelines for School Library Programs), stressed the importance of libraries to enable students and staff to become effective users of ideas and information, by:

- Providing intellectual and physical access to materials in all formats,
- Providing instruction to foster competence and stimulate interest in reading, viewing, and using information and ideas, and
- Enabling educators to design learning strategies to meet the needs of individual students.

Methodology

We researched relevant state laws as well as county materials related to library services functions in Sacramento County's K-12 public schools. We interviewed a Sacramento County of Education official, two K-12 school district superintendents, a high school principal, a high school librarian, and made a field visit to a shared Sacramento Public Library System and public-school district library. The grand jury interviewed a representative of an advocacy group, as well as a program manager from an organization that contracts with K-12 schools to provide reading services to students. The grand jury assessed current librarian and technician staffing in Sacramento County, and pursued secondary research through multiple websites, educational organizations and other resources to identify relevant local laws, requirements and trends.

Discussion

Eighty four percent of K-12 public schools in California have a place designated as a library, although staffing, book or library collections, and programs range from exemplary to substandard (according to respondents of a contemporary California Department of Education survey). Of those, only approximately nine percent of California schools have a librarian on campus part time or longer.

In Sacramento County, the majority of librarians are found at the high school level, with fewer dedicated to the middle schools. Elementary schools are staffed by library technicians for a few hours per day.

The State Auditors report noted that California State law requires K-12 public school districts to provide library services to its students, although with little direction excepting general parameters and guidelines. Also, state and county agencies have little authority to monitor the provision of library services when performing their oversight responsibilities.

California has turned over the control of state funding to localities, eliminating mandated spending for dozens of categories

Two major contributing factors that limit library services are clear: (1) California's per pupil spending lags the national average, 29th of 50 states, even though the cost of living is much higher than that of most other states. (2) California has turned over the control of state funding to

localities in recent years, eliminating mandated spending for dozens of categories. Under California's funding mechanism for year to year budgeting, Local Control and Accountability Plans (LCAP), K-12 school districts and individual schools can elect the degree that they wish to fund various curriculum and programs. This allows some programs to prevail over others based on perceived educational, community and political value, as well as current trends. The LCAP process yields a "zero-sum game" in terms of finite resources and competing interests.

In California, the following State and County organizations play a role in establishing requirements, recommendations or support for library services in Sacramento County K-12 public schools. The Federal government does not play a role in providing public school library service requirements. The responsibility for K-12 education rests with the states under the constitution.

- The California State Board of Education (SBE) adopted the 'Model School Library Standards for Public Schools, K-12,' in 2010. The model for library standards is one of a number of standards developed for various curriculums such as Math, English, etc. However, the model school library standards are not mandated for implementation by K-12 schools by the SBE, or by state law.
- The California Department of Education (CDE) surveys schools regarding school libraries, staffing and educational materials annually. With a completion rate of less than 50% every year since 2008-2009, the

survey does not assess the extent to which schools actually provide library services or implement the model library standards.

- The Sacramento County Office of Education (SCOE) has a role in disseminating information but does not enforce the model school library standards or a library plan on the local K-12 public school districts.

Local Control and Accountability Plan (LCAP)

The recently implemented Local Control Funding Formula (LCFF) puts decisions of the best use money at the local level. It has linked funding more closely to the demographics of a school district, allowing the school district more discretion on funding for programs and for students on an individual basis.

Under LCAP, each school district and charter school in California must have a three-year LCAP plan that is approved by the local school board and reviewed by their respective County Office of Education. There is a section included within the LCAP template specific to library services. Under "Implementation of State Standards," model school library standards are included along with ten other criteria in the areas of Math, English, History, etc. Positively, the LCAP plan must be developed in conjunction with stakeholders including employed school staff, parents/guardians, students, bargaining units, school board members, and community members.

Sacramento County K-12 Public Library Staffing

As of 2016, Sacramento County employed fewer than 45 permanent full time civil service employees with the title of 'Librarian,' (Transparent California's website). With more than 240,000 full time students enrolled in Sacramento County, this represents a librarian to student ratio of about 1 to 5,500, and 1 librarian employed for every 8 Sacramento County K-12 public schools. It

As of 2016, Sacramento County employed fewer than 45 permanent full time Teacher-Librarians

compares favorably with the California statewide ratio of 7,414 students per librarian (2016 California State Auditors Report), but not close to the U.S. national average of 1,109 students per librarian (National Center for Education Statistics, 2011).

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Comparatively, 2010's "Model School Library Standards," recommends one, full time librarian for every 785 students. This would be nearly one full time librarian assigned for every public K-12 elementary, middle or high school in Sacramento County. Currently most of the librarians are assigned to high schools and middle schools. Only the four largest K-12 school districts appear to employ full time 'Librarians'. Most public-school libraries are served solely by 'library technicians'.

There are more than 170 civil service 'Library Technicians,' or 'Media Library Technicians' that support the K-12 public schools. They are providing library services for the elementary schools, as well as supporting the librarians at the high schools and middle schools. Most are part time and serve individual schools for less than 4 hours per day. Library technicians do not have the training to provide the breadth of services of librarians. If assigned only part time to an elementary school, the ability to fully service the student population further diminishes.

The 2017-2018 Sacramento County Grand Jury believes that limited funding and internal competing interests for that funding have created a declining or stagnant (at best) trend line for library services staffing that is not likely to change in the near future.

Examples from Two Sacramento County School Districts

Based on recent interviews with two K-12 school district Superintendents, competing interests with available funding through the LCFF formulas and LCAP are key to how resources are allocated across the breadth of school programs and salaried positions. Currently, only one district employs librarians at their high schools and middle schools. The second funds librarians at high schools only. Both Superintendents believe that they get the greatest value from librarians by assigning them to the high schools, as the research techniques that are taught at these grade levels are most valuable in this age range to help prepare students for college.

One Superintendent stated that it would be very difficult to justify the \$4 to \$5 million per year needed to staff middle and elementary schools with full time librarians. In addition, he also said that in his view, "in-classroom teachers are more valuable than librarians, as they represent direct touch points with the students, while librarians offer more of a peripheral support resource." Furthermore, as positions become available, he would choose to hire teachers, as opposed to librarians to meet the goal of better teacher to

student ratios. He mentioned that librarians were difficult to find during targeted hiring processes. In recent years, he also mentioned a greater need to hire professional staff to help immigrants (a rapidly growing student segment) with social and emotional needs necessary to assimilate culturally.

When asked, both Superintendents were aware of the Model School Library Standards but did not necessarily have an in depth understanding of the various elements. They were cognizant of the 2016 State of California Auditors report regarding the standards. One superintendent mentioned that his school district took the standards seriously, but that the recommendations were difficult to attain. However, each superintendent mentioned that they have staff that is knowledgeable regarding library services curriculum requirements and recommendations through various state and county agencies.

A librarian with a large Sacramento County school district said that with the growing role of the library technician, elementary school students have lost access to librarians that have the trained capacity to “teach and to be peers of the classroom teacher.”

She believes that the ability for the librarian to play a role in teaching elementary students to read, and to gain an appreciation of books has evaporated. She also said that individuals who are hired as library technicians are not academically equipped to teach students. Finally, she said that the turnover of library technicians in her school district was high. Most are hired as part time employees, not qualifying for benefits such as health insurance.

The librarian also pointed out that her school district did not employ a “District Librarian.” Without this leadership, she suggested that there was no instruction, administrative or social connection between the librarians at the high schools, and the library technicians serving independently at elementary schools.

The Role of Various Participants in Providing School Library Services

Librarians in primary and secondary schools generally teach students how to use the library for research and to use its resources. In addition, they also help teachers identify resources to integrate with their lesson plans in the classroom. School librarians maintain reference services, organize media services and assist students and teachers in identifying

information as a group, or on an individual basis. Librarians also plan and coordinate library and instructional programs of the school district through collaboration with teachers.

Librarians provide a key role in guiding students on information literacy. Although information is abundant and easily accessible, it may not be easy to discern valid information from invalid. Librarians are also seen as resources for the best methods of research, an important college and career skill. Librarians are also available to work with classroom teachers to cross train, develop lesson plans and suggest relevant books and other materials.

Typically, librarians have a Bachelor's degree in any subject and a Master's degree in library science. In the State of California, there are three colleges that offer Library Science degrees accredited by the American Library Association (ALA), with five colleges offering library science degrees.

According to the California School Boards Association (CSBA), an advocacy group, many education policymakers don't actually know what good librarians do, so library programs are especially vulnerable to budget cuts when the state backs cash strapped schools into tight fiscal corners. "My fear is there are too

many teacher librarians disappearing," according to the president of the CSBA, who is also a teacher. "They are being replaced with paraprofessionals or volunteers, or they

Studies confirm that school librarians and school libraries support students in academic achievement, lifelong learning, 21st century skills and reading (AASL)

are not being replaced at all and the libraries are closing." "We're at a tipping point where there are more administrators who are younger who have never worked in an environment where a teacher librarian has been. They don't know what they are missing."

Library Technicians help librarians acquire, prepare, and organize materials and help users to find those materials. Library technicians can work under the supervision of a librarian although they often work

independently. Technicians in small libraries handle a range of duties. Those in large libraries usually specialize.

Training requirements for library technicians vary widely, ranging from a high school diploma to specialized postsecondary training. Some employers only hire individuals who have library work experience or college training related to libraries while others train inexperienced workers on the job.

Books and Media Resources

Based on the CDE's Online School Library Survey for 2013-14, the age of the library books is as important as the number of books available to students. The CDE notes on its website (Ed Facts - - School Libraries), that in 2013-14 the average copyright date of a California school library nonfiction book was 20 years old. The average copyright date is measured in the nonfiction section and includes both print and digital books. A Sacramento County K-12 Superintendent noted the importance of teachers and librarians keeping library resources up to date, and that "students are more likely to go to the internet for up to date information as opposed to accessing 15-year old library books."

A Sacramento County public school librarian stated that one of the greatest changes in the last 20 years for librarians has been the rise of the internet. Librarians in her school district are diligent in steering students to subscription services for internet research to better assure accuracy of accessed information.

Library resources, both print and electronic, are selected based on the best format for the intended user. The internet does not replace the need for books and often increases the demand for up-to-date library materials. In a school library today, many of the resources are aligned to the Common Core State Standards (CCSS). The CCSS expect students to engage with a wide variety of informational and literary texts in English language arts/literacy. A public-school district librarian told the grand jury that books and media resources have become intertwined for students. "While many students are now using the internet for up to date non-fiction resources, they still appreciate having a book in their hands as a way of enjoying fiction. Books are not obsolete."

Ways to Enhance Library Services

Public Libraries

Joint Use of facilities - The Sacramento Public Library System and the Elk Grove Unified School District partnered to plan, build, support and use a library facility that serves the public as well as two schools, Franklin High School and Toby Johnson Middle School. The School District provides librarian services during the school day and the Sacramento Public Library system provides librarian services after school hours. The public benefits from expanded open library hours. The schools benefit from expanded resources, a greater selection of materials, and expanded after school hours.

In the town of Isleton, the public library is actually housed on the campus of Isleton Elementary School. During the school year, the library is available exclusively to the school during school hours, and then opens to the public in the afternoon. The library is staffed by a librarian from the Sacramento Public Library System, supplemented by volunteers. The public benefits from actually having a library site and the school benefits from having an established school library, staffed by a librarian, expanded resources and availability of after school hours.

School ID Cards used as Library Cards - Many school districts and public library systems allow students to use their school ID cards as library cards as well. Typically, students do not have to worry about late fees. Some systems will allow public library materials to be delivered to school libraries and returned there. The Sacramento Public Library system is starting to explore this concept with a large school district in Sacramento County. Additional benefits of this partnership are expected to include the ability for students to borrow e-books, access homework help and language-learning software.

Classroom field trips to public libraries – Provides an introduction to libraries, their programs and benefits and establishes a base for later usage.

Contract Organizations

One innovative program available to Sacramento County elementary schools is run by Reading Partners. Reading Partners is a privately run, direct service that brings a “stand alone” reading program to participating schools. At chosen schools, Reading Partners houses a private library on site and provides a structured one-on-one reading program to students. Volunteers work with students selected by the school based on reading skill levels. In addition to housing the private library, students are given books to keep as they progress through some thirty tutoring sessions.

Schools apply to become a part of the program, and to be eligible a majority of the students enrolled at the schools must qualify for free/reduced lunch. Chosen schools pay a modest fee to Reading Partners to become enrolled in the program.

Volunteerism

According to the CDE, public K-12 school library funding for more than 50% percent of California public school libraries comes from fund-raising activities (parent groups, book fairs, etc.). Although direct volunteerism may be impractical on a large-scale basis, given the nature and scope of required vetting and liability issues, Districts should consider some forms of volunteerism and funding from non-traditional sources.

For example, last year, the Friends of the Sacramento Public Library System started a program called Book First. The program provides a complimentary book to first graders in economically disadvantaged schools. These books are often the first book that some children may be able to call their own. Last year, 118 schools were visited, and more than 8,000 students participated in the program.

Recommendations

The grand jury believes that the limited staffing levels of librarians in Sacramento County K-12 public schools are not likely to improve due to limited funding and competing priorities. This is expected to be particularly true for elementary schools, and to a lesser extent, middle schools.

We have pursued this review to inform the public of: (1) Recommendations for the breadth of library services and staffing for public K-12 schools in the state of California, (2) Examples of various entities that have provided enhanced library services beyond what's typical locally, and (3) How parents and students can be active in the LCAP process as well as with fundraising, to improve library services on behalf of their school or school district.

1. School Districts should adopt the recommendations of the 2010 Model School Library Standards to the fullest extent possible: The Model School Library Standards for California Public Schools (2010) are intended to provide students with "the skills and knowledge essential for students to be information literate." This includes the skills to "effectively access, evaluate, use, and integrate information into their lives" and to "apply responsible research practices." The standards also describe recommended educational standards for students at each grade level in addition to the level of library staffing and resources necessary for student achievement.
2. School Districts Should Collaborate with Public libraries: Districts should partner with Sacramento County's two public library systems, (the Sacramento Public Library System or the Folsom Public Library) to provide library services to schools within their district.
3. School Districts Should Review Use of Contract Organizations that Provide Library Services: Districts should continually identify and seek the supplementary support of Contract organizations for applicable services.
4. Districts Should Constantly Be Aware of Local Fund Raising and Volunteerism Opportunities: To the extent possible, School Districts should continue to make use of support and/or funding from private organizations and directly affected groups such as parents and students.

Conclusion:

The ability to provide library services is problematic due to lack of funding. Innovation and creativity are necessary to address the current situation.

School Districts should continue to be open to new and innovative ways to allow volunteers to help with their time, talent, and/or funds. The LCAP process is an avenue to encourage local participation in the budgeting process of the school district or school. This mechanism may be a way to incubate new methods and means of volunteerism as well as procurement of outside funding.

Public Confinement Facilities Review

Background

Each county grand jury is required to inquire into the conditions and management of the public confinement facilities within the county as mandated by California Penal Code Section 919 (b). To meet this obligation, the 2017-18 Sacramento County Grand Jury toured all six confinement facilities within its jurisdiction.

The grand jury also toured the Sacramento County Coroner's Office and the District Attorney's County Crime Laboratory, although not required by the Penal Code. In addition, the grand jury observed the Sacramento County Probation Adult Day Reporting Center and the Drug Court, one of the specialty courts of the Superior Court system.

Methodology

The grand jury arranged site visits to all detention facilities within Sacramento County. Prior to and after scheduled visits, the grand jury reviewed demographic and facility data available from publications, the various institutions and Internet sources. Throughout the visits, the grand jury met with facility staff, obtaining information through formal presentations and question and answer sessions. The visits were constructed to observe overall facility operations as well as address areas of particular interest.

Facilities Visited

California State Prison Folsom Women's Facility (FWF)
Sacramento County Youth Detention Facility (SCYDF)
California State Prison Sacramento (CSP-Sac)
Folsom State Prison (FSP)
Sacramento County Rio Cosumnes Correctional Center (RCCC)
Sacramento County Main Jail
Sacramento County Coroner's Office
Sacramento County Crime Lab
Sacramento County Probation Adult Day Reporting Center
Sacramento County Drug Court

Facility Discussion

California State Prison Folsom Women's Facility Tour, October 6, 2017

California State Prison Folsom Women's Facility (FWF) opened in January 2013 to accommodate the re-entry needs of the lowest-risk female offender population in California. The current prison community of 410 participates in the facility's re-entry programs encompassing education, career technical training, self-help courses, activity groups and physical fitness. Level I through III inmates with a prison sentence of five or fewer years are served at FWF. The self-contained facility is housed on a 1,200-acre compound which includes Folsom Prison (FSP) and California State Prison, Sacramento (CSP-Sac).

Medical Services

An on-site medical clinic and pharmacy accommodate the women's basic medical needs. Dental, ophthalmology and physical therapy services are also available. FWF does not have the ability to serve pregnant inmates, therefore they are transferred to another women's facility. Mental health support is provided by several psychologists and social workers. Currently 196 offenders see the psychologist every 90 days. Inmates needing psychologist services more frequently are transferred to another facility.

Rehabilitative Programs

Educational programs address a wide range of academic levels and needs. Greystone Adult School offers Adult Basic Education curriculum ranging from beginning reading levels through ninth grade. Instruction and test taking practice for the General Education Degree (GED) and an option to obtain a high school diploma are offered through the adult school. Community college coursework is provided by Folsom Lake College in Small Business Management Entrepreneurship. Correspondence courses relating to Social Studies are available through Lake Tahoe Community College and Lassen College. Feather River College distance learning offers coursework in Liberal Arts and Humanities. A Vocational Computer Literacy course affords three levels of training relating to entry-level office support staff positions.

Five career technical training programs assist female offenders in their preparedness to re-enter society. Healthcare Facilities Maintenance offers a certificate of janitorial/custodian services upon completion of the program. Through the Carpentry and Laborer Program, certifications in carpentry and construction labor are possible. Certifications in 2D Mechanical Drafting, 3D Part Modeling and 3D Architecture are offered in the Computer-Aided Design Program. The Clerical Operations Programs provides various certifications in customer services. Software engineer training through the Last Mile Computer

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Coding Program prepares students for employment as front-end web developers and web designers.

Life skills are introduced in four Re-Entry Programs to help prepare the offenders once they are released from prison. Criminal Thinking explores behavior and attitudes leading to criminality, resistance to change and instruction in moral development. The Family Relations unit addresses marital, family and personal relationships to promote healthy family values and parent skills. The program goal of Anger Management is to help displace destructive, out-of-control behaviors with constructive pro-social behavior. The Substance Abuse Program offers instruction in risk factors, relapse prevention, stress management, refusal skills, spirituality and assertiveness.

Step-up Aerobics, Zumba, Yoga, Pilates, and circuit training classes are available to address fitness needs. Self-help groups including Al-Anon, Alcoholics Anonymous, and Narcotics Anonymous meet regularly to explore issues relating to substance and alcohol abuse. An intensive 80-hour program, Life Scripting, educates women about psychological strategies needed to make healthy personal choices relating to self, family, relationships and society. A Peer Education group offers information about family planning, female anatomy and sexually transmitted infections. Public communication and leadership skills are developed through the Gavel Club.

The FWF Puppy Program, which is a highlight of the activity groups, partners with the Canine Companions for Independence to provide pre-service training to future service dogs. Six inmate handlers provide puppy training and continuous care for four dogs that are housed with their handlers. The Craft Club provides decorations for events at FWF. Crafts can be created for family members in the Hobby Craft Club. Hooks and Needles participants can create blankets, hats and scarves for community charities. The Marin Shakespeare Company leads classes in acting and performance skills.

An impressive number of religious services and faith-based programs are available to offenders. Services include but are not limited to Protestant, Catholic, Muslim, Jewish, Seventh Day Adventist, Latter Day Saints, Native American, Buddhist and Jehovah Witness. ALPHA is a faith-based re-entry program offering classes in parenting, anger management and other topics to assist offenders to integrate back into society and their families. Celebrate Recovery is a faith-based 12 step program to address alcohol and narcotic addiction. A seminary level certificate in ministry can be earned through the Urban Ministry Institute. The Step Out Approved and Renewed (SOAR) program connects those released to churches and resources in their communities. Eternity Challenge, New Hope Re-Entry, Truth Matters and 7 Steps to Freedom are other faith-based-programs to support the women's transition after release. Several bible study classes are also available.

Committed to Rehabilitate

Based on the grand jury's tour of FWF, it is evident that the facility's leadership has embraced the statewide correctional trend from punishment to rehabilitation as a means to reduce recidivism. The depth and scope of re-entry programs and services available to inmates is impressive and commendable, demonstrating FWF's commitment to do all that they can to prepare their women to be successful, law-abiding citizens who return to their communities.

Sacramento County Youth Detention Facility Tour, October 13, 2017

The Sacramento County Youth Detention Facility (SCYDF) began a cultural shift in 2013 with the intent to guide and unite all within the facility to follow a path supporting growth and positive change. Daily meetings between staff focus on core values, workplace beliefs and their purpose statement, while facilitating staff communication. This shift in culture focuses on rehabilitation, leaving better than you came, rather than punishment.

With an average daily population of 143, the facility has experienced a decline in population over the last several years due to the efforts of Probation in using diversion, community services and other programs along with home supervision as an alternative to detention. Approximately 90% of the population is male, 10% female. Youth through the age of 18 are served at SCYDF. The average length of stay for residents is 30 days. With the support of the Transition Unit, residents leaving the facility are given assistance with obtaining a Social Security card, an ID, a copy of their school transcript, immunization records, school enrollment information, referrals for appropriate services and enrollment in Medi-Cal.

Medical Services

Juvenile Medical Services, under the auspices of the Department of Health and Human Services provides healthcare to detained minors at SCYDF 24 hours a day, 7 days a week. Components of the program include health screenings, health education, immunizations, routine and emergency care, infirmary care, specialty care, case management, dental care, vision exams, on-site optometry and referral to mental health services. In 2016 the number of health encounters totaled 76,642. The Juvenile Medical Services staff includes physicians, a dentist and dental hygienist, a supervising registered nurse, registered nurses, licensed vocational nurses, medical and office assistants, a pharmacist, pharmacy technician and a clinic and program manager.

Members of the mental health team at SCYDF include a mental health program coordinator, six senior mental health counselors, a senior office assistant, a psychiatrist, six senior mental health counselors (on-call) and a mental health

counselor (on-call) with an annual budget of \$1.6 million. Within 24 hours of admission to the facility, all youth are evaluated and receive classification levels depending upon the significance of their mental health needs. This determines the level and intensity of mental health services provided. Sixty-five to seventy percent of youth have a diagnosable mental health disorder and of those, 60% also have a substance use disorder. Approximately 75% of residents have experienced traumatic victimization. At intake all residents are screened for suicide risk and monitored throughout their stay. Staff members are trained in crisis intervention and prevention.

The degree of need for mental health services and staff response to residents is demonstrated by the 2016 mental health contacts statistics:

- 582 Suicide Assessments
- 139 Emergency Responses
- 1272 Urgent Responses
- 2168 Routine Responses
- 680 Collateral Contacts
- 383 Groups
- 2284 Psychiatric Contacts

Rehabilitative Programs

The Western Association of Schools and Colleges (WASC) accredited education program is provided by the Sacramento County Office of Education through El Centro Junior and Senior High School and operates on site 244 school days per year. Forty-two percent of the residents have Individualized Education Plans (IEP's) and have special education staff support. Students also have access to the High School Equivalency Testing. High school graduation rates have increased due in part to recent legislation allowing certain incarcerated youth to earn fewer credits for graduation. Lassen Community College provides curriculum for high school graduates.

More than 50 pro-social programs are available to youth with the support of staff, contract employees and volunteers. A Transition Unit prepares residents for release with appropriate school and personal documents. A visiting chef instructed residents in culinary skills with a special recipe, Prison Fried Chicken. Canine Guardians has provided Captain, resident dog-in-training who is being trained by staff and residents to be a veteran's companion. The Pawsitive Impact Program pairs Front Street Animal Shelter dogs with residents in a training program to teach dogs skills to enhance their adoptability. In partnership with the YMCA, a swim program offers residents swim lessons, water safety, recreation and life guard certification in the facility's outdoor pool. Weekly visits from the Boys and Girls Club provide athletics, games, art and self-reflection along with linkage to their club after release. An outdoor garden provides hands-on activities, gardening

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workshops, healthy eating education and donated produce to the Sacramento Food Bank. Music instruction and access to a mobile recording studio provide another incentive for facility residents.

Northern California Construction Training (NCCT) teaches basic skills needed for construction work and upon release, students can continue training with NCCT in the community. A library with more than 12,000 books for checkout is available to residents on weekly visits. All residents are provided a community library card. Resident mentors provide leadership and support to other residents. Art therapy and activities are offered through Burning Bush, and faith-based services and bible study are provided by various churches. To facilitate family and community involvement, the Visitor Center affords resident parent and guardian visitations every day of the week. Counselors, mentors, chaplains and community-based organizations are also able to visit. The Elmo Room is equipped with toys to enhance visits with residents' children and is available for use seven days a week.

Various collaborative programs support youth while they reside in SYDF. Weekly Special Needs Meetings are held for referred residents. The Skills Training Enrichment Program provides skill-building groups on a weekly basis. Contact with community providers for detained and released youth aims to provide continuous support. The Multi-Sensory De-Escalation Room (MSDR) is a resource for residents needing an intervention to help them regain emotional control. Parent Orientation Nights are scheduled monthly and Alcohol and Drug Programs are offered to residents.

Promising Practices and Future Needs

SCYDF has invested considerable effort making a positive cultural shift in the way youth in their custody are served. The quality and breadth of rehabilitative programs is exemplary and should serve as a model for other youth detention facilities. Envisioning ways to enhance the SCYDF program, administrative staff has identified several needs that will improve the experience of residents. The existing outdoor field is in poor condition with holes and no irrigation system. A renovated field with a new lawn and sprinklers, along with a track for running would greatly improve their sports and physical education program. To improve the quality of their educational and musical program, individual tablets for residents would also be a welcome addition to the facility.

California State Prison-Sacramento Tour, October 20, 2017

California State Prison-Sacramento (CSP-Sac) first opened in 1986 as New Folsom Prison and in 1992 its name was changed to California State Prison-Sacramento. It was originally designed as a high security prison, housing inmates serving life without parole who were sentenced for murder, rape and other violent crimes. Currently it serves primarily as a Level IV (high security)

facility with 24 semi-autonomous 180 degree designed housing units along with a stand-alone Administrative Segregation Unit. In addition, there is a Level I Minimum Support Facility which houses 150 inmates. Located on 882 acres, CSP-Sac is surrounded by a lethal electrified perimeter fence and is part of a larger complex that includes Folsom State Prison and Folsom Women's Facility.

The current population of CSP-Sac is 2167 with a typical census between 2100 and 2200 inmates. As of September, there were 112 Level I and 1646 Level IV inmates. There are 928 custodial staff, of which 853 are male and 129 are female. There are 485 medical staff serving the facility. CSP-Sac has evolved into a high security mental health facility offering higher to extreme levels of care for inmates with mental health problems. Medical services include a Psychiatric Services Unit, Enhanced Outpatient, Correctional Clinical Case Management, Outpatient Housing Unit and a Licensed Correctional Treatment Center. Staff reports a high number of violent incidents resulting in more use of force when compared to lower security prisons. There have been 908 uses of force so far this year that meet reporting requirements.

Between 400 and 500 appeals are filed per month and are managed by the prison's three level appeals process. In 2016 there were 6077 appeals, excluding those that were screened out. The scope of possible appeals is broad and can relate to issues such as food or portion size, toilet paper, a program issue, discipline, a due process violation, property, classification, custody levels, visitation or Proposition 57 violations (parole for nonviolent criminals).

Rehabilitative Programs

Academic programs available to inmates include Adult Basic Education ranging from kindergarten to ninth grade levels. Coursework in General Educational Development (GED) and a high school diploma are also available. From January to September 2017, 24 high school diplomas and 10 GED certificates were awarded to inmates. Other academic services offered include English Language Development, Independent Study, Library Services, EOP-designated Academics, Literacy Program, and Bridging Education Programs. Computers are available to inmates, although e-mail and internet services are not permitted.

Career technical education in office services and janitorial is available to inmates. Rehabilitative programs include Arts in Corrections and faith-based services. Cognitive Behavioral Treatment teaches ways to identify and change destructive thought patterns influencing behavior. The curriculum addresses substance use disorder treatment, anger management, criminal thinking and family relationships.

Pride in Their Employees

CSP-Sac is one of the most violent and stressful prisons in the state. Administrative staff express pride in their employees' work ethic. Despite the severity of the inmates and their violent incidents, staff members "power through, finish their shifts, have thick skin and keep coming back." Employee morale is described as very high despite the frequency of staff assaults. Staff professionalism and respectful communications with inmates were observed during the grand jury visit.

Challenges

Changing public opinion is one of the hardest parts of the job as there is a misperception that the prison is corrupt, according to a staff member. Administrative staff indicate that the prison budget is tight because the first priority is security. However, were funding available, the priority would be fixing the 30-year-old roofs.

Folsom State Prison Tour, October 27, 2017

Originally built in 1880, Folsom State Prison (FSP) was constructed from the granite quarried on its property. It is the state's second oldest prison and currently houses levels I through III (minimum to medium security) male inmates. There are no inmates serving life-without-parole sentences and no electric fences. The Represa, California facility fabricates most of the California license plates and is referenced in Johnny Cash's song, "Folsom Prison Blues."

The current population is 2491, well beyond the original design capacity. The Public Safety Realignment Act of 2011 (AB 109) has helped with overcrowding, although many inmates are still housed in double cells. FSP has a low number of administrative appeals compared to the rest of the state. Most appeals relate to release dates pursuant to prison propositions. Other appeals involve second family visits, new rate changes and health care.

Medical Services

The prison transitioned to electronic healthcare in 2015. As an intermediate facility for healthcare with nursing, primary care and dental are provided on site. X-rays and oral surgery are performed on site. MRI and CT scan trucks arrive from outside the facility as needed. There is a 24-hour nursing/ambulatory primary care team. Specialties are seen offsite. Licensed social workers provide mental health services and pre-case management. A new health clinic for the facility is under construction with an estimated completion date in mid-2018. The California Department of Corrections and

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Rehabilitation regained control of the prison's healthcare in recent years after being under federal control for a decade. Although still under federal receivership, the medical staff is proud of the work they have accomplished to improve the quality of medical services.

Rehabilitative Programs

Academic programs available to inmates include Adult Basic Education ranging from kindergarten to ninth grade levels. Coursework in General Educational Development (GED) and a high school diploma are also available. From January to September 2017, 17 high school diplomas and 33 GED certificates and two Associates of Arts degrees were awarded to inmates. Other services offered include English Language Development, Correctional Learning Network, Community Crews, Self-Help Groups, Youth Diversion, Parenting, Fitness for Life, Healthful Living, Library, correspondence courses, college programs and Military's Veteran's Group. A knitting club knits and crochets items for local non-profit organizations.

Prison Industry Authority employs inmates in the California license plate factory, print shop and digital services (mapping), sign shop, furniture shop and metal fabrication.

Vocational education in auto mechanics, welding, office services, building maintenance and masonry is available to inmates.

The Alpha Re-entry Program offers skills to prepare inmates for re-entry into their families and community. Topics covered include parenting, recovery celebration, and alcohol, drug and other addictive behaviors.

Re-Entry Hub programs address substance treatment, criminal thinking, anger management, and family relations.

The California New Start Prison to Employment Transition Program curriculum focuses on job search techniques, resume writing and applications, transition planning, interview preparation, financial literacy and One Stop Career Center orientation.

Staff Collaboration and Facility Needs

FSP Administration is proud of the collaboration between staff as they work together focusing on a single mission. With the prison's cultural shift over time, the prison's approach to inmates has changed from punitive to rehabilitative. Staff members mentor inmates, leading by example, and assist them in accessing programs. It was evident during the grand jury tour that facility employees interacted with inmates respectfully and conducted

themselves professionally. A wish list for the facility includes facility and infrastructure funding as the facility is over 100 years old.

Rio Cosumnes Correctional Facility Tour, November 3, 2017

Rio Cosumnes Correctional Center (RCCC) houses inmates sentenced to County Jail from the Sacramento County Courts. It is also the overflow facility when the County Jail exceeds its capacity. Originally built in 1960 to house 750 inmates in barracks, RCCC's current population is approximately 1650. There are 1450 minimum, medium and maximum security male inmates. The 200 female inmates are classified as minimum and medium security. In March 2018 an \$80 million construction project begins from SB 1057 funds. Plans include a new kitchen, medical buildings, laundry, classrooms and parking facilities.

Rehabilitative Programs

Academic Programs: The RCCC educational program is provided through Elk Grove Adult Community Education. Adult Basic Education offers coursework in reading, writing and math to an eighth-grade level. Classes prepare residents for the High School Equivalency Test (HiSET). Currently no high school diploma or college coursework is offered. A CPS approved Parent Education class (60 hours), Computer Applications class (150 hours), and Computer Aided Design/Solid Works class (240 hours) offers certificates to students who successfully complete the coursework.

Reentry Vocational: Various programs assist soon-to-be-released inmates for entry into the job market. These programs include: Culinary Arts, Employment Readiness and Life Skills, Custodial Training, Horticulture and Landscaping, Welding, Sacramento Wild Horse Program, Engraving/Print Shop, and the Automotive Technology Career Training Program.

Substance Abuse Treatment/Cognitive Behavioral Therapy: Various treatment programs offer strategies to overcome addictions and encourage a clean lifestyle through recovery. Those available are: Housing for Accountable Living Transitions/Residential Substance Abuse Treatment; Introduction to Recovery; Relapse Prevention; Man Alive/Woman Alive; Thinking for Change; Moral Reconation Therapy (increasing moral reasoning); Quest (gang prevention Program); and the use of Vivitrol as a medication to treat opioid and acute alcohol dependence.

Social Services: Two social services workers assist inmates with legal and personal matters with referrals to community-based organizations.

Unique Facility/Program Features

ICE compliance unit: RCCC has a federal contract to be an ICE containment facility for detainees whose stays can be up to 2 years. The 172 male detainees are housed in a separate open dorm unit. Currently there are no female ICE detainees.

Jail Based Competency Restoration Program. Historically inmates determined not mentally capable were transferred to a state hospital to be treated and then returned. The new jail-based program attempts to restore competency in house at RCCC and is only one of two jail-based programs in California.

Culinary Arts Program: The current chef instructor has been teaching the RCCC Culinary Arts program for the last 26 years. His 170-hour cook assistant and cook training program prepares female inmates for entry-level positions in bakeries and food establishments. An 8-week cake decorating class is also available. The grand jury enjoyed the delicious three-course gourmet lunch prepared by the chef and his students during the facilities tour.

Re-entry Wild Horse Program. An experienced equestrian handler teaches inmates to train wild horses. The benefit of the program is two-fold: horses are adopted after training and inmates gain re-entry skills to work with horses.

Jail Industries Print Shop: The program is available to the current 130 re-entry male inmates. Classes teach inmates how to operate large format printers, laser engravers, high-speed routers and copiers as they learn various design software. Students also learn basic techniques in vehicle graphics installation, advance vinyl wrapping and speed wrapping.

Challenges

RCCC was originally designed as an overflow facility for the Main County Jail for inmates with a maximum sentence of one year. The facility is experiencing growing pains as it adapts to the influx of state prisoners, a result of AB 109 prison realignment practices. Accommodating inmates with lengthier sentences and higher security needs, RCCC is facing limited resources and programs as they house and serve their inmates. The outdated barracks observed during the tour were in need of repair or replacement, as evidenced by their chipped paint and deteriorated condition. Staffing needs are a concern as the facility has a lower than average number of sworn employees compared to most facilities and there is a need for more deputy sheriffs.

Sacramento County Main Jail Tour, November 9, 2017

The first Sacramento County Jail was a series of floating barges in 1850, progressing to various downtown buildings in 1855. Construction on the current main jail was completed in 1989 with ongoing repair and improvement projects planned. The Main Jail provides incarcerated and detained individuals with security and custodial services for the Sacramento County Sheriff's Department and other outside agencies. Overflow population from the Main Jail is transferred to RCCC. With an annual operational cost of \$64 million, the Main Jail has a daily average population of 2400 inmates and averages 135 bookings a day. There are 248 sworn officers, of which approximately 10% are female.

Programs and Services

All inmates are provided preventive and therapeutic medical care by Correctional Health Services encompassing medical, dental and ancillary services. The shared medical costs of medication for 2016 for the Main Jail and RCCC was \$3.4 million. Jail Psychiatric Services is responsible for mental health services to inmates in conjunction with UC Davis Department of Psychiatry and Behavioral Sciences to address treatment of the mentally ill and suicide prevention. There is an acute inpatient unit with an 18 bed, 72-hour evaluation and treatment facility and an intensive treatment facility dedicated by the State and County Departments of Mental Health. Medical and psychiatric care is available 24 hours a day. The monthly average of inmates needing mental health attention is 1,526 between the Main Jail and RCCC.

Due to the constant turnover of population (average stay of 31 days for inmates), continuity of educational services is challenging. The Elk Grove Unified School District provides Western Association of Schools and Colleges (WASC) accredited education classes including Adult Basic Education, Parent Education, English as a Second Language (ESL) and General Education Development (GED) Test Preparation and testing. General information about correspondence courses and college are available, although no college courses are offered.

Accountability, communication skills and non-violence are taught through Man Alive and Woman Alive classes. Additional classes offered include Job Readiness, Interpersonal Communications, Self-Esteem, Yoga, Impulse Control and Recovery Life Skills. Social services are also an aspect of services which include agency coordination and information for re-entry resources, community services and classes such as Alcoholics Anonymous and Narcotics Anonymous. Recreational activities include basketball, handball, yoga, tournaments and games. The Correctional Ministries provides religion studies and coordinates with the Reentry Services Bureau.

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To address an increase in the jail population created by prison realignment practices, the jail created the Pretrial Release Program to reduce the number of inmates pending trial. Approximately 27 arrestees are released on their own recognizance each month through this program.

Employees are Biggest Asset

The Main Jail leadership sees the biggest asset as their employees, expressing pride in their staff. Despite the level of need and violence of some inmates, jail staff handle them with dignity, respect and compassion.

The jail tour was illuminating and gave grand jurors tremendous appreciation and respect for employees working under such demanding, crowded and stressful conditions.

Challenges

Due to increased jail crowding from AB109, staff report that the jail is becoming more like a prison. More space and deputies are needed. Although they are being heavily recruited, more female sworn officers are in demand.

There are increasing medical costs. A total of \$3.4 million was the combined cost of medications at RCCC and the Main Jail in 2016. There have been increased instances of Hepatitis-C with a 12-week treatment cost of \$140,000 per inmate.

Sacramento County Coroner's Office Tour, December 11, 2017

The grand jury visited the Coroner's facility on December 11, 2017. Government Code Section 27491 mandates that the primary duty of the Coroner's Office is to investigate any deaths that are sudden and unexpected. These deaths include the following:

- Homicides, suicides
- Accidental deaths
- Suspected Sudden Infant Death Syndrome (SIDS)
- Deaths where cause is unknown
- Death where a doctor will not attest

2017 Coroner's Statistics

For calendar year 2017, Coroner's Office activity included:

- 6,913 reports of deaths (numbers below may overlap categories)
- 1,341 examinations performed by pathologists
- 394 co-signs (Coroner signs the death certificate in addition to a doctor)

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- 5,199 deaths investigated and released (did not fall under GC 27491)

Case Closure Average

- The case closure average for the forensic pathologists in 2017 was 47 days.
- Overall average for the agency in 2017 was 75 days (reduced from 90 days in 2016). This is due to a change in the Coroner's case management system and other efficiencies.

Staffing

The Coroner's Office includes a staff of 34 as follows:

- The Coroner
- Two supervising deputy coroners
- 12 full time deputy coroners
- Four forensic pathologists, who are physicians
- Nine Coroner technicians
- Five administrative staff
-

Budget, Revenue Sources and "In Kind" Contributions

The annual budget for the Coroner's Office in 2017 is \$7.9 million, and the County General Fund contribution is approximately \$6.5 million (same as 2016). The Coroner's Office also receives revenue for services it provides, as follows:

- Under a contract with UC Davis Medical Center, the Coroner's Office is paid to store bodies donated to the University for medical research.
- UC Davis provides resident doctors to the Coroner's Office who perform work for educational purposes.
- The Coroner's Office is also reimbursed for services they provide to the following outlying counties: Butte, El Dorado, Sutter, Tuolumne and Yolo.
- In 2017, the Board of Supervisors approved a program which added a contract between the Coroner's Office and American River College, which has a funeral program where families can work with students for final disposition instead of going through the indigent cremation program. Under this new program, American River College will start accepting deceased indigent people for final disposition next week.

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The Indigent Program

Health and Safety Code Section 7104 mandates the responsibility to the Coroner's Office to provide services where there is no estate or when an indigent veteran is involved. In most recent years the number of decedents who were provided services by the Coroner's Office under the indigent program are as follows:

- In 2017, there were 410. Of the 410, 62 of the families chose not to pick up the body.
- In 2016, the number of abandoned decedents was 55.
- In 2015, the number of abandoned decedents was 25.
(This means the family refused to act and under statute that means the decedent must go through the Coroner's indigent program).

Open Cases and Trends

The Coroner reported that they have a number of cases that are still open from the end of 2017, which is normal when they have some cases that require more investigation. It will ultimately mean that some of their undetermined or pending cases will change to homicide soon. There are not many cases, so the difference in statistics will be minimal once they are closed.

The Coroner's Office reported seeing an upswing in the number of deaths handled and investigated by their office. In 2017, they had the highest number of deaths since the current Coroner has been working there (2000). So far this year, it appears the number of deaths handled by the Coroner's Office will be the same as in 2017, or higher.

The Coroner's Office has had staff reductions over the past several years from 40 in 2008 down to 33 in 2018, yet they still manage to handle a caseload that has continued to increase annually, while also reducing the case closure average as cited above. This is due in large measure to implementation of changes in case management and other efficiencies in the way they operate, as well as to the increased use of technology. As most public agencies, it is a case of learning to do more with less.

Sacramento County Crime Lab Tour December 11, 2017

The grand jury visited the Sacramento County Crime Lab (Crime Lab) on December 11, 2017. The Crime Lab is operated by the Office of the Sacramento County District Attorney (DA). The cost to operate and maintain the Crime Lab consumes approximately 20 percent of the DA's annual budget.

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The Crime Lab is considered one of the top labs in the country, the "Gold Standard," and it is one of only three crime labs in the state which are part of a DA's office. In addition to providing analysis services to Sacramento County, the Crime Lab provides analysis services to Las Vegas, Nevada. The Crime Lab also provides services to other counties, as well as agencies in other states as requested. The reason for these requests is because the Crime Lab has services that no other labs offer.

Crime Lab staff estimate that they have approximately \$4,000,000 in testing and analysis equipment. Some is state of the art; however technological advances can make their equipment outdated. They may be limited in updating their equipment due to budgetary constraints. The Crime Lab works with government and law enforcement agencies nationwide. The Crime Lab uses the Combined DNA Index System (CODIS) which is administered by the FBI. The Crime Lab can also access and search the National DNA Database Index System which facilitates performing profile comparisons and finding DNA matches when conducting investigations.

Organization of the Crime Lab

The crime lab consists of five sections with corresponding subsections as follows:

- Toxicology
 - Alcohol Unit
 - Toxicology Unit
- Chemistry
- Biology
- Criminalistics
 - Firearms Unit
 - Trace Evidence Unit
- Evidence Control

Staffing

The Crime Lab staff consists of:

- 39 Technical Staff Members
- Two Administrative Staff Members
- Five Supervising Criminalists
- One Laboratory Quality Assurance Manager
- Interns from UC Davis who assist in running tests

Categories of Testing

The Crime Lab has the staff expertise, capabilities and equipment to conduct the following categories of testing:

- Controlled substances
- Forensic toxicology
- Post-mortem forensic toxicology
- DNA-nuclear
- Body fluid
- Identification
- Paternity testing
- Paint
- Fiber and textiles
- Gunshot residue
- Glass
- Hair
- Fire debris
- General physical and chemical analysis
- Firearms
- Tool marks
- Crime scene investigation
- Crime scene reconstruction
- Bloodstain pattern analysis
- Impression evidence

The Chemistry Section conducts tests on controlled substances such as marijuana, cocaine, methamphetamines and heroin, and they investigate clandestine labs. In 2016, 3,713 cases were analyzed.

The Criminalistics Section conducts tests on firearms involved in homicides and drive-by shootings. They test for traces of glass, gunshot residue (GSR), hair, fibers, paint, arson, and general unknown material analysis. They also conduct crime scene reconstruction.

The Toxicology Section conducts tests on breath alcohol and blood alcohol. In 2016 3,973 cases were analyzed. They also analyze blood and urine for drugs. In 2016, 4,697 cases were analyzed.

The Biology/DNA Section conducts biological analysis to identify, blood, semen and saliva. They also conduct DNA analysis including nuclear DNA and paternity testing.

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Crime Scene Response Team

The Crime Scene Response Team consisting of 17 staff members, includes four crime scene leads and 13 secondary crime scene team members. Each response team consists of two to three members depending on the crime scene and work 24/7 on call, including holidays. They respond to 20-25 crime scene call-outs per year.

Crime Scene Response Services

Crime scene response services include providing support to law enforcement agencies in crime scene responses. They respond to offer varying levels of assistance based on the responding agency needs. The types of services they provide include documentation, sample preservation/collection, and specialized evidence assistance (SEA). SEA includes blood splatter documentation, trajectory documentation and evaluation, reconstruction, chemical enhancement of blood, impression of evidence, and 3D laser scanning.

Sacramento County Probation Department Adult Day Reporting Center Tour March 26, 2018

The grand jury visited the Adult Day Reporting Center (ADRC) on Del Paso Blvd., one of three centers located in Sacramento County. Designed to meet the re-entry needs of adults released from jail or prison returning to their communities, the ADRC offers comprehensive services under one roof. These evidence-based programs include case management, counseling, treatment, programs, and education. Classes leading to a diploma or high school equivalency certificate are provided by the Sacramento County Office of Education and Elk Grove Adult and Community Education. Vocational training and a job placement program with Northern California Construction and Training supports all three sites.

Probation officers contact clients prior to their release from the Rio Cosumnes Correctional Center and seven Northern California prisons to maximize their participation in the ADRC centers. Upon release, clients receive a risk and needs assessment screening (Level of Service/Case Management Inventory-LS/CMI) and are rated mild, moderate or high risk. Based on individual needs and risk level, a case manager develops a plan to address a client's specific needs. Of the current ADRC clients, 35% are rated low risk, 22% moderate risk and 42% are high risk. LS/CMI risk scores in 2016 reflected a 39% reduction in risk levels for ADRC graduates.

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Based on January 2018 metrics there are 19,453 adults on probation in Sacramento County. Approximately 550-600 new clients enroll at the ARDCs per year, with 180-200 consistently active in the program. According to 2016 recidivism statistics, 96% of ARDC clients completing the program had no new criminal convictions during their first year in the Sacramento Community. Because of budget constraints, only a portion of Sacramento County's probation population is able to participate in the programs offered by the centers.

Future Planning

The Probation Department continues to recover from the significant reduction in staff during the recession nearly a decade ago. They have developed creative ways to support and supervise their clients more effectively, while keeping the community safe. The next project needed is a fourth ADRC located in the northern part of the county. Several employees indicated there is a sufficient number of clients to support a fourth center.

Sacramento County Probation Department Adult Drug Court Graduation Ceremony, March 26, 2018

The Adult Drug Court was established in 1995 in collaboration with the District Attorney, Public Defender and Probation Department. As a cost-effective alternative to incarceration, eligible non-violent drug offenders participate in the drug court's program, and upon successful completion, participants have their charges dismissed.

The treatment program uses evidence-based practices which incorporate on-site treatment and counseling, mental health services, nutrition, yoga, continuous drug testing, along with probation supervision in the community. Participants have their progress reviewed in court regularly by a judge. Incentives for positive behavior and progressive sanctions enhance the effectiveness of the program.

The grand jury attended the March 26, 2018 drug court graduation for four individuals completing the program. The positive outcomes of the drug court were evident. In the presence of family, friends and drug court personnel, participants received acknowledgement for their efforts and sobriety, along with having their charges and fines dismissed by the District Attorney.

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Review of Responses to the Prior Year's (2016-2107)
Sacramento County Grand Jury Report

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The Sacramento LAFCo's Municipal Review Process: A Study in Complacency

Reason for Investigation

The 2016-2017 Sacramento Grand Jury opened an investigation into Sacramento County's Local Agency Formation Commission (LAFCo), specifically its responsibility to oversee local government agencies through the preparation of Municipal Service Reviews (MSR). This report looks at the MSR process as it relates to one important type of special district: water districts.

Summary of Findings

- F1. LAFCo does not perform MSRs in a timely manner.
- F2. The questionnaire used by LAFCo is out of date and incomplete.
- F3. The content of MSRs is inadequate, failing to include analysis and findings to support conclusions and consideration of regional issues.
- F4. MSRs do not contain required analysis of environmental justice issues.
- F5. LAFCo does not retain experts to help perform MSRs, particularly in the water area.
- F6. LAFCo fails to use its authority to look at county and private water entities and provide recommendations regarding sensible integration of water supply and water quality solutions on a regional basis.
- F7. LAFCo's budget does not support the best use of resources to accomplish its mandatory requirement to complete quality MSRs in a timely manner.
- F8. The LAFCo Commission does not adopt an annual plan or provide adequate direction to its staff, nor does it conduct annual reviews of staff performance.

Summary of Recommendations

- R1. MSRs should be completed for all special districts every five years.
- R2. The questionnaire sent to special districts at the start of the MSR process should be updated to address all of the current requirements in the law, as well as specific issues that are important to this region and problems that have been identified in prior reviews.
- R3. The content of MSRs should be improved to provide for more independent analysis of all of the issues facing Sacramento County with

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regard to water quality, infrastructure maintenance, conservation storage and delivery.

- R4. MSRs must analyze required information on environmental justice issues.
- R5. LAFCo should hire experts to assist in the preparation of MSRs.
- R6. LAFCo's process for conducting MSRs on water districts should be conducted on a regional or geographic basis, including county services areas and private water companies so that appropriate analysis of consolidation, reorganization possibilities and sensible integration efforts are seriously evaluated.
- R7. A performance audit of LAFCo's MSR program should be conducted to assist the staff to identify ways to meet statutory requirements and achieve better outcomes within existing resources.
- R8. The LAFCo Commission should adopt an annual plan, provide better direction to its staff and require that an annual performance review be conducted for each staff member.

Summary of LAFCo Responses

- RESPONSE 1. All MSRs were completed prior to December 18, 2017 and may be found on our website.
- RESPONSE 2. LAFCo has updated its MSR questionnaire in December 2017.
- RESPONSE 3. The content of the MSRs has been updated to provide more independent analysis. This was completed in December 2017.
- RESPONSE 4. This particular finding of the grand jury is based upon the fact that the questionnaire asks the required information, but the grand jury determined that the MSR analysis was not adequate. LAFCo believes the reason is that environmental justice issues were answered adequately. In the future, LAFCO will add a clarifying statement with its analysis to be sure that this issue is resolved. This is an

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issue where, while LAFCo does not concur they shall take steps to clarify the issue in future MSRs.

RESPONSE 5. LAFCo does not retain experts to perform MSRs, as recommended by the grand jury. LAFCo does not concur that the in-house staff lacks the expertise to complete MSRs.

RESPONSE 6. LAFCo does not concur with this statement. LAFCo does not have jurisdiction over private water companies.

RESPONSE 7. The Commission determined in December 2017, that LAFCo shall do MSRs every five years as necessary.

RESPONSE 8. LAFCo concurs with this recommendation in that it will provide an annual work plan in its budget report. LAFCo does not concur with the annual performance review requirement.

Grand Jury Comments

The 2017-2018 Sacramento County Grand Jury (current grand jury) notes the required response was submitted by LAFCo in compliance with Penal Code Section 933 and 933.5. Evidence of compliance was contained in a letter to the grand jury dated September 18, 2017. An additional response was received on January 5, 2018. Both responses were considered in these comments.

The 2016-2017 Sacramento County Grand Jury Report (previous report) was based on interviews with senior management from area water districts and reviews of considerable documentation on the subject. The previous grand jury found that MSRs were not performed in a timely manner, their content was inadequate, and information forms were outdated. The previous grand jury also determined LAFCo failed to exercise its authority to review water issues on a county service related area basis, take advantage of consolidation opportunities, adopt an annual plan, and conduct staff annual performance reviews.

The current grand jury is aware of LAFCo's progress and implementation of some recommendations in the previous report. However, the current grand jury agrees with all recommendations made in the previous report and

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encourages LAFCo to revisit the multiple issues raised where they “did not concur”. The current grand jury is especially concerned about LAFCo’s recent determination to conduct MSRs “every 5 years as necessary” instead of “at least every 5 years or sooner if necessary”. LAFCo’s interpretation could leave a district without an MSR for a period well beyond 5 years thereby defeating one of LAFCo’s original purposes of providing an oversight or watch role over Special Districts.

Herald Fire Protection District Update

Reason for Investigation

The 2016-2017 Sacramento County Grand Jury (grand jury) conducted a follow-up review of the Herald Fire Protection District (HFPD) to review its current operations and determine whether the district implemented the recommendation made three years ago by the 2013-2014 Grand Jury Report (report), "The Firestorm Raging in Herald".

The grand jury concludes that, in spite of numerous challenges in the past three years, HFPD has made progress in implementing the recommendations made in the report. The district appears to be in a better position now, both in terms of its financial stability and the safety of its volunteer firefighters. However, there still is work that needs to be done.

Summary of Findings

- HFPD has made progress in implementing the recommendations contained in the report especially in the area of improving the safety of its volunteers.
- The annual financial audits have not been completed and there are still six years outstanding from Fiscal Year (FY) 2010-2011 through FY 2015-2016
- Additional work needs to be done to address the district's financial vulnerabilities, especially in paying funds owed to CalPERS.
- Sacramento Local Agency Formation Commission (LAFCo) never completed the Municipal Service Review (MSR) of the HFPD that it agreed to conduct in response to the report.

Summary of Recommendations

- The HFPD should continue to maintain a safe working environment by updating its policies, procedures, equipment and training for its volunteer firefighters.
- The district should take steps to ensure that audits of past years are expedited bringing the financial records up to date.
- The district should set aside a specific fund to pay any outstanding debts identified in the audits and the amounts owed to CalPERS. This fund should not be tapped to pay other ongoing expenses.

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- LAFCo should complete an MSR of the district no later than the end of FY 2017-2018, either as a separate entity or as part of a general review of fire district services in the southern part of the county.

Summary of Responses

- HFPD started with enhancing the individual safety equipment used by each volunteer. The investment of personal protection equipment totaled approximately \$20,000 per volunteer. It is not the intent of the district to ignore the CalPERS contract termination. It has been a conscious effort to utilize the limited resources where they are most needed; protecting the safety of our volunteers and our community.
- On August 30, 2017, Richardson & Company began the audit for FY2010-2011 and FY 2011-2012. District staff is making preparations for the remaining audits of FY 2012-2013 through FY 2015-2016 with a goal to begin those in the spring of 2018. The completion of these remaining audits will remain a top priority of the district and they will continue to strive to meet the internal completion deadline of December 31, 2018. These audits are also subject to budgetary restrictions.
- Upon submitting the response to the grand jury in September 2017, the district has no outstanding debts, aside from the recent purchase of a new command vehicle. All outstanding debts that were found by district staff or auditors have been paid, including all payments requested thus far from CalPERS. The District received a letter from CalPERS, acknowledging their receipt of HFPD's intent to terminate the contract and indicated that a valuation of the potential unfunded liability or surplus would be provided to the District in 4-6 weeks. As of September 2017, when the grand jury response was prepared, the district has not received a final valuation on the potential unfunded liability or surplus from CalPERS. Therefore, the District has chosen to budget neutrally for CalPERS, until receipt of the final valuation.
- The Herald Fire Protection District MSR was completed in December 2017 by LAFCo.

Comments

The 2017 – 2018 Grand Jury notes that the required response was submitted in a timely fashion in compliance with Penal Code Sections 933 and 933.05.

HFPD put in place an aggressive plan to have all previous year audits completed at the close of the calendar year 2018. The district acknowledges a potential budget issue in relationship to CALPERS. However, HFPD has not received any indication from CALPERS as to either an unfunded liability or

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potential surplus as of September 2017 when HFPD responded to the grand jury report. The district has decided to budget "neutrally" until final valuation has been received. HFPD has upgraded all of their personal protection equipment, as well as made changes to their training program, to improve the volunteer skills and knowledge of fire service. Their current budget funds the enhancement of equipment, service and hiring of additional personnel to increase the overall response levels.

The district should be commended for the numerous steps made in increasing the ability to provide better service to their community.

Note

In November of 2017, after Herald Fire submitted their response to the 2016-2017 Grand Jury report, CalPERS issued Herald Fire Protection District a \$404,535 invoice. According to the January 31, 2018 Galt Herald a board representative stated, "The district is committed to fully executing this contract dissolution, including payment of the termination liabilities and finally ending this long chapter with CalPERS."

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The Election Process: In Good Hands

Reason for Investigation

The ability to participate in open, free elections is one of American's most cherished rights. In Sacramento County, the job of overseeing elections rests with the County Registrar's Office. The purpose of this Grand Jury report is to review the election process for the Nov. 8, 2016 general election. We conclude that the registrar's office did an excellent job conducting the election and processing the results. That being said, we offer some suggestions for improved efficiency. We also discuss new legislation that could greatly improve the election process in Sacramento County.

Summary of Findings

- The registrar did a commendable job running the November 2016 general election.
- The layout of the election office is awkward and inefficient.
- The current manual method for verifying voter signatures is outdated.
- The overall election process would be improved if Sacramento County opts into the new election process established by the California Voters Choice Act.

Summary of Recommendations

- The Sacramento County Board of Supervisors should officially recognize the outstanding job done by the registrar's office.
- A study on how to improve flow patterns of the election office should be conducted, including site visits to other headquarters locations.
- The process for voter signature verification should be automated.

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- Sacramento County should opt into the new election process. Registrar's staff should visit other states that administer similar programs, such as Colorado and Oregon.

Summary of Responses

- Sacramento County CEO agrees with the finding. The CEO and Registrar have acknowledged the election staff for the excellent work they did for the November 2016 Election by holding a recognition luncheon for the staff. Sacramento County has 30 departments, and each department does an outstanding job providing exceptional public services to the residents of Sacramento County.
- The Sacramento County Registrar agrees with the finding. The move in 2003 to the current office allowed for an electronic voting system which did not come to fruition. Under the new Voters Choice Act, the Registrar is moving to a Vote Center model. After the June 2018 election, the Registrar will re-examine the flow pattern of the office. The Registrar visited the Butte and Solano County Election Offices this year and studied their ballot workflow processes. The Registrar will continue to reach out to other election offices.
- The Sacramento County Registrar agrees with the finding. The recommendation has not yet been implemented but will be implemented for the June 2018 election. On July 14, 2017 a Request for Proposal was issued for a new voting system to implement the California Voters Choice Act and an automated signature verification component was included.
- The Sacramento County Registrar agrees with the finding. The implementation of the California Voters Choice Act will be in place for the June 2018 elections.

Grand Jury Comments

The 2017 – 2018 Grand Jury notes that the required response was submitted in a timely fashion in compliance with Penal or Sections 933 and 933.05.

The County Registrar's Office of Sacramento County continues to move forward on implementing new applications in the election process. New voting procedures are scheduled to be in place for the June 2018 elections. The grand jury notes that the County Registrar's office has scheduled numerous 'open houses' for the public to view the new voting procedures system. After

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the election, the grand jury expects that the office will continue to improve its processes.

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Sacramento County Grand Jury Complaint Process

General Information

A major function of the Sacramento County Grand Jury is to examine local county and city government, special districts, school districts, and any joint powers agency located in the county to ensure their duties are being carried out lawfully.

The Grand Jury:

- May review and evaluate procedures used by these entities to determine whether more efficient and economical methods may be employed;
- May inspect and audit the books, records and financial expenditures as noted above to ensure that public funds are properly accounted for and legally spent;
- May investigate any charges of willful misconduct in office by public officials;
- Shall inquire into the condition and management of the public prisons within the county.

Anyone may ask the Grand Jury to conduct an investigation of any issue within its jurisdiction. Whether it chooses to investigate such a complaint is entirely in its discretion and may be affected by workload, resource limitations or legal restrictions.

By law, the proceedings of the Grand Jury are confidential. The findings and recommendations of those complaints and issues it chooses to address are published in its final report.

Complaint Process

- Present your complaint as soon as possible. The Grand Jury's term of service begins July 1st and ends June 30th of the following year.
- Identify your specific concern and describe the circumstances as clearly and concisely as possible.
- Document your complaint with copies of pertinent information and evidence in your possession.

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- A copy of the Grand Jury Complaint Form may be found at <http://www.sacgrandjury.org/documents/complaint.pdf>
- Mail or deliver your complaint in a sealed envelope to:
Sacramento County Grand Jury
720 9th Street, Room 611
Sacramento, CA 95814

Among the responsibilities of the Grand Jury is the investigation of the public's complaints to assure that all branches of city and county government are being administered efficiently, honestly and in the best interest of its citizens.

Complaints submitted to the Grand Jury will be treated confidentially whenever possible. However, it may be impossible to conduct an investigation without revealing your name and complaint.

The results of the complaints investigated by the Grand Jury are published in its final report in which the residents of the county are made aware of its investigations, findings and recommendations, and the entities reported on are required by statute to respond.

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GRAND JURY COMPLAINT FORM

PERSON OR AGENCY ABOUT WHICH COMPLAINT IS MADE

NAME: _____

ADDRESS: _____

TELEPHONE NUMBER: _____

GRAND JURY USE ONLY:

Date Received: _____

Number: _____

Subject: _____

NATURE OF COMPLAINT (Describe events in the order they occurred as clearly and concisely as possible. Also indicate what resolution you are seeking. Use extra sheets if necessary and attach copies of any correspondence you feel is pertinent. Documentation becomes the property of the Grand Jury and will not be returned. **Please note: The Sacramento County Grand Jury has no jurisdiction over state or federal agencies, the courts, judicial officers, private companies or most organizations.**)

WHAT PERSONS OR AGENCIES HAVE YOU CONTACTED ABOUT YOUR COMPLAINT?

Person or Agency	Address	Date of Contact	Result

WHO SHOULD THE GRAND JURY CONTACT ABOUT THIS MATTER?

Person or Agency	Address	Telephone No.

YOUR NAME: _____

DRIVER'S LICENSE NO.: _____

ADDRESS: _____

TELEPHONE NO.: _____

The information I have submitted on this form is true, correct and complete to the best of my knowledge.

Complainant's Signature _____

Date _____

(This blank form may be duplicated.)

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