

# **MEMBERS OF THE SUTTER COUNTY GRAND JURY 2002 – 2003**

**Charles “Chuck” W. Page, Jr.**  
(Foreperson)

**Timothy D. Adams**  
(Committee Chair)

**Carol Allred**  
(Secretary)

**Sheryl L. Crocker**  
(Committee Co-Chair)

**William Dodson**  
(Foreperson Pro Tem & Committee Chair)

**Daniel D. Fickewirth**

**Josiah Gilmore**

**Kimberly Gundrum**  
(Committee Chair)

**Harold J. Helwig**

**Kathleen R. Hoppin**

**Robert L. Inman**  
(Committee Chair)

**Katie A. Lee**

**Sylvia Y. Oakley**  
(Committee Co-Chair)

**Kimberly A. Paine**

**Ronnie G. Peters**

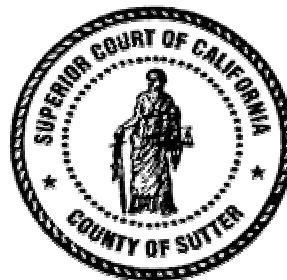
**Priscilla M. Rojas**

**Robert Ryan**  
(Committee Chair)

**Kay D. Vise**

**John D. Whiteaker**  
(Committee Chair)

**Former Members**  
Edward Fletcher  
Edward R. Theis



Cover photo and design of Sutter County Courthouse (erected circa 1899) by Chuck Page January 2003.

## **Sutter County Grand Jury 2002-2003**



First Row: Priscilla Rojas, Katie Lee, Kim Paine, Sylvia Oakley, Sheryl Crocker  
Second Row: Chuck Page, Kay Vise, Carol Allred, Kim Gundrum, Bob Inman  
Third Row: Josiah Gilmore, John Whiteaker, Ronnie Peters, Bob Ryan, Bill Dodson,  
Daniel Fickewirth, Tim Adams  
Not Pictured: Kathy Hoppin

**COMMITTEES OF THE SUTTER COUNTY GRAND  
JURY  
2002 – 2003**

**Audit & Finance**

**County Government**

**Criminal Justice**

**Education**

**Fire/Emergency Services**

**Health/Mental Health/Social Services**

**Planning & Environment**

**Edit**

# **1.0 AUDIT & FINANCE COMMITTEE REPORT**

## **1.0 AUDIT & FINANCE**

### **1.1 LOTTERY FUNDING USAGE AT LIVE OAK UNIFIED SCHOOL DISTRICT**

#### **INTRODUCTION**

The Grand Jury conducted a review of documents from the Live Oak Unified School District regarding the district's use of funds received from the California State Lottery. Members of the Grand Jury also met with Tom Pritchard, Superintendent and Christopher Peters, Chief Financial Officer, of the Live Oak Unified School District (LOUSD). The following documents were requested and received prior to the onsite interviews:

- A copy of the LOUSD Operational Budget, including Lottery program funds.
- A display of the distribution and expenditures of Lottery funds for the fiscal year 2001-2002.
- A display of the California State Lottery Commission's disbursement of funds to the 13 Sutter County school districts and the County Superintendent's office.

#### **SUMMARY**

There appears to be a general lack of understanding within the community on how funds are disbursed by the State of California to school districts and how these funds are then designated for distribution by the district. The State's Lottery Commission has established rules and regulations for the distribution of funds to districts but the commission is not involved in the decision making process on how the funds are spent by school districts. The administrators of LOUSD make the decisions regarding how these funds are spent in their district. The Grand Jury is satisfied with the district's decision-making process for the use of these funds and has no recommendations for changes to or amending the process.

#### **REPORT**

##### **Mission Statement**

The Lottery's mandate, as defined in the California State Lottery Act, is to provide supplemental funding to California public education on all levels from kindergarten through higher education plus several specialized schools.

##### **Program Operation**

The voters of California passed Proposition 37 the California State Lottery Act in the November 1984 election. More than fourteen billion dollars has been distributed since Lottery sales began in October 1985. The Lottery is operated and administered by a commission appointed by the Governor. The Lottery Act mandates that public education

must receive at least 34% of sales revenues taken in each year by the Lottery. On the average, Lottery funds are less than 2% of the revenues a school district receives and are a separate revenue source from education dollars allocated each year in the state budget.

This supplemental funding provides schools with additional resources to meet their locally determined needs. All segments of the public schools receive the same per pupil funding level from the Lottery, based on Average Daily Attendance (ADA) of students in each school district.

**Establishment of Unrestricted Funds:** The Lottery is a State run agency, however it has no jurisdiction over how that money is used. Lottery revenues are transferred quarterly to school districts. Education administrators, elected school boards and administrators of higher education decide the way funds for their school districts are spent at the local level. California public schools use Lottery funds for instructional purposes. The Lottery Act precludes use of Lottery funds for property acquisition, facility construction or research (generally referred to as capital expenditures). Thus, a large percent, approximately 80 to 90 percent, of these funds are generally used to attract and retain teachers, other tangible uses of Lottery funds may include computer labs, teachers workshops, science fairs, music and art programs.

**Establishment of Restricted Funds:** Voters in the March 2000 election approved Proposition 20. The passage of Proposition 20 only affected the funding of K-12 and community college districts. The measure mandated that the level over which local districts would have discretion would be over the district's share of a base level set at a \$834 million statewide level transferred in Fiscal year 1997-98. One-half of the districts remaining funding in any given fiscal year **above** that base level amount must be used to purchase instructional materials and/or textbooks only. This is referred to as the restricted funds.

### **Discussion**

Information provided to the Grand Jury by Tom Pritchard and Christopher Peters during the interview focused on how the district distributes its Lottery funds. It was noted that due to the volatile nature of the Lottery, revenues vary from year to year, are unpredictable and above and beyond the budget.

For the 2001 - 2002 school year LOUSD received State Lottery Revenues in the amount of:

|                     |               |
|---------------------|---------------|
| Unrestricted Funds: | \$206,739     |
| Restricted Funds    | <u>19,437</u> |
| Total FY 01-02      | \$226,176     |

According to the California State Lottery Commission, the seventeen-year total that the district has received for the years 1985 to 2002 is \$3,168,096.29.

When the Lottery funds arrive the unrestricted funds are combined with the general funds in order to help meet the needs of the district. The LOUSD Superintendent and the Chief Financial Officer propose a budget to be approved by the School Board. Approximately 80 to 85% of the Lottery funds are spent on teacher's salaries and benefits. The remaining funds are dispersed on various items, services and other operational expenses. This money is supplemental money that aids in offsetting some of the expenses of district operations. Restricted funds are given to each school's principal who spends this portion on materials and supplies such as, supplemental books or workbooks, as mandated by Proposition 20. Each principal decides on which supplemental books or workbooks are needed.

## **FINDINGS**

- The State Lottery funds make up only 2 to 3 percent of the Live Oak Unified School District budget.
- The Lottery fund is a bonus, however, the amount is unpredictable.
- No long-term contracts are purchased with Lottery funds.
- Lottery funds are not used for the acquisition of property, the construction of facilities or the funding of research.
- The LOUSD appears to be making fiscally sound decisions in the disbursement and use of their Lottery Funds.

## **RECOMMENDATION**

- None

## **RESPONDENTS**

Tom Pritchard, Superintendent, Live Oak Unified School District

## **1.0 AUDIT & FINANCE**

### **1.2 LOTTERY FUNDING USAGE AT SUTTER UNION HIGH SCHOOL DISTRICT**

#### **INTRODUCTION**

The Grand Jury conducted a review of documents from the Sutter Union High School District regarding the district's use of funds received from the California State Lottery. Members of the Grand Jury met with Ryan Robison, Superintendent of the Sutter Union High School District (SUHSD). The following documents were requested and received prior to the onsite interviews:

- A copy of the SUHSD Operational Budget, including Lottery program funds.
- A display of the distribution and expenditures of Lottery funds for the fiscal year 2001-2002.
- A display of the California State Lottery Commission's disbursement of funds to the 13 Sutter County school districts and the County Superintendent's office.

#### **SUMMARY**

There appears to be a general lack of understanding within the community on how funds are disbursed by the State of California to school districts and how these funds are then designated for distribution by the district. The State's Lottery Commission has established rules and regulations for the distribution of funds to districts but the commission is not involved in the decision making process on how the funds are spent by school districts. The administrators of SUHSD make the decisions regarding how these funds are spent in their district. The Grand Jury is satisfied with the district's decision-making process for the use of these funds and has no recommendations for changes to or amending of the process.

#### **REPORT**

##### **Mission Statement**

The Lottery's mandate, as defined in the California State Lottery Act, is to provide supplemental funding to California public education on all levels from kindergarten through higher education plus several specialized schools.

##### **Program Operation**

The voters of California passed Proposition 37 the California State Lottery Act in the November 1984 election. More than fourteen billion dollars has been distributed since Lottery sales began in October 1985. The Lottery is operated and administered by a commission appointed by the Governor. The Lottery Act mandates that public education

must receive at least 34% of sales revenues taken in each year by the Lottery. On the average, Lottery funds are less than 2% of the revenues a school district receives and are a separate revenue source from education dollars allocated each year in the State Budget.

This supplemental funding provides schools with additional resources to meet their locally determined needs. All segments of the public schools receive the same per pupil funding level from the Lottery, based on Average Daily Attendance (ADA) of students in each school district.

**Establishment of Unrestricted Funds:** The Lottery is a State run agency, however it has no jurisdiction over how that money is used. Lottery revenues are transferred quarterly to school districts. Education administrators, elected school boards and administrators of higher education decide the way funds for their school districts are spent at the local level. California public schools use Lottery funds for instructional purposes. The Lottery Act precludes use of Lottery funds for property acquisition, facility construction or research (generally referred to as capital expenditures). Thus, a large percent, approximately 80 to 90 percent, of these funds are generally used to attract and retain teachers, other tangible uses of Lottery funds may include computer labs, teachers workshops, science fairs, music and art programs.

