

The Sutter County Board of Supervisors' Response to the

2023-2024

FILED

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Sutter County Grand Jury Final Report

SUPERIOR COURT OF CALIFORNIA
COUNTY OF SUTTER
CLERK OF THE COURT
By *Heather Forth* Deputy



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AUG 28 2024

SUPERIOR COURT OF CALIFORNIA
COUNTY OF SUTTER



County of Sutter
Office of the County Administrator

1160 Civic Center Boulevard
Yuba City, California 95993
Phone: (530) 822-7100 Fax: (530) 822-7103

August 27, 2024

The Honorable Susan E. Green
Presiding Judge of the Sutter County Superior Court
1175 Civic Center Boulevard
Yuba City, CA 95993

Dear Judge Green:

On behalf of the Sutter County Board of Supervisors, I am herewith submitting its response to the findings and recommendations of the 2023-2024 Grand Jury Final Report on the following:

- Grand Jury Room Accessibility and Danger in the Dark
- Sentenced Served at Sutter County Jail – Sutter County Grand Jury Tour
- Tri County Rehabilitation Facility and Maxine Singer Youth Guidance Center
- Supervisors Salaries – 20 Years Without a Raise
- Voter Integrity – Yay or Nay

The Sutter County Board of Supervisors and administration thanks the Grand Jurors for their service to the citizens of Sutter County. Grand Jury service requires a great amount of time and effort and each juror's dedication is truly appreciated.

Sincerely,

A handwritten signature in blue ink, appearing to read "Steven M. Smith".

Steven M. Smith
County Administrator

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Grand Jury Room Accessibility & Danger in the Dark

The Sutter County Board of Supervisors is required to respond to this report.

Below is the response from the Board of Supervisors, in concert with the County Administrator's Office.

FINDINGS

Grand Jury Finding #1:

"F1: The Grand Jury room remains non-compliant with the ADA because those with mobility issues do not have equal access to the building without assistance from other members."

Grand Jury Finding #2:

"F2: The lack of light in the Grand Jury room when entering or exiting causes a high risk for trip injuries."

Response from the Board of Supervisors:

F1: The Board of Supervisors agrees with the finding.

F2: The Board of Supervisors agrees with the finding.

RECOMMENDATIONS

Grand Jury Recommendation #1:

"R1: If this room is going to continue to be used by the Grand Jury or anyone else, it needs to be made safe and compliant with the California Disabled Persons Act and the Americans with Disabilities Act (ADA). General Services and Development Services should construct an ADA compliant ramp to the external entrance door to the Grand Jury room. This should be completed before Daylight Savings changes on November 3, 2024."

Grand Jury Recommendation #2:

"R2: General Services and Development Services shall install motion-activated light controls in the Grand Jury room to reduce the risk of injury that is inherent while traversing in the dark when entering or leaving. This should be completed before Daylight Savings changes on November 3, 2024."

Response from the Board of Supervisors:

R1: This recommendation has not yet been implemented. However, County staff are already pursuing a quote on a ramp for access to the outside entrance to the current Grand Jury meeting room. Construction is expected to be completed by January 31, 2025.

R2: This recommendation has not yet been implemented, but will be by November 3, 2024.

**Sentenced Served at the Sutter County Jail
Sutter County Grand Jury Tour**

The Sutter County Board of Supervisors and the Sutter County Sheriff are required to respond to this report. A response from the Sutter County Sheriff is attached.

Below is the response from the Board of Supervisors, in concert with the County Administrator's Office.

FINDINGS

Grand Jury Finding #1:

"F1: Difficulty in hiring and retaining staff due to noncompetitive compensation, source from Management Partners. Increased cost caused by forced inmate retention, as well as increased housing cost due to retention of IST inmates."

Grand Jury Finding #2:

"F2: Potential contraband drop-off location at Southwest exterior door of the jail."

Grand Jury Finding #3:

"F3: Structural damage within the facility has led to pooling of water into the corridor areas posing a risk of slip and fall incidents as well as further structural deterioration."

Grand Jury Finding #4:

"F4: Ineffective cooling system causing potential health risk (e.g. heat related medical issues). We have since received information at a recent Board of Supervisors' meeting that the existing cooling system is being put out for bid to be replaced."

Response from the Board of Supervisors:

F1: The Board of Supervisors partially disagrees with this finding in that compensation levels have been increased after the Management Partners study was completed.

Sutter County Board of Supervisors Response to 2023-24 Grand Jury Final Report

Additionally, the County is currently in negotiations with the Sutter County Deputy Sheriff's Association (SCDSA) that includes most jail staff.

F2: The Board of Supervisors agrees with the finding.

F3: The Board of Supervisors partially disagrees with this finding as staff have been unable to locate the pooling water found by the Grand Jury. However, there are needed facilities improvements in the jail.

F4: The Board of Supervisors partially disagrees with the finding in that staff have provided multiple additional portable cooling units within the jail to maintain reasonable temperatures. However, the best solution is a new overall HVAC system for the jail.

RECOMMENDATIONS

Grand Jury Recommendation #1:

"R1: Review budget and pay structures to allow competitive pay with similar size Northern California counties by September 30, 2024."

Grand Jury Recommendation #2:

"R2: Build perimeter fencing adjacent to the Southwest exterior door location by December 31, 2024."

Grand Jury Recommendation #3:

"R3: Repair structural damage to the interior walls of the jail by December 31, 2024."

Grand Jury Recommendation #4:

"R4: Replace outdated cooling system at the jail. A contract should be in place by September 30, 2024."

Response from the Board of Supervisors:

R1: This Recommendation has been implemented in that recent pay increases have been approved and the Board of Supervisors is currently in negotiations with the SCDSA.

R2: This Recommendation has not yet been implemented, but will be by June 30, 2025.

R3: This Recommendation will not be implemented because it is not warranted as neither Sheriff nor General Services staff can find said structural damage.

R4: This Recommendation will not be implemented because it is not reasonable. The cost of a new HVAC system has yet to be determined, however it will likely exceed \$4 million. Once a cost is determined, the County will create a plan to fund the needed improvements.

Tri County Rehabilitation Facility and Maxine Singer Youth Guidance Center

The Sutter County Board of Supervisors is required to respond to this report.

Below is the response from the Board of Supervisors, in concert with the County Administrator's Office.

FINDINGS

Grand Jury Finding #1:

"F1: Inspection of the new facility is taking too much time to complete."

Response from the Board of Supervisors:

F1: The Board of Supervisors agrees with the finding.

RECOMMENDATIONS

Grand Jury Recommendation #1:

"R1: Local county government to investigate and resolve the new facility inspections."

Response from the Board of Supervisors:

R1: This Recommendation has been implemented. As of the time of this writing, the inspection has been completed due in part to the diligence of Yuba County staff overseeing the project.

Supervisors Salaries – 20 Years Without a Raise

The Sutter County Board of Supervisors is invited to respond to this report.

Below is the response from the Board of Supervisors, in concert with the County Administrator's Office.

FINDINGS

Grand Jury Finding #1:

"F1: The Sutter County Grand Jury conducted various analyses based on employee numbers, total budgets, and counties with similar populations. The findings indicate that SCBOS is underpaid by \$20,000 annually. This potentially limits the pool of individuals who can afford to serve as SCBOS to retirees, those with other employment, or the wealthy. The Sutter County Grand Jury also found during our investigation that being a Sutter County Supervisor is a time-consuming position. Each supervisor is responsible for the Sutter County budget, responsible for implementing California State and Federal Law when starting new projects, maintaining the county's physical resources and properties. There are close to 1,000 county employees for which they are indirectly responsible. All five of our supervisors attend many meetings. All five of our supervisors are on special committees of various districts within the county and represent the county at those meetings. Each of our five Supervisors are on 16 to 25 committees and are required to be at those meetings to represent Sutter County."

Response from the Board of Supervisors:

F1: The Board of Supervisors agrees with the finding.

RECOMMENDATIONS

Grand Jury Recommendation #1:

"R1: The Sutter County Grand Jury recommends that the SCBOS consider a compensation raise in line with the local economy. The specific amount and method are left to their discretion since they are responsible for voting on their own compensation. The current take-home pay, after health insurance package and Public Employees Retirement System (PERS) contribution, is deemed insufficient for the time and effort invested in this role. Fair compensation is essential for the SCBOS, reflecting the value of their service to the community. Action shall be taken before October 31, 2024."

Response from the Board of Supervisors:

R1: This recommendation has not yet been implemented, but will be by December 31, 2024.

Voter Integrity: Yay or Nay

The Sutter County Board of Supervisors is not required and was not invited to respond to this report.

The Sutter County Clerk-Recorder was invited to respond to this report. Her response is attached.

FINDINGS

Grand Jury Finding #1:

***"F1: Identify Verification Process:** Rigorous confirmation of voter identity through the statewide voter system, including checks with the Department of Motor Vehicles (DMV), ensures that only legitimate voters cast their ballots. Mail-in ballots were canceled upon in-person voting to prevent duplicate voting."*

Grand Jury Finding #2:

***"F2: Voter Registration System:** The utilization of the State VoteCal System for voter registration ensures accuracy, while the 8D2 survey card verified the registered address. Measures were in place to flag ineligible addresses, such as mailbox locations or post office boxes."*

Grand Jury Finding #3:

***"F3: Ballot Harvesting Clarification:** Contrary to media claims, Sutter County does not practice "ballot harvesting," and there was no evidence to suggest mass collection of ballots from nursing homes or other facilities."*

Grand Jury Finding #4:

***"F4: Signature Verification:** Stringent signature verification processes were conducted to detect and prevent fraudulent voting. This contributed to overall efforts to maintain the integrity of the electoral process."*

Grand Jury Finding #5:

***"F5: Voter Rolls:** An analysis of the Sutter County voter rolls data revealed some irregularities. From a random sample, it was observed that approximately 3% of individuals listed on the voter rolls were deceased, another 3% have relocated outside of the state, and an additional 3% moved to different addresses within the County. **There was no evidence that any of these irregularities were found to suggest an unlawful vote was cast.** We also investigated any addresses that had more than eight registered voters. There was no evidence that there were any illegal voters at those addresses."*

Response from the Board of Supervisors:

The Sutter County Board of Supervisors is not required and was not invited to respond to Findings 1 through 5.

RECOMMENDATIONS

Grand Jury Recommendation #1:

“R1: Conduct a thorough analysis of voter roll data to confirm the accuracy of the voter roll by removing all ineligible voters.”

Grand Jury Recommendation #2:

“R2: Establish collaboration between county agencies to enhance the accuracy of voter rolls.”

Grand Jury Recommendation #3:

“R3: Advocate for ongoing public education efforts to dispel misinformation surrounding the electoral process, promoting trust and confidence in the integrity of elections.”

Response from the Board of Supervisors:

The Sutter County Board of Supervisors is not required and was not invited to respond to Recommendations 1 through 3.



SUTTER COUNTY SHERIFF'S OFFICE
BRANDON BARNES
SHERIFF – CORONER

July 11, 2024

Superior Court of California, County of Sutter

Attn: The Honorable Susan Green - Presiding Judge

1175 Civic Center Blvd.

Yuba City, CA. 95993

Please accept this response on behalf of the Sutter County Sheriff's Office regarding the findings of the Grand Jury for FY 23/24. It has been my honor to get to know the Grand Jury members and to provide an overview of the operations of the sheriff's office. I want to express my appreciation of the Grand Jury and the role they play in helping to bring deficiencies to our attention. I have reviewed the proposed report and offer the following responses to both the "Findings" and the "Recommendations" as suggested by the Grand Jury.

SUTTER COUNTY SHERIFF'S OFFICE

FINDINGS:

F1: Difficulty in hiring and retaining staff due to noncompetitive compensation, source from Management Partners. Increase cost caused by forced inmate retention, as well as increased housing cost due to retention of IST inmates.

F1 Response: The sheriff's office acknowledges that recruitment can be challenging at times, although we have seen an increase in the number of applicants, specifically for corrections and dispatch positions. A fair number of applicants have been disqualified due to not passing the testing process or not having a personal background suitable for public service.

Costs associated with the care and custody of incarcerated persons has increased, primarily due to pressures put on counties by the state, as prisons continue to close and medical and mental health services are being pushed to local levels without reasonable compensation for state responsibilities.



SUTTER COUNTY SHERIFF'S OFFICE
BRANDON BARNES
SHERIFF – CORONER

F2: Potential contraband drop-off location at Southwest exterior door of the jail.

F2 Response: The sheriff's office agrees this is an area of concern and brought this issue to the attention of the Grand Jury. Steps are being taken to correct the issue and we continue to look for ways to reduce contraband coming into the facility.

F3: Structural damage within the facility has led to pooling of water into the corridor areas posing a risk of slip and fall incidents as well as further structural deterioration.

F3 Response: Additional clarification may be needed to address the specific "structural damage" issue noted in the report. The sheriff's office is aware of occasional weather-related pooling during times of excessive rain. There are some leaks in the jail roof that need to be addressed.

F4: Ineffective cooling system causing potential health risk (e.g. heat related medical issues). We have since received information at a recent Board of Supervisors' meeting that the existing cooling system is being put out for bid to be replaced.

F4 Response: The sheriff's office agrees with this finding, and we have been working with development services, general services, and the county administrator's office for solutions to this issue.

RECOMMENDATIONS:

R1: Review budget and pay structures to allow competitive pay with similar size Northern California counties by September 30, 2024.

R1 Response: This would be a function of county human resources and not the sheriff's office. The county completed a compensation survey in April of this year, which included salary and benefits. The total compensation for the Deputy Sheriff's Association (DSA) was 9.1% below market. The DSA is currently in negotiations with the county regarding this issue.

R2: Build perimeter fencing adjacent to the Southwest exterior door location by December 31, 2024.

R2 Response: The sheriff's office is exploring options to secure the exterior door from contraband. One solution was to place a lockbox over the door, but this was removed as a potential solution by fire code. The sheriff's office is exploring a fencing solution and will be working to secure quotes in the coming months, with hopes of having a contract in place shortly thereafter.

R3: Repair structural damage to the interior walls of the jail by December 31, 2024.

R3 Response: The sheriff's office is not aware of any structural damage to the interior walls. More clarification from the Grand Jury may be needed on this recommendation.



SUTTER COUNTY SHERIFF'S OFFICE
BRANDON BARNES
SHERIFF – CORONER

There is occasionally water pooling during heavy rain because of leaks in the roof. This is usually resolved with buckets and keeping floors mopped and dry. The roof of the jail does need repair but locating the source of the leak sometimes becomes problematic. General Services has a maintenance employee assigned to the jail and that person works on issues as they come up but also works proactively to identify items for routine maintenance and replacement.

R4: Replace outdated cooling system at the jail. A contract should be in place by September 30, 2024.

R4 Response: The Board of Supervisors authorized a contract with a consultant, Kitchell CEM, in March of 2024 to evaluate the mechanical, electrical, and plumbing systems (MEP). Kitchell CEM is scheduled for a site visit this month and should complete their report and recommendations by January 2025.

The Sheriff's Office continues to be dedicated to meeting, or exceeding, industry standards for public safety operations and corrections. We appreciate the recommendations of the Grand Jury and further thank you for accepting these responses on behalf of the Sheriff's Office.

Respectfully submitted,

A handwritten signature in black ink, appearing to be "B. Barnes", written over a horizontal line.

Brandon Barnes

Sheriff-Coroner



COUNTY OF SUTTER... *established 1850*

Donna M Johnston

County Clerk-Recorder-Registrar of Voters – Clerk of the Board of Supervisors

July 31, 2024

TO: Tim McGee, Foreperson and Susan Green, Presiding Judge

RE: Response to 2023-24 Grand Jury Report

Recommendations

1. Conduct a thorough analysis of voter roll data to confirm the accuracy of the voter roll by removing all ineligible voters.
2. Establish collaboration between county agencies to enhance the accuracy of voter rolls.
3. Advocate for ongoing public education efforts to dispel misinformation surrounding the electoral process, promoting trust and confidence in the integrity of elections.

Response:

We appreciate the recognition by the Grand Jury of staff's hard work and dedication to the electoral process. Responses to the recommendations are as follows:

1. We will continue to analyze voter roll data. We have adopted higher standards than state-required standards to ensure voter rolls are as up to date as possible. Recent law changes have resulted in keeping voters on rolls in an active state until multiple verifications have been accomplished.
2. We will look for additional collaboration efforts between county agencies beyond the agencies we currently collaborate with.
3. We will continue to strive to dispel misinformation and disinformation around the electoral process as a trusted messenger.

Respectfully submitted,

Donna M. Johnston
Clerk-Recorder/Registrar of Voters

Clerk-Recorder
433 Second Street
Yuba City, CA 95991
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Clerk of the Board of Supervisors
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Registrar of Voters
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