**Establishment of Restricted Funds:** Voters in the March 2000 election approved Proposition 20. The passage of Proposition 20 only affected the funding of K-12 and community college districts. The measure mandated that the level over which local districts would have discretion would be over the district's share of a base level set at a \$834 million statewide level transferred in Fiscal year 1997-98. One-half of the districts remaining funding in any given fiscal year **above** that base level amount must be used to purchase instructional materials and/or textbooks only. This is referred to as the restricted funds.

### **Discussion**

Information provided to the Grand Jury by Ryan Robison during the interview focused on how the district distributes its Lottery funds. It was noted that due to the volatile nature of the Lottery, revenues vary from year to year, are unpredictable and are above and beyond the budget.

For the 2001 - 2002 school year SUHSD received State Lottery Revenues in the amount of:

|                     |             |
|---------------------|-------------|
| Unrestricted Funds: | \$69,830.83 |
| Restricted Funds    | 9,024.25    |
| Total FY 01-02      | \$78,855.08 |

According to the California State Lottery Commission, the seventeen-year total that the district has received for the years 1985 to 2002 is \$1,037,785.89.

When the Lottery funds arrive they are utilized in the general fund and identified by separate account numbers for distribution to Sutter High School and Butte View Continuation School. The Superintendent proposes a budget to be approved by the School Board. Funds are disbursed to various items, services and other operational expenses.

## **FINDINGS**

- SUHSD has been able to utilize the funds for additional materials that would not have otherwise been available. In April of each school year, all teachers are given the opportunity to make a wish list of items to enhance their programs.
- Items purchased include: graphing calculators, library bar code system, behind the wheel driver's education services, musical instruments and instructional supplies for the enhancement of science classes.
- The Lottery reports that 80 to 90% of Lottery funds are spent on teachers' salaries and benefits, whereas Sutter has been able to utilize the funds to purchase extra teaching aids and materials.
- The State Lottery funds make up only 2 to 3 percent of the Sutter Unified budget.
- The Lottery fund is a bonus, however, the amount is unpredictable.
- No long-term contracts are purchased with Lottery funds.
- Lottery funds are not used for the acquisition of property, the construction of facilities or the funding of research.

## **RECOMMENDATION**

- None

## **RESPONDENT**

Ryan Robison, Superintendent, Sutter Union High School District

## **2.0 COUNTY GOVERNMENT COMMITTEE REPORT**

## **2.0 COUNTY GOVERNMENT**

### **2.1 ANIMAL CONTROL SHELTER**

#### **INTRODUCTION**

The Sutter County Grand Jury conducted an inspection and review of the Sutter County Animal Shelter, December 12, 2002. This visitation was made specifically as a follow up of unresolved issues published in the 2001-2002 Grand Jury report. Mr. Rich Hall, Director of Community Services and Mr. Larry Bagley, the shelter's Permitting Services Officer provided information and a tour of the Animal Control Office. Ms. Bohanan provided a guided tour of the facility. The animals, cages, and surroundings were clean, well maintained and in proper order.

#### **SUMMARY**

It is noted that the unresolved items were originally reported as needing attention by the 2000-2001 Grand Jury. This year's review for compliance with the prior recommendations is the third attempt to determine if the Animal Control Shelter has complied with the original recommendations. As the Findings note the issues reported on by the former most of the recommendations have been addressed or circumstances were modified so that no recommendations are being made at this time.

#### **REPORT**

The original recommendations presented in June 2001 were:

1. "The computer system for the unit should be updated and improved. All stations should be able to access all programs regardless of other users demands. Improvements should include programming to automate licensing, license renewals and recording and accounting of funds received.
2. Work to expedite timing for construction of the new facility.
3. Provide a new large animal trailer for use in transporting animals too large for cages in the trucks.
4. The cash drawer should be locked with each employee having a key. The drawer should be unlocked for each transaction and immediately locked at the conclusion of that transaction.
5. The employees should not be expected to make up cash differences that may occur during the day's transactions. This practice is generally not permitted in private enterprise."

## **FINDINGS**

- New computers have been installed.
- The two-year plan presented in fiscal year 2001-2002 for replacing the six compact trucks with standard size trucks has been modified. The three previously purchased compact trucks have proven to be adequate, performing the job needed better than the larger trucks.
- The stock trailer still hasn't been replaced and the necessity for its use remains infrequent. Funds were not available in this fiscal year's budget. Funds will be requested for this next fiscal year, but the availability of funding remains questionable.
- The existing facility appears adequate. During the inspection tour of the facility the animals, cages and surroundings were found to be clean, well maintained, and in proper order.
- The agency is developing and/or securing a new computer program that will resolve problems in accounting for cash transactions. Although staff reported in 2001 and 2002 that they had presented a request for a cash register, they now have determined that there is no need to acquire a cash register.

## **RECOMMENDATIONS**

- None

## **RESPONDENTS**

Rich Hall, Director of Community Services  
Larry Bagley, Permitting Services Officer, Sutter County Animal Control Shelter  
Board of Supervisors, County of Sutter

## **2.0 COUNTY GOVERNMENT**

### **2.2 AUDITOR-CONTROLLER**

#### **INTRODUCTION**

One of the responsibilities of the Grand Jury is to participate with the County Board of Supervisors in the review of the annual independent audit for Sutter County. The Grand Jury also participates in developing the criteria for selecting future independent auditors and in the actual selection process for the independent auditor. This report documents these three activities.

#### **REPORT**

##### **Report of the Independent Auditor**

The Sutter County Grand Jury and the County Government Committee, in conjunction with the Sutter County Board of Supervisors, reviewed the audit report for the fiscal year ending June 30, 2001. The report was prepared by Bartig, Basler & Ray, the independent auditor for Sutter County. On September 12, 2002, two members of the Grand Jury and two members of the Board of Supervisors, met with the representative from the independent audit firm. Also included in the meeting were the County Auditor-Controller, the Assistant County Administrator, and the Principal Analyst for Sutter County. The purpose of the meeting was for the presentation of the audit report. Documents received from the audit firm included:

- Single Audit, June 30, 2001,
- The Audit Report June 30, 2001 and
- The Management Report for the year ended June 30, 2001.

On April 10, 2003 the independent auditor gave a final presentation on the audit for the fiscal year ending June 30, 2001. The focus of the presentation was on how well run and fiscally responsible the county had been for the audited year of 2000-2001.

A representative from the independent audit firm reviewed the balance sheets with the committee and stated, “financial standards were clean; no reportable conditions.” There was concern over delays in regard to getting the county books to the auditor on time. The Governmental Accounting Standards Board (GASB) is requiring all state and local governments throughout the United States to restructure the information presented in the yearly financial statements, asking them to provide all fixed asset records with assessments of all infrastructures (i.e. roads and bridges). The general fixed asset records were not available for audit until May 2002. This delayed the completion of the annual audit.

The audit firm made three recommendations. Due to the enormity of the new reporting standards set forth by the GASB, ***Statement 34, Basic Financial Statements--and***

*Management's Discussion and Analysis--for State and local Governments*, the audit firm recommended the Board of Supervisors prepare a written plan of action to implement the new standards with a set of goals and a timetable by which to implement them. The firm recommended that all fixed asset records be reconciled and recorded in a timely manner. The firm also recommended the budgeting of money for the purchase of computers and software to improve efficiency in the audit department. The county has followed this third recommendation, and they now have the computers and software. It is noted that the county's evaluative committee unanimously accepted the independent audit report for the year ending June 30, 2001.

### **Criteria for the Selection of an Independent Auditor**

The California Code of County Government requires the Grand Jury and The Board of Supervisors to jointly select the independent audit firm that will provide financial audit services for the county, in accordance with the Single Audit Act. On November 26, 2002 members of the Grand Jury met with representatives of the Sutter County Board of Supervisors in a joint Audit Committee meeting. The purpose was to review the selection approach and the Request for Proposal (RFP) in preparation for the selection of the next Independent Auditor for Sutter County. The following people were present at the meeting: Two members of the County Government Committee, two members of the Board of Supervisors, the Assistant County Administrator, the Sutter County Principal Analyst, and the County Auditor-Controller. Documents provided to the Grand Jury by the Board of Supervisors were as follows:

- Proposed calendar for selection of independent auditor,
- Request for Proposal (RFP), and
- A sample of the Independent Audit Contract that had been reviewed by County Counsel and the Auditor-Controller.

In the Joint Audit Committee meeting the RFP, prepared by the County Principal Analyst, was discussed, and the plan for the solicitation of proposals from qualified certificated public accounting firms was presented. In accordance with the Single Audit Act, the selected firm must provide financial audit services of the financial records and accounts of Sutter County on an annual basis. Included in the RFP was a list of required information to be obtained from the prospective firms and minimum qualifications for the firms. The RFP, a sample contract and selection procedures were included in the packet for the prospective firms. The deadline for the submission of the proposals was set for January 17, 2003.

There were several adjustments made from the previous year that were decided upon at the meeting.

- First, according to the industry standard, the Independent Auditor will be selected for a period of 5 years instead of 3 years.
- Second, the completion date for the Independent Audit report will be Dec 31, six months after the close of the county books. (The previous requirement was 60 days, following the close of county books. This historically was never achieved.)

- The final adjustment voted upon was to eliminate the need for the Audit Committee to meet and approve the partial (progress) payment to the audit firm.

The partial payment will automatically be paid at 50% completion of the audit. The decision was made to accept the criteria for the Request for Proposal and turn the matter over to the Board of Supervisors for approval. The Board of Supervisors voted to approve the Request for Proposal on December 10, 2002. The distribution of the Request for Proposals contract terms and conditions was then made to all local Yuba/Sutter CPA firms and to firms who have responded to the county in the past. The information appeared in the local Appeal Democrat newspaper and the Sacramento Bee in mid-December.

### **Selection of Independent Auditor**

The Joint Audit Committee met again on January 31, 2003 to review and consider the selection of the Independent Auditor.

Four firms responded to the committee's quest for the independent auditor for the county. One response that was received after the deadline was set aside. Proposals from the three firms that complied with the filing criteria were provided to the members of the committee for review. After discussion and careful consideration, Smith & Newell, a local agency, was selected. The decision was then turned over to the Board of Supervisors for a vote. On February 11, 2003 the full board voted to award the contract to Smith & Newell.

### **RECOMMENDATIONS**

- None

### **RESPONDENTS**

Board of Supervisors, County of Sutter  
Auditor-Controller, County of Sutter

## **2.0 COUNTY GOVERNMENT**

### **2.3 SUTTER COUNTY LAND USE AND PLANNING**

#### **INTRODUCTION**

Late in the third quarter of this fiscal year the Grand Jury became aware of concerns about land usage and planning in Sutter County. Information was provided by a citizen complainant, which later led to follow-up discussions with Larry Combs, the County Administrative Officer (CAO). A concern expressed by the CAO was how little the citizens in our community understand the subject of general plans and land use policies in the county, and what the county officials can and cannot do. This is also an area that the Grand Jury has not addressed in several years.

#### **SUMMARY**

Population growth within Sutter County will increase rapidly, continuing a trend that has occurred over the immediate past years. Land usage, development and the implementation plans established by our local officials are of concern to our community but often are not understood by the citizenry. In fact land usage and development often occurs within an atmosphere of conflicting interests between and within various advocacy groups and their positions.

#### **REPORT**

The CAO reports that our local citizens may not be aware of or even prepared for the growth that is coming. The population of Yuba City is close to 50,000 people and by the year 2020 it may reach 100,000. The CAO's office projects that with present trends continuing in about 50 years the population will be around 500,000. The county is already developing plans to address the issues of employment, schools, housing, and transportation.

The Grand Jury notes that a project that would evaluate and determine the efficacy of the current status of the county's general plan for land usage would entail time and expertise.

#### **RECOMMENDATIONS**

- It is recommended that the 2003-2004 Grand Jury consider the implementation of a project that would review and evaluate the county's general plan for land usage and future plans for development.

## **RESPONDENTS**

None

## **2.0 COUNTY GOVERNMENT**

### **2.4 SUTTER COUNTY LIBRARY**

#### **INTRODUCTION**

The Sutter County Grand Jury was informed that copies of several years of the past Sutter County Grand Jury Final Report and Responses to the Final Report were missing from the Sutter County Library files. These documents are usually kept at the Reference Desk of the library in order to be accessible for review by the public.

#### **SUMMARY**

The County Librarian should ensure that copies of the Sutter County Grand Jury Final Report and Responses to the Final Report for each fiscal year are in the possession of the library and available for review by the public.

#### **REPORT**

After becoming aware that past Grand Jury Final Reports were not available for the public and possibly missing, correspondence was sent to the Sutter County Librarian requesting that the Reference Desk be checked to ensure that copies of these documents were available for the fiscal years of 1984-1985 through to the most recent of 2001-2002. It was also requested that the Grand Jury be informed of which years were missing in order that copies of those years could be obtained and provided to the library.

The missing years were subsequently identified and copies were provided to the librarian.

#### **RECOMMENDATION**

- The County Librarian should continue to ensure that copies of the Sutter County Grand Jury Final Report and Responses to the Final Report for each fiscal year remain in the possession of the library and be made available to the public for its review.

#### **RESPONDENTS**

Sutter County Librarian  
Board of Supervisors, County of Sutter

## **3.0 CRIMINAL JUSTICE COMMITTEE REPORT**

### 3.0 CRIMINAL JUSTICE

#### 3.1 BI-COUNTY JUVENILE HALL

##### INTRODUCTION

In March of 2002, last year's Grand Jury (2001-2002) conducted an inspection into the operations of the Bi-County Juvenile Hall. After the conclusion of the inspection and review of materials provided to the Grand Jury the Final Report was developed and released. The report noted that the Grand Jury received a copy of the Departmental Policies/Procedures manual in electronic format on a diskette. It was pointed out that in this format it was cumbersome and difficult to read. The Grand Jury was told that staff had recently signed a contract to rewrite the manual. It was recommended to the Juvenile Hall staff that the 2002-2003 Grand Jury be provided a copy of this new manual upon completion.

In September 2002, the Sutter County Board of Supervisors in their response to the Grand Jury's report stated,

*"...the Superintendent of the Juvenile Hall agrees that the policies/procedural manual needs to be updated and notes that the upgrade is currently in progress. While the current manual does meet regulatory standards established by Title 15 CCR, it is at best, cumbersome. The Bi-County Juvenile Hall has set a standard in the development of the new manual. It will be established in a clear format and be cross-referenced and indexed to pertinent standards and regulations. In addition, the Juvenile Hall is working to state policy issues based on the standard of 'best practice' as opposed to 'minimum standards for compliance rule.' The Superintendent of the Juvenile Hall looks forward to sharing this document with next year's Grand Jury."*

However, officials did not comply with either the Grand Jury's recommendation or the plan presented in the Board of Supervisors' response.

##### SUMMARY

The Bi-County Juvenile Hall appears to be in non-compliance with Section 1324 of Title 15 of the California Code of Regulations. Further, administrative staff for the facility should comply with the previously agreed upon plan to develop and provide an updated written policies and procedures manual in printed format.

##### REPORT

###### Policies and Procedures Manual Issue

On November 18, 2002 the members of the Sutter County Grand Jury conducted an on-site inspection of the Bi-County Juvenile Hall in Marysville (Yuba County). As part of

the inspection process certain documents were requested: however, they were not provided prior to the interview and inspection. Those documents were:

1. Enabling Laws and Code of Regulations for program operations
2. Mission Statement and Goals
3. Procedural Manual
4. Staff Policy and Procedure Handbook
5. Staff Hiring and Recruiting Procedures
6. Data on Staff Turnover
7. Budget for FY 2002-2003
8. Funding Sources (local, state federal)
9. Emergency and Disaster Preparedness Plan

On the day of the inspection these documents were not easily available nor in any one location.

Additional documents reviewed by the Grand Jury included:

- Sections 850 and 880 et sequitur of the Welfare and Institutions Code
- Title 15, California Code of Regulations, Section 1324.

A specific focus for this inspection was to follow up compliance with last year's Grand Jury's recommendation.

At the time of the visit, Superintendent Frank Sorgea advised that the Policies and Procedures Manual remained on a diskette and had not been incorporated into a printed format. Further, no evidence was presented that the manual was updated. The Superintendent maintains that it would be too cumbersome and difficult to put into a written form. Rather he noted that if a staff member wanted to review all or any part of the Policy and Procedure Manual, they were free to "request" the disk and go to a computer and review the material. It is apparent that computers are not available at all staff duty stations and it is not known on what occasions employees are able to review the policies and procedures manual, i.e., whether able to review while on duty or on their own time.

It actually appears that the current method of only providing a diskette with an electronic file copy of the policies and procedures manual is more cumbersome and less convenient, thereby discouraging staff to review the document. In electronic form, staff is unable to review the material without a computer. Also, referencing back and forth between sections is difficult, unless one prints each page or section of interest and concern.

Of specific interest is what the State of California Board of Corrections requires juvenile facilities do on the subject of policies and procedures manuals. Following is Section 1324 of Title 15 of the California Code of Regulations on this subject.

**Title 15 California Code of Regulations**  
**Section 1324. Policy and Procedures Manual:**

All facility administrators shall develop, publish, and implement a manual of written policies and procedures that address, at a minimum, all regulations that are applicable to the facility. Such a manual shall be made available to all employees, reviewed by all employees, and shall be administratively reviewed annually, and updated, as necessary. Those records relating to the standards and requirements set forth in these regulations shall be accessible to the Board of Corrections on request.

The manual shall include:

- a) table of organization, including channels of communications and a description of job classifications
- b) responsibility of the probation department, purpose of programs, relationship to the juvenile court, the Juvenile Justice/Delinquency Prevention Commission or Probation Committee, probation staff, school personnel and other agencies that are involved in juvenile facility programs
- c) responsibilities of all employees
- d) initial orientation and training program for employees
- e) maintenance of record-keeping, statistics and communication system to ensure
  - 1) efficient operation of the juvenile facility
  - 2) legal and proper care of minors
  - 3) maintenance of individual minor's records
  - 4) supply of information to the juvenile court and those authorized by the court or by the law; and
  - 5) release of information regarding minors

To not be in compliance with this section and to not conveniently provide a policies and procedures manual for staff review may lead to a legal quagmire, especially if a liability problem with facility operations should arise in the future. Also, having a **written** policies and procedures manual available to staff enables the facility and ultimately the County of Sutter to provide documentation to CalOSHA that as an employer, the facility does maintain business practices that ensure staff know their job responsibilities and understand the hazards inherent in supervising children and young adults in a custody environment.

It is noted that when inspecting other detention and jail facilities, the Grand Jury has found these other facilities to have written policies, procedures and standards available to their staff. The information can be voluminous but it also can be clearly set forth and labeled.

### **Mission**

The Superintendent met with members of the Grand Jury to describe the Bi-County Juvenile Hall's mission and program. The facility houses both male and female juvenile offenders (hereafter referred to as minors). This includes minors from Sutter County. As

the Bi-County Juvenile Hall, both Sutter and Yuba counties fund the detention facility. However, daily operations and administration is under the direction of the Yuba County Probation Department. The two counties share the operational costs. Minors from other counties may be detained here, on a space available basis, and a per diem charge is assessed from the contracting county of residence for those minors.

### **Program Operation**

The purpose of the Juvenile Hall is to detain delinquent minors (under 18 years of age) in a secure detention facility for protection of the community. These minors are alleged to or have committed a criminal offense. There is no bail in these minors' matters so generally a Detention Hearing is held in the Juvenile Court by the close of the next business day, following the filing of the juvenile court petition. A Juvenile Court Judge will hear the allegations and will determine if a minor is to be released back into the community or remain in detention. The maximum population for the facility is 60.

The Yuba County Probation Department has over all responsibility for operation of the Juvenile Hall with the Presiding Juvenile Court Judge of Yuba County the de facto administrator. The enabling authority for the establishment of juvenile halls, camps, etc. are found in Sections 850 and 880 et sequitur of the Welfare and Institutions Code.

The facility's grounds are fenced and gates are locked. All doors exiting the building are locked. In addition, there are other locked areas inside the physical plant. The day rooms (where minors may be found during parts of the day) are locked for purposes of separation from the rest of the building. Each cell is individually locked so minors in their cells are secure. All storage areas are locked as well as is the administrative area. Minors remain in their rooms at certain times (i.e., while sleeping at night, or if they pose a behavioral problem, etc.). Each cell is monitored by staff and supported by audio monitors, which are installed in each room.

There are separate quarters for the male and female minors but they are together for certain programs through out the day, such as attending school.

All staff must complete certain core curricula as their initial training, followed by ongoing in-service training while employed. This includes extra help workers who fill in when permanent staff is sick, on vacation or otherwise absent.

This past year Camp Maxine Singer was opened but only for the housing of males. It is designed for youth who are "sentenced" (committed) and not yet ready to return to their homes. The court commits them for a designated term for "rehabilitation." The Camp is designed for minors who will benefit from a structured environment but not necessarily as severe as the California Youth Authority which provides a similar program but in a state prison type of environment for minors. The camp capacity is 60.

Both the Juvenile Hall and Camp appear to be well run and adequate for care of these minors. They were clean and in good repair. Programs appear to be running smoothly. These include daily operation of food service (the minors serve and clean up), school for

all minors detained, visitations with family, and laundry services (also operated with minors performing work duties).

### **Funding Resources**

The Juvenile Hall and Camp operations are supported through county tax funds. Funding from the state is also available in the form of grants and subsidies. Some costs may be recovered by charging parents for the cost of care but many families do not have the resources to reimburse the costs of housing and treatment of their son or daughter.

### **Records**

Confidential record information on each juvenile is stored at the facility. The Welfare and Institution Code does allow for the destruction of these files after 5 years from the last date of any entry into the file.

## **FINDINGS**

- The Bi-County Juvenile Hall's daily operation appears to function well. On an announced and scheduled visit, the facility was found to be clean, orderly and well supervised. However, the superintendent has failed to follow up with providing a written, updated and cross-indexed Policy and Procedure Manual, as agreed upon last year when inspected by the Grand Jury.

## **RECOMMENDATION**

- It is recommended that the superintendent follow through with providing staff and other interested parties with a written and updated Policy and Procedure Manual, which should be indexed and cross referenced for clear and easy use. At the time of the inspection held by the previous Grand Jury, the superintendent informed the Grand Jury that he had "recently signed a contract to rewrite the manual." Last years report recounted that the superintendent had acknowledge the need for a written manual and that the manual revision "was currently in progress."

## **RESPONDENTS**

Chris Odom, Chief Probation Officer, Sutter County  
Board of Supervisors, County of Sutter  
Steve Roper, Chief Probation Officer, Yuba County  
Frank Sorgea, Superintendent, Bi-County Juvenile Hall  
Presiding Judge of the Juvenile Court (Yuba County)

### **3.0 CRIMINAL JUSTICE**

#### **3.2 LEO CHESNEY COMMUNITY CORRECTION FACILITY**

##### **INTRODUCTION**

Members of the Grand Jury inspected and toured the Leo Chesney Community Correction Facility in Live Oak, California. Persons interviewed included the current facility director Susan Hickey and the new incoming facility director Ron Murray who served as our guides.

The Grand Jury also requested the following documents appropriate to the operations of the Leo Chesney facility:

1. Enabling Laws and Code of Regulations for program operations
2. Mission Statement and Goals
3. Procedural Manual
4. Staff Policy and Procedure Handbook
5. Staff Hiring and Recruiting Procedures
6. Data on Staff Turnover
7. Budget for FY 2002-2003
8. Funding Sources (local, state federal)
9. Emergency and Disaster Preparedness Plan

##### **SUMMARY**

The Leo Chesney Community Correctional Facility appears to be a very well-run and organized facility. There are no recommendations for improvement.

##### **REPORT**

###### **Mission**

The Leo Chesney Community Correctional Facility is a private institution overseen by Cornell Corrections, Inc., based in Houston, Texas. The company mission statement is “We are a values and mission-driven company. Anyone can build and operate programs and facilities, but it is the manner in which Cornell operates its programs and facilities that truly make a difference. We want our employees, host communities and stockholders to be proud of the service they perform. We want our clients to become contributing members of society. We are committed to making a difference.”

###### **Program Overview**

The facility opened in 1989 and had (on the day of the inspection) 195 low-level female inmates. It has a capacity for 220 inmates. All of these inmates are contracted through

the California Department of Corrections. The Facility sits on 10 acres. It utilizes 7 buildings, employs 38 full time staff, 4 California Department of Corrections full time staff and 10 on call employees. The Facility has an annual budget just over 3 million dollars.

The women who are assigned to the facility stay there on an average of four to six months, but never more than eighteen months. The facility earns its revenue through their contract with the California Department of Corrections. The facility also offers numerous services in which the inmates are encouraged to participate. These services include, but are not limited to, basic education, health care, individual and group counseling, life skills training, drug and alcohol rehabilitation, religious activities and various recreational activities. The Test of Adult Basic Education (TABE) is given to each inmate when they first enter the prison. If their educational level is found to be below the 6<sup>th</sup> grade level, they must attend school. Help is also offered towards preparing for the General Equivalency Diploma (GED) examination and classes are offered through Yuba College.

### **Educational Opportunities**

Basic math and English skills are required for all inmates who do not reach the 6<sup>th</sup> grade level on the TABE test. Instruction is given to all who would like to prepare for their GED, and the GED exam is made available throughout the year. The prison has had many inmates who have passed their GED while incarcerated at the Leo Chesney Center. The prison also has twenty-five workstations, each with a computer, for more advanced training with some of the classes being made available through Yuba Community College.

### **Work Opportunities**

All inmates must work if they are not in school full time. Inmates can earn between \$12.00 and \$54.00 per month. This money is deposited in the inmates' trust account. The facility staff assigns and delegates jobs with preference given to inmate requests. Inmates may request a job change once every thirty days. Job responsibilities vary and include assignments performing clerical, library, maintenance and housekeeping duties.

### **Community Relations**

The Leo Chesney Center provides many opportunities for the inmates to work throughout the community of Live Oak. The primary focus of their responsibilities has been directed through the wood shop and landscape maintenance programs. Annually, inmates from the facility provide thousands of dollars in donated time to assist in maintaining the city's various parks and little league areas. They also provide a prison prevention program. Inmates visit local schools to share their stories with the school children and warn them about prison life. The Chesney Center also serves as a site for a Yuba college sub-campus, which allows Live Oak residents to attend classes at the facility.

## **FINDINGS**

- No problems or issues arose during or after the inspection. The staff was open and candid in the sharing of information and all of the information requested by the Grand Jury was provided.

## **RECOMMENDATIONS**

- None.

## **RESPONDENTS**

Ron Murray, Facility Director

### **3.0 CRIMINAL JUSTICE**

#### **3.3 SUTTER COUNTY SHERIFF'S DEPARTMENT**

##### **INTRODUCTION**

On October 30, 2002, members of the Grand Jury met with Sheriff Jim Denney and his Command Staff. The focus of interview was threefold: 1) departmental organizational staffing, 2) county jail operations issues, and 3) a follow up review on the implementation of recommendations made by the Grand Jury in fiscal year 2001-2002. The inspection of the jail facility was conducted with Captain Paul Parker, the Jail Commander.

Last year's Grand Jury report made three recommendations:

1. Continue to actively recruit additional deputies and dispatchers to fill current vacancies,
2. Move one of the patrol boats to the site located near the Pleasant Grove Fire Department, and
3. Complete the Fire CAD system improvements as the vacancies are filled within the department.

Materials requested by the Grand Jury before conducting the onsite inspection included:

1. Enabling Laws and Code of Regulations for program operations
2. Mission Statement and Goals
3. Procedural Manual
4. Staff Policy and Procedure Handbook
5. Staff Hiring and Recruiting Procedures
6. Data on Staff Turnover
7. Budget for FY 2002-2003
8. Funding Sources (local, state federal)
9. Emergency and Disaster Preparedness Plan

##### **SUMMARY**

The Grand Jury is pleased with the operations of the Sheriff's Department and no recommendations for improvement are being presented.

##### **REPORT**

The Sheriff's Department is comprised of four divisions within the Sheriff's Department; the Patrol Division, the Detective Division, the Jail Division, and the Support Service Division. Each division is under the management of a Captain, also referred to as the Division Commander.

Captain Parker, the Jail Division Commander escorted the Grand Jury during the inspection. He demonstrated the county jail's new video monitoring system that had just

recently been installed and had already been put to the test. The video camera system was installed for the protection of the inmates and staff, and all costs were paid for through the inmate welfare fund and grants. The jail holds about 356 inmates and there were 240 inmates in custody the day that the Grand Jury conducted its inspection.

The Jail Division is staffed with Correctional Officers, Food Service Personnel, and Reserve Correctional Officers. The Sheriff is remodeling the jail's old kitchen, converting it into two classrooms for the use and benefit of the inmates. The inmates may now attend educational classes and work on achieving their General Equivalency Diploma. Local teachers provide the instruction.

## **FINDINGS**

- Sheriff Denney reported that the department has filled all of its vacancies for deputies and dispatchers, and is now conducting ongoing testing for new recruits. He also noted that the department is accepting lateral transfers from other law enforcement agencies.
- The patrol boat recommendation presented last year has been addressed.
- The Fire CAD system is still being worked on and the department hopes to have it operational in the near future.
- The Sheriff has met and/or exceeded the recommendations of last year's Grand Jury report.

## **RECOMMENDATION**

- None

## **RESPONDENTS**

Jim Denny, Sheriff, Sutter County

### **3.0 CRIMINAL JUSTICE**

#### **3.4 YUBA CITY POLICE DEPARTMENT**

##### **INTRODUCTION**

On February 17, 2003, members of the Grand Jury met with Chief Richard Doscher and members of the senior staff. The purpose of the inspection was twofold:

1. to review departmental program operations and
2. to follow up on a notification received from the California Board of Corrections regarding audio sound monitoring of inmates in temporary holding cells.

Chief Doscher gave us a tour of a well-maintained police facility. We were shown some of the latest state-of-the-art equipment, most of which were purchased through the use of grant funds.

The Grand Jury also had available for review the following documents:

1. Enabling Laws and Code of Regulations for program operations
2. Mission Statement and Goals
3. Procedural Manual
4. Staff Policy and Procedure Handbook
5. Staff Hiring and Recruiting Procedures
6. Data on Staff Turnover
7. Budget for FY 2002-2003
8. Funding Sources (local, state federal)
9. Emergency and Disaster Preparedness Plan

##### **SUMMARY**

The budgeted allocations for the fiscal year appear reasonable. However, the City Council is encouraged to consider allowing an expansion of departmental staffing and physical plant growth to allow the Police Department to meet the service needs of an ever-increasing population.

Departmental administration is encouraged to continue with its plan to improve the audio monitoring system in the temporary holding cell areas pursuant to the guidance provided by the California Board of Corrections. It is noted that the department is providing an impressive quality of service for the community.

##### **REPORT**

###### **Operational Program**

The police department is made up of several units within the department. Peace officer personnel sometimes referred to as “sworn personnel” staff some units. For example,

those whose duties directly involve enforcing the law such as patrol, traffic, or investigations would naturally be peace officer sworn personnel. Those who do not have contact with enforcement, such as dispatchers and records clerks do not require sworn personnel, but may be supervised by sworn personnel. There are currently seventy-two full-time paid staff positions, forty-six of which are sworn officers with one vacancy. The remaining twenty-six are non-sworn personnel. There are twenty-nine non-paid Volunteers In Policing (VIP), nineteen Reserve Officers, and twenty Police Cadets.

The impressive Police Cadet Program has been established in cooperation with the Yuba City Unified School District through the R.O.P. training program and the services of the Yuba City High School Resource Officer (and positive attendance officer). Those students found to show an interest in law enforcement, and considered good candidates for the Cadet Program are encouraged to check out those possibilities. The requirements for a cadet are:

- must be a minimum age of fifteen and
- they can stay in the cadets until they reach the age of twenty-two, unless they drop out of school, or their Grade Point Average falls below 2.5.

The department participates in the Twin Cities S.W.A.T. team, which is comprised of staff from both the Yuba City and Maryville Police Departments. The team provides tactical support services to the cities of Marysville and Yuba City, as well as to Beale Air Force Base, and other surrounding communities. The Twin Cities S.W.A.T. team is the only S.W.A.T. team authorized to go on to a military base. The team will also respond to mutual aid requests. While on the inspection tour the Grand Jury was provided an opportunity to have an up close look at the newly acquired departmental armored vehicle.

There are two levels of Reserve Officers:

- Level I Reserves require the same Peace Officer Standards and Training (POST) training curriculum as fully employed regular Police Officers, and
- Level II Reserve officers who are given an abbreviated curriculum.

Each level is paid for the time they are on duty at the rate of \$12.31 per hour for Level I and \$9.79 per hour for Level II. Level I reserves when on duty handle a beat, just like a regular officer and they handle all calls in that beat.

The Communications Unit of the Police is the lifeblood of the department; they receive all calls that come into the department and dispatch police units in the field. They are also able to update fire units, ambulances, and the Public Work Department as to events while they are enroute to their destinations.

There is a volunteer program in place which is called Volunteers In Policing (VIP). These volunteers are citizens of the community who are at least twenty-one years of age. The VIPs are required to go through a twelve week Citizen Academy Class to gain a basic understanding of the department as a whole. The VIPs are provided uniforms and perform a wide variety of services within the community. They must also be able to commit to sixteen hours of service per month. Some assist with clerical functions within the police facility while others are involved in various activities within the community.

There are three categories of property classifications within the Police Department's evidence room:

1. In Storage, which is firearms, bicycles, drugs, clothing, or other;
2. Found Property, which is property such as bicycles and firearms, and/or money, that is turned in or abandoned; and,
3. Safekeeping, which includes items such as firearms that should not be left in a home with minors or distraught individuals and which are taken for safekeeping, later to be returned to family members if the items are not part of an investigation.

The department also has 6 temporary holding cells where persons may be held while under investigation before being booked into the county jail or being released. The California Board of Corrections (BOC) is responsible for the standards and regulations for the use of these cells. The BOC notified the Grand Jury that the audio sound monitoring system was not in compliance with state standards. Subsequent investigation determined that the department is upgrading the system to correct and add a sound component to the monitoring of persons being held in these cells. The BOC has informed the Grand Jury that the department has an interim policy to ensure an officer remains in the receiving area when inmates are there. This will continue until the audio monitoring system is operational.

### **Funding**

The budget for the Police Department represents approximately 35% of Yuba City's budget. Some degree of salary savings has been realized because of the department's commitment to fill patrol vacancies at the expense of not filling command position vacancies. Chief Doscher reported that grant monies would not be used for filling permanent positions, which is better for job security. The current average tenure for sworn officers is seven to eight years, for senior command people thirteen years, and the command staff is twenty or more years.

The Police Department charges for crowd control at various functions within the community. Those monies, however, go directly into the General Fund rather than to the department. Only fees for the storage of vehicles go into the Police Department budget and this is directed to traffic related expense categories.

In addition, the department receives reimbursement from POST for the costs of in-service training of its peace officer personnel. However, these funds are in jeopardy because of a plan by the Governor to cease this reimbursement from the State Penalty Assessment Fund, which current legislation allows for and has been in law since the late 1970s.

## **FINDINGS**

The Department has developed a philosophy of “community policing.” This includes:

- In those appropriate areas within the city, officers are expected to exit their patrol vehicles and interact with citizens in the community, and

- Sergeants, using data obtained from Crime Analysis, develop plans for the reduction of crime in their areas of responsibility.
- All volunteer units in the department are in place and operational, and functioning very well. Recruitment of new staff is an ongoing process for the filling (and refilling) of vacant positions and they have been doing an exceptional job of keeping up with this.

## **RECOMMENDATIONS**

- None.

## **RESPONDENTS**

Chief Richard Doscher, Yuba City Police Department  
City Council, Yuba City

## **4.0 EDUCATION COMMITTEE REPORT**

## **4.0 EDUCATION**

### **4.1 HOME SCHOOLING IN SUTTER COUNTY**

#### **INTRODUCTION**

Alternative schooling programs have been of interest countywide and statewide, most often because of the frustration many parents express about campus safety for their children, quality of education, political correctness in the presentation of subject matter, etc. The Grand Jury, like many of our citizenry, sought to determine what is alternative education and, specifically, what is home schooling and how is it implemented here in Sutter County. Thus, members of the Grand Jury interviewed persons and reviewed documents from several sources including and not limited to:

- John Boyd, Superintendent, Sutter County Office of Education
- Home Schooling Information Night (sponsored by home schooling parents of Sutter, Yuba and other surrounding counties)
- Document: Compulsory Education Law and Home Schooling in California, September 1997, prepared by Legal Office California Department of Education
- Correspondence: Delaine Eastin (former California State Superintendent of Public Instruction) to John Boyd, Superintendent, Sutter County Office of Education, September 29, 1997
- Document: Private School Affidavit – Form R-4, revised May 2000
- Document: Home Schooling in California Legal Fact Sheet, June 2001
- Correspondence: Delaine Eastin to District and County Superintendents, et al (statewide), July 16, 2002
- Correspondence: J. Michael Smith, President of the Home School Legal Defense Association to all State Senators and Assembly Members of the California Legislature, August 29, 2002
- Website: California Department of Education – Educational Opportunities Program Profiles
- Manual: Independent Studies Operations Manual, California Department of Education, February 2000

#### **SUMMARY**

Parents, school officials, teachers, and others in our local community generally have a misunderstanding of what home schooling is. There is a serious lack of understanding, coupled with misinformation amongst state and local school officials and citizens within the community. Home schooling, whether through parent taught private schools or home-based independent study, has historically proven to be a valuable alternative educational program. The Superintendent of the Sutter County Office of Education is in a unique position to take a proactive and collegial approach in providing clarification and direction for parents and school districts on this subject.

## REPORT

The California Department of Education points out that parents and their children choose alternative schooling programs, including “home schooling,” for a variety of reasons, but the most common reasons appear to be:

- responsiveness to learning and instructional style differences;
- the positive consequences of being a school of choice;
- enjoyment of a low incidence of violence, vandalism, and antisocial behavior; and
- small unit size.

Another important reason expressed by parents for their choosing private “home schooling” is the freedom to choose and control the curricula presented to their children.

Students who engage in these alternative learning environments, including independent study, can and do benefit from:

- an emphasis on the development of close interpersonal relationships within the learning environment and a strong sense of belonging;
- a strong educational curricula that is the same as required for all students, but includes drawing upon various fields of study with integrated themes;
- learning by active experience or direct observation rather than primarily by a lectured presentation, analysis and conventional study;
- demonstrating their accomplishments by using evaluation systems in which students often participate; and
- participating in learning activities within the community with other home schoolers.

However, there is confusion surrounding the term "home schooling" because several types of "learning at home" and independent study programs tend to get placed into this category for simplicity rather than focusing on what is really the learning environment for each. The following categories are the ones the Grand Jury has focused on since they are the ones most often associated with the term home schooling, resulting in confusion as previously noted. The information below is provided by the California Department of Education.

### **Independent Study**

Independent Study is an alternative to classroom instruction consistent with a school district's course of study and is not an alternative curriculum. It provides individual students with a choice of ways to acquire the values, skills, and knowledge all students should gain as verified in a written agreement. Independent study can be part of, be separate from, or be in addition to a regular classroom program. This model allows students to be educated at home. Students may work alone, in a group, or in some combination of group and individual work.

Models for Independent Study include:

1. School-within-a-school
2. District or county alternative in a community location

3. School-based independent study offered part-time and full-time
4. Countywide home-based independent study offered by the county superintendent of schools
5. District dropout prevention centers at selected community sites
6. Curricula enrichment options offered to high school students with special abilities and interests, scheduling problems, or individual needs that cannot be met in the regular program
7. Alternative school-based independent study, on-site or off-site
8. Some combination of the above

Independent Study can be operated on a traditional school calendar, with a summer school option for eligible students, or on a year-round calendar within a year-round school. A student generally meets with a district assigned teacher once or twice a week and is monitored for completion of and achievements within the required curriculum. The district with oversight for this program receives Average Daily Attendance (ADA) funds from the state since the students are enrolled in the public school system. The students are provided support materials and activities from the district as requested. Parental participation is not necessarily a part of this educational option.

#### **Home-Based Independent Study**

Home-Based Independent Study is a specific instructional strategy designed to assist parents who choose to educate their children at home or who travel for business or vacation and need to facilitate their children's continuing education. In order for children to engage in independent study, they must be enrolled in a public school.

Many parents do not want their children to enroll in schools that have large classes. The parents are afraid their child will "get lost in the shuffle" and not get the attention he or she needs. Many parents are concerned about the offensive language, drugs, gangs, and negative influences at the schools. Other parents want to teach their children the basics in reading and mathematics so the children have a solid foundation and confidence about learning. Some parents want to work one-on-one with their child because of the child's personal or educational needs. Some students are bored in the classroom; at home they can cover the material at their own pace and explore their interests in greater depth. Some families that travel for business or vacation need to continue their children's education.

Home-Based Independent Study is offered to meet the unique personal and educational needs of those families who seek an established alternative instructional strategy. The structure, staffing and curricular needs of home independent study students are unique. The student, parent, and supervising teacher work together as a team to facilitate this process. The district with oversight for this program receives ADA funds from the state since the students are enrolled in the public school system. The students are provided support materials and activities from the district as requested.

Parents who do not elect to use one of the alternatives above but still want to “home school” their children have the following two alternatives for their educational programming choice.

### **Private Tutoring**

Private Tutoring requires that the person tutoring have a valid teaching credential for the grade that is being taught. The instruction must include the branches of study required in the public schools. Instruction must be for at least three hours per day between 8:00 am and 4:00 pm and must be in English. This type of at home learning began in the movie industry in the 30's to meet education requirements for the child actors. Parents could provide their children's instruction within this model but would have to comply with the appropriate filings with the school district and state requirements.

### **Private Schooling**

Private Schooling requires instruction to be in the branches of study required in the public schools, not necessarily the same curriculum or textbooks. The schools must keep daily attendance and the instructor must be capable of teaching. The schools are also required to file a Private School Affidavit R-4 with the California Department of Education by October 15, of each year. Home-Based Parent Taught Home Schooling may fall under this Private Schooling category, as do many other private schools, such as the different specialty schools or faith-based schools.

### **Present Day Situation**

When Delaine Eastin was the State Superintendent of the California Department of Education, her position was that parents serving as teachers had to be credentialed and had to file the appropriate Private School Affidavit R-4 with her office. This was her position in 1997 and again in August 2002, before leaving office at the end of that calendar year. It created hostility between her office and the thousands of home schools in California. It also created confusion for district superintendents, and suspicion of their motivations by parents, because of threats of referrals to Child Protective Services (CPS) for non-compliance with the State Superintendent's position.

On the other side of this position there are organizations that support home schooling parents with legal advice and advocacy. Among these organizations are the California Homeschool Network Parent Taught Home Schooling and the Pacific Justice Institute, and Home Schooling Legal Defense Association (HSLDA). They cite historical legal positions and practices, noting that parents have the right to home school their children without State interference. They also make clear that parents should file the Private School Affidavit R-4 and that it is mandatory that parents keep a record of their children/students progress. However, they emphasize that this does not authorize the State to approve the curriculum or approve the home-based private school. They further note that the parents are not required to have a teaching credential, and that testing and grading are optional.

More recently the introduction of Senate Bill 950 by Senator Richard Alarcon, Democrat-Sylmar, has once again put the home schooling parents on the defense. According to the

HSLDA, if this bill is passed the CPS could temporarily or permanently gain custody of home schooled children, unless the parents meet all conditions that CPS and the local juvenile court would dictate. These dictates include the child's enrollment in the school of the authorities choice.

## **FINDINGS**

- Home-based educational options are a viable and critical option for the students and their parents in our State. However, past positions by the California Department of Education, with conflicting positions and practices by school districts, courts and educational advocates have brought confusion to all.
- Home-Based Independent Study appears to be a compromise for districts and parents. This model allows for parents to provide their children's education within their family's traditions and values. It also allows for school districts to generate ADA funding to support the parents with curriculum materials and additional student opportunities.
- There are instances when parents participate with other home schooling parents to teach specialized subjects. They join together with fellow home schooling parents for field trips and other group functions. They may also participate in State achievement tests administered by the public schools.
- There are some counties that advocate for and coordinate the parents' home-based instruction, putting district administration at the leading edge of the curve with information clarification. This results in a collegial and trusting relationship between district goals and motivations and parent/student goals and motivations.

## **RECOMMENDATIONS**

- The Superintendent of the Sutter County Office of Education needs to determine the position of Jack O'Connell, California Superintendent of Public Instruction on requiring the credentialing of Home School parent teachers.
- The position of the State Superintendent needs to be shared with the citizens of Sutter County and local school district officials.
- Communication lines should be established between the Sutter County Office of Education and the various Home School advocacy groups to address misinformation and provide overviews of the various educational options in Sutter County.

## **RESPONDENTS**

John Boyd, Superintendent, Sutter County Office of Education

## **4.0 EDUCATION**

### **4.2 YUBA CITY CHARTER SCHOOL**

#### **INTRODUCTION**

Members of the Sutter County Grand Jury conducted interviews, an onsite inspection and reviewed documents that were requested which pertained to the operation of the Yuba City Charter School on November 7, 2002. This is the Charter School's third year in operation.

Persons interviewed included the Sandra Lininger, Superintendent of Yuba City Charter School; Paul Tice, Principal of Yuba City Charter School; and, Patrick Godwin, Superintendent of the Yuba City Unified School District.

In a letter from the Sutter County Grand Jury dated October 12, 2002 it was requested that documents appropriate to the operations of Yuba City Charter School be provided to the Grand Jury for review prior to our scheduled meeting on November 7, 2002. The following requested documents were promptly received:

1. Mission Statement
2. Charter School Policy's and Procedures
3. Hiring Policy
4. Student/Parent Handbook
5. New Student Packet
6. School Discipline Policy
7. CBEDS Report
8. Emergency and Disaster Preparedness Plan

#### **SUMMARY**

The Yuba City Charter School meets a definite need of students and parents alike, and their involvement with the school and curriculum is commendable.

The Grand Jury did observe that little regard for vehicle and student pedestrian traffic safety is given. This may be simply an awareness issue. Thus it is recommended that the Yuba City Charter School staff review and adhere to the policy and procedure for crosswalk supervision when moving students at the intersection of Center Street and Shasta Street.

#### **REPORT**

##### **Mission**

A Mission Statement was provided which states:

The mission of the Yuba City Charter School is to equip urban and rural students ages 5-18 in Sutter/Yuba County Region with two kinds of literacy necessary in the 21<sup>st</sup> century - the ability to read, write, speak, and calculate with clarity and precision and the ability to participate passionately and responsibly in the life of the community. The Yuba City Charter School will promote positive personal character, strong work ethics, and an education that enables all students to reach their highest levels of achievement, to become exemplary citizens with life-long respect for learning, democratic values and recognition or understanding of world-wide diversity in order to meet future challenges.

### **Program Operations**

Yuba City Charter School is the first charter native to Sutter County and reflects the personality and diversity of our small town, agricultural community. The prescriptive, individualized curriculum is designed to meet the specific learning needs of each child. The "one-room-schoolhouse" class concept applies to the 4<sup>th</sup> - 8<sup>th</sup> grades and the 9<sup>th</sup> - 12<sup>th</sup> grades, which creates a family atmosphere that promotes personal responsibility and community service learning opportunities. The Character First curriculum joined with required uniforms and mandatory parental involvement insures a safe and successful educational environment.

The Charter School Corporate Board is made up of five parents, the superintendent and one board member. The board meets annually and as needed.

The School Board is made up of five parents from the school. It meets the first Tuesday of each month.

The Yuba City Unified School District (YCUSD) was petitioned to set up a contract to begin the Charter School. There are two requirements for accountability to the district: yearly testing reports and a yearly financial audit report. Any proposed mission statement changes must go through the district. There is good communication with YCUSD and help is readily available if needed.

### **Student Profile, Behavior and Recruitment**

The Yuba City Charter School has a total of 350 students; 100 travel from surrounding communities, including Colusa, Gridley, Sutter, Live Oak, and Marysville.

There is a point system and a level system that is a part of a school wide modification plan to encourage positive behavior and discourage negative behavior. The five level system is determined by behavior: Total points lead to the level earned for the following week. Proper observance of uniforms, good attendance, homework completion and honesty, insures higher levels. A progress sheet goes home daily to parents, keeping the parents informed of their student's assignments and progress.

Behavior modification is used to motivate, guide and prepare students to participate responsibly in the life of the community. Community service is required of all students 4<sup>th</sup> through 12<sup>th</sup> grade and may include visitation to rest home residences, “above & beyond” projects at home, after-school jobs, etc.

Recruitment of prospective Charter School students is done by newspaper invitation. In the event of an excess of student applications, the students are chosen by a lottery system. However, there are entrance criteria; among them, the student must want to attend. Current students are required to re-apply each year, however, preference is given to continuing students.

The Charter School is a closed campus. Students must adhere to standards of conduct as defined in the student handbook. If students fail to follow these guidelines they must leave and enter into another public school option.

Parent involvement is required. This requirement may be fulfilled in various ways; classroom time; Saturday work bees; community involvement, such as fundraisers; phone calling from home; yard duty, or donating needed items to the school. Each family is required to give 40 hours service time to the school per school year. The law allows parents paid time to be taken from work to participate at the school. If the students are of high school level, they may fulfill the required family participation.

### **Funding Resources**

Money has been the most challenging issue, according to the Yuba City Charter School Administrator. Initially, private donations were given to start the school. The Charter School is entitled to the same funding available to other schools within the district. Start-up funds were very difficult to obtain, however Yuba City Unified School District assisted with these funds and are continuing to assist with bridge loans. Bridge Loans are “fill in” funds from the district for the purpose of cash flow. The school also receives Average Daily Attendance (ADA) funding. Much of the Charter School’s funds are continually obtained through self-written grants. Of all the funds available to the Charter School, 80% is directed towards staffing.

### **Staffing**

**Parent Community Specialist** is a stipend position, paid out of the Charter School’s general fund. The specialist is a liaison between the school & the Downtown Business Association.

**Community Service Coordinator** is usually a parent volunteer who keeps track of the children’s community service hours. The time spent as coordinator can be used towards the family’s required community service hours. When a volunteer is not available, a faculty person takes over the responsibility of the position.

**School Speech Therapist and Psychologist** are contracted through Sutter County Office of Education as needed.

**Special Education Staff** includes a full time Special Education Director, a half time Special Education Teacher and Special Education aide. There are 17 special education students with an Individual Education Plan (I.E.P.). The program provides special instruction that follows the student's I.E.P. The teacher or aide works with the student within a regular classroom.

**The Staff** consists of 32 members. Fourteen of these members are credentialed or core teachers. The remainder of the staff is comprised of elective teachers, aides and clerical personnel. All non-credentialed teachers are encouraged to pursue a credential.

### **Study Program Options, Curriculum, Language Requirement & P.E.**

**Independent Study:** the Independent Study students utilize the same curriculum as on campus students. The student works at home, under the supervision of the parent.

**Concurrent Enrollment:** Students are enrolled at the Charter School and at the community college. Both schools receive funds. There are approximately 6 students, grades 9-12 currently enrolled in this program. Some of the younger students are also concurrently enrolled in the children's choir at Yuba College.

**The Opportunity Option:** This is a character-based program designed for students at risk; e.g., some credit deficiencies, attendance issues, family problems, and/or drug problems. Some students come because they do not feel safe in their former school environment. Others come because it gives them a shorter school day so they can work in the community. There are three programs per day; morning class, 8:15 thru 11:15, afternoon class 12:15 thru 3:15 and evening class, 3:30 thru 6:30. Ten hours of community service/work experience and 15 hours per week class time are required. This education option was implemented to "promote positive personal character and strong work ethics" in the students. The center has a fully equipped computer lab with fifteen computers, which all have internet access (power point projects and multi-media presentations can be created by the students). Some of the students work in the Charter Café, which was purchased and is run by the Charter School. Once on level three, the student can fill out an application to work at the Café. This work experience gives additional work opportunity for the students.

**Curriculum:** Starline Press is in the process of writing the new curriculum targeted to meet the state standards. The school is working towards state adoption of the curriculum in order to appropriate funds for the school. Therefore, they are using the state standards as a guideline. The completion of this curriculum is scheduled for June 2003. The Saxon math curriculum will continue to be used by all grades.

**Foreign Language Requirement:** A Foreign language is required for college-prep students only. Spanish and Mandarin Chinese are offered at the school.

**Physical Education:** Grades 4-12 have a site-based PE teacher. Gauche Park is used daily for their PE. The park is approximately 10-15 minute walk from the school. If weather is bad, they stay in the classroom. They have a girl's softball team, a boy's baseball team and a coed soccer team. The school is a member of the Feather River League.

Each class' teacher provides PE for grades K-3. The charter school has an agreement with Praise Chapel, which is near the school, to use its outside area for these younger students.

## FINDINGS

- Students are required to wear uniforms, which does not seem to be a socio-economic problem. They estimate \$170 to outfit a student for one year. There are many choices for the purchase of uniforms. They can be purchased direct, or in town at a wide range of prices. The teachers also have uniforms.
- As for the Academic Performance Index (A.P.I.) scores, the target was 9% and the school achieved 46% in their first year.
- Parents provide all transportation. During the students' arrival and departure, staff members are outside supervising the students. They also assist students crossing the streets. Students are dispersed from school within fifteen minutes after being dismissed.
- The Charter School is a Kindergarten through 12<sup>th</sup> grade school. The current enrollment is 350, according to the school's October 2002 reporting to CBEDS (California Basic Educational Data System).
- Three portable classrooms have been erected on the East side of Shasta Street. One classroom is for 4<sup>th</sup> grade students, one is for 5-6<sup>th</sup> graders and the third is for 7-8<sup>th</sup> grade students. During specified periods of the day, the other two classrooms rotate one third of their students into the 4th grade class for instructions in writing skills.
- The Charter School has a five-year lease on the current properties, however the school does have a need for more classrooms and more playground space at this location. The City of Yuba City has recently informed the Charter School that they will not renew their permit for the portable classrooms. The portables will have to be removed. This has created a problem for approximately 100 students. To remedy this situation, the Charter School is currently looking for a temporary site for the high school students. The Opportunity Option site might be able to be used. Within the next two years the school hopes to be able to locate a site within the boundaries of the YCUSD, to house the entire Charter School.
- A cafeteria is not available onsite; students provide their own lunches on a daily basis.

- K-2<sup>nd</sup> grades are in traditional classrooms; the 3<sup>rd</sup> grade is a transitional class, combining the traditional with independent study. A Saxon phonics program is used in the K-3<sup>rd</sup> grades. The 4<sup>th</sup> – 12<sup>th</sup> grades work independently, with the exception of the math class. The Saxon Math curriculum is used in all grades, K-12<sup>th</sup>. All 4<sup>th</sup> – 12<sup>th</sup> grade classes have an aide available daily. The enrollment in the K-3<sup>rd</sup> grades is kept low, so the need for an aide is not critical.
- Grades 4<sup>th</sup> – 12<sup>th</sup> are independent learners. They work at their own pace in their learning packs. They sit at a cubical, with desks facing the wall, separated from the other students by a small divider. There are times when the teacher pulls a small group to a separate area for group instruction. The scoring table is in the center of the room, where the students score their work independently. There are times when instructions within the pack demand a teacher's review and signature. At the beginning of the week, the student sets his or her individual goal(s) in each subject, with the help of the teacher.

## **RECOMMENDATION**

- It has been observed that students and drivers alike have shown little regard for traffic safety, thus it is recommended that the Yuba City Charter School staff review and adhere to the policy of crosswalk supervision over the intersection of Center Street and Shasta Street.

## **RESPONDENTS**

Sandra Lininger, Superintendent, Yuba City Charter School  
Yuba City Charter School Corporate Board

## **4.0 EDUCATION**

### **4.3 YUBA CITY HIGH SCHOOL DRUG POLICY & ENFORCEMENT**

#### **INTRODUCTION**

The Sutter County Grand Jury in a letter dated October 12, 2002 requested documents pertinent to the operations of the Yuba City High School Drug Policy and Enforcement Program. The materials were provided for review prior to a scheduled on-site meeting. The following documents were requested and received:

- Definition and scope of program
- District/high school policies and procedures
- Staff and job titles specifically assigned
- School Resource Officer defined duties
- Budget for program and sources(s) of funds
- Number of drug/alcohol incidents for the last 3 fiscal years
- Student handbook

On November 25, 2002 members of the Grand Jury met with Patrick Godwin, Sutter County Superintendent of Schools and Bob Kruse, YCUSD Director of Student Services.

On March 12, 2003, members additionally met with the Yuba City High School Resource Officer, police officer Al Ortega, to obtain further information concerning the YCUSD drug-prevention programs. No documents were requested from him prior to this meeting.

#### **SUMMARY**

The members of the Grand Jury acknowledge that personnel interviewed from the YCUSD have the best interest of all students in mind. They are genuinely concerned about the safety and well being of each student at Yuba City High School (YCHS). It is recommended that the high school continue with the implementation of their current and planned programs for dealing with drugs on campus and parent awareness of these issues.

#### **REPORT**

During our term as a Grand Jury we were summoned to sit on the indictment hearing regarding the drug induced death of Nicole Crowder. This indictment hearing was the catalyst for looking into the high school's drug policy and enforcement program. In meeting with Messrs. Godwin and Kruse, the focus of the November meeting was to identify what drug prevention programs YCHS offers to students possessing drugs or drug paraphernalia. A follow up meeting in March with the YCUSD Resource Officer was conducted to obtain an in-depth look at drug abuse and drug prevention on the campus.

### **November On-site Meeting**

Discussions at the November 25, 2002 meeting with Patrick Godwin and Bob Kruse focused on the installation of perimeter cameras and the proposals for drug detection dogs and student/faculty identification badges. All of these proposed projects are to be implemented for security purposes, not necessarily for drug prevention. These projects were conceived by the Safe Schools Committee. The Safe Schools Committee meets the second Wednesday of every month at 3:30 p.m. at the YCUSD office. It is open to the public, students and faculty. The committee is interested in hearing concerns and ideas in regard to making and keeping the campuses safe.

A topic of discussion was the current size of YCHS and the need for the second high school. The current YCHS enrollment is at 2800 and the original capacity is 1800. The building of a second high school would alleviate overcrowding that the current high school experiences, and in turn would contribute to a more manageable environment for both students and faculty.

The question was raised as to what steps the high school has taken to identify and deal with student drug usage. It was stated that the school personnel are trained to identify those students who may be using drugs. Also, the YCUSD has assigned staff to recognize and work with these students. A student caught using drugs or tobacco may be referred to one of three following programs: Insight (substance abuse), TEG (Tobacco Education Group), and TAP (Tobacco Awareness Program).

During this meeting it was pointed out that drugs are a community problem and not a YCHS problem. The point was also made that drug and alcohol usage among teenagers is not specific to any one socio-economic or racial group, but rather all groups are affected. Mr. Kruse stated that it was his belief that a majority of YCHS students do not abuse drugs and less than 2 ½ percent of the students are considered to have a problem.

### **March On-site Meeting**

Representatives of the Grand Jury were able to do a follow up meeting on March 12, 2003 with Officer Al Ortega, the YCUSD Resource Officer, at the YCHS campus. Officer Ortega is an employee of the Yuba City Police Department. His position is funded through the police department and the YCUSD.

Officer Ortega provided information on how the canine drug-detection program is progressing. The YCUSD has contracted with an outside agency to bring drug-detecting canines on campus. The canine searches are random, with neither Officer Ortega nor the faculty knowing when the canines will arrive. The contracting agency randomly picks classrooms to be searched. The contractor's canines also patrol the parking lot and the open areas of campus. The canines are not allowed to approach the students. Officer Ortega believes this will serve as a strong deterrent to the use and possession of drugs and alcohol on campus.

His position as a police officer enables him to stop crime and make arrests. Working with him is a full time Sutter County deputy probation officer who works in the Positive Attendance Program. In addition there is another full time deputy probation officer and a full time Yuba City police officer working truancy cases. School Resource Officer Ortega works closely with the Net-5 (local drug enforcement), Sutter County Probation Department, Highway Patrol, other local law enforcement agencies, and in programs such as the Family Intervention Team (TIP) and the Student Attendance Review Board (SARB).

The various types of incidents he is involved in include, but are not limited to: non-students on campus, marijuana, drug paraphernalia, alcohol and tobacco, and anonymous Hot-Line calls. Depending on the type of call, other agencies may be enlisted that are more readily able to deal with the problem or issue.

The large number of non-students on campus has prompted the installment of surveillance cameras. The High School has eleven cameras, three of these are stationary and seven are movable. The movable cameras can be controlled manually or allowed to move randomly. The cameras' monitors are in Officer Ortega's office and all viewed actions are recorded. Officer Ortega does admit that there is no replacement for the human eye and instinct when it comes to surveillance, but the cameras are having a positive impact.

It is difficult to police the large number of non-students on campus. The ID badge system for students and faculty, when implemented, should probably reduce this problem. Since some of the non-students on campus have been suspected of dealing drugs, the ID badges should be an effective deterrent to drug dealing on campus.

In both meetings it was stated that the high school experiences a critical lack of parent involvement even though there has been various attempts to recruit parents. If parents were aware that their employer must allow them up to 40 hours per calendar year for school involvement, there might be more participation. (California Labor Code 230.8a)

## **FINDINGS**

- The Grand Jury recognizes that representatives from the YCUSD who participated in this inspection have the best interest of all students in mind. They are genuinely concerned about the safety and well-being of each student at Yuba City High School.
- Cameras have been installed at several of the school campuses and the main purpose of the cameras is to keep out intruders and discourage violence. A potential benefit of the cameras may be a deterrent to dealing drugs on campus.
- The use of drug detection canines has been introduced to YCHS with the potential of deterring the use of drugs and alcohol on campus.

- The YCUSD Board of Trustees has approved the implementation of ID badges beginning with the 2003-2004 school year. The ID badges will first be used at YCHS and Albert Powell campuses.
- School Resource Officer Ortega provides a positive influence on the high school campus. He obviously enjoys what he does and pursues the best interests of the students.

## **RECOMMENDATIONS**

The Grand Jury recommends that Yuba City High School:

- continue the existing drug and tobacco prevention programs as well as the training of staff in the recognition of student substance abuse,
- continue to fund surveillance security cameras, canine drug detection program and use of ID badges,
- continue efforts to enlist parental support and involvement in drug prevention, education and on campus security issues,
- continue to seek local or state/federal funds for the maintenance of an on campus School Resource Officer.
- It is also recommended that the 2003-04 Grand Jury follow up with a review of the effectiveness of the surveillance security cameras, canine drug prevention program and the use of ID badges.

## **RESPONDENTS**

Patrick Godwin, Superintendent, Yuba City Unified School District

## **5.0 FIRE & EMERGENCY SERVICES COMMITTEE REPORT**

## **5.0 FIRE & EMERGENCY SERVICES**

### **5.1 MERIDIAN FIRE PROTECTION DISTRICT**

#### **INTRODUCTION**

The Grand Jury conducted on-site interviews and inspection of the Meridian Fire Department, with Scott Hankins, Chief of Fire Services. In a letter from the Sutter County Grand Jury dated October 16, 2002 it was requested that documents appropriate to the operations of the Meridian Fire Department be provided to the Grand Jury for review prior to our scheduled meeting on, December 11, 2002. The following was requested and received.

- Meridian Fire Department's Mission Statement
- Meridian Fire Department's policies and procedures manual
- Codes and regulations governing the operations of the Meridian Fire Department
- A copy of the operational budget
- Statistical reports addressing fire and rescue incidents by fiscal year
- Statistical data reporting on response times to fire and rescue incidents

#### **SUMMARY**

The Meridian Fire Protection District (MFPD) has three difficult issues it has been addressing for several years. These include finances and budget, recruiting volunteer firefighters, and reaching a decision on equipment needs. The Grand Jury is recommending that the department's Type I Fire Engine be replaced.

#### **REPORT**

##### **Program Operations**

The mission of the Meridian Fire Protection District is "to protect life, property, and the environment."

The MFPD was formed under Health and Safety code 13800. A Board of Directors is responsible for the management of the District. The MFPD provides emergency services for an approximate 66 square mile area. Coverage is provided from one fire station, which is staffed by one volunteer Fire Chief, one full time Fire Equipment Operator, and seven volunteers. The large equipment of the MFPD includes:

- One 1981 Ford Type 1 Truck
- One 1976 International Type 2 Truck
- One 1975 International Type 3 Truck
- One 1985 Ford Type 4 Truck

- One 1985 Ford Type 5 Truck
- One 1990 International Type 5 Truck

The MFPD receives approximately 150 calls for service per year, with an average response time to the emergency of two to three minutes. The majority of the calls are placed for vegetation fires and auto accidents. There is a mutual aid agreement between the MFPD and the Yuba City, Colusa, and Sutter Fire Departments, where assistance is provided to each other when needed.

## FINDINGS

The Meridian Fire Protection District (MFPD) has three difficult issues that it has been addressing for several years. These include finances and budgetary conditions, recruiting volunteer firefighters, and reaching a decision on an immediate equipment need.

- **Finances and Budget:** The department has a limited budget and difficulty in meeting its needs and mission. To help alleviate this situation the citizens of Meridian voted to place a special tax (Law 218) on each house, commercial property, and land. This general tax has enabled the department to maintain one full time Fire Equipment Operator. State required reports are hand written since it would cost a substantial amount in funds to purchase a computer and the appropriate software program.
- **Volunteer Firefighters:** It is very difficult for the MFPD to attract and retain volunteers. The problem arises from having to draw from a small population in the Meridian area. Efforts are being made to attract volunteers from Yuba and Butte College Fire Academies. Volunteers are required to participate in training and education meetings twice a month, in order to ensure their health and safety, and that of the citizens they serve. Volunteers are paid a nominal fee for each response to a call for service. The volunteers generously donate the money back to the Fire Protection District. When calls are dispatched, pagers notify the fire personnel.
- **Equipment Need:** The Type I fire truck that is used to respond to structural fires was built in 1981 and appears to be beyond its lifespan. Apparently the fire truck requires extensive maintenance. Funds are budgeted each year to the department's equipment reserve account for the purchase of a new fire engine. However the board of directors is currently divided on whether to use the funds to maintain and continue to use the current fire engine or whether to use the funds to purchase a new fire engine.

## RECOMMENDATION

- The 2002-2003 Grand Jury recommends the Meridian Fire Department Board of Directors replace the 22-year-old Type 1 engine with a newer model. The continued availability of replacement parts and the escalating cost of maintenance are becoming major factors in retaining the existing engine.

**RESPONDENT**

Scott Hankins, Fire Chief, Meridian Fire Protection District  
Board of Directors, Meridian Fire Protection District

## **5.0 FIRE & EMERGENCY SERVICES**

### **5.2 YUBA CITY FIRE DEPARTMENT**

#### **INTRODUCTION**

The Grand Jury conducted an on-site interview and inspection of the Yuba City Fire Department with Marc Boomgaarden, Chief of Fire Services. In a letter from the Sutter County Grand Jury dated October 16, 2002 it was requested that the department provide documents appropriate to the operations of the Yuba City Fire Department, prior to the Grand Jury's scheduled meeting. The following documents were provided:

- Yuba City Fire Department's Mission Statement
- Yuba City Fire Department's policies and procedures Manual
- Codes and regulations governing the operations of the Yuba City Fire Department
- Yuba City Fire Department's operational budget
- Statistical reports addressing fire and rescue incidents by fiscal year
- Statistical data reporting on response times to fire and rescue incidents

#### **SUMMARY**

The Yuba City Fire Department (YCFD) has completed a successful merger with the Walton Fire District. Staff morale and service to the community appear excellent. No recommendations are being presented by the Grand Jury.

#### **REPORT**

The mission of the YCFD is "to protect life, property, and the environment, through the delivery of innovative services in our community."

The YCFD provides emergency services to approximately 60,000 people in an area of approximately 30 square miles. There are five strategically located fire stations staffed 24 hours a day, 365 days a year. YCFD staff currently consists of 43 full time employees and 10-15 volunteer/interns. YCFD responds to approximately 5,400 emergency requests per year, approximately 70 percent of which are responses that culminate in pre-hospital emergency care.

YCFD also provides emergency and disaster prevention services including:

- Fire code enforcement
- Building and construction plan review
- Public education
- Citywide disaster and emergency preparedness training
- Fire cause and origin determination
- Public information services
- CPR training center

The YCFD physical plant and equipment inventory include:

- Five strategically located fire stations
- Ten structural response fire engines
- Three vegetation response fire engines
- One aerial truck
- Two rescue units
- One personal watercraft and one inflatable boat
- Two utility pick-ups
- One water tank truck

A new administration training building adjacent to Fire Station One on Clark Avenue was completed late in the year 2002.

The YCFD continues to appropriately address major budgetary issues including the impact of the State's budget crisis, meeting unfunded service mandates, making facility upgrades, vehicle replacement need, implementation of the computer aided dispatch system and seeking additional funds through grant applications.

## **FINDINGS**

- Yuba City Fire Department continues to provide the community with excellent fire protection and emergency services. Their efforts keep Yuba City a safe place to live.

## **RECOMMENDATION**

- None

## **RESPONDENTS**

Marc Boomgaarden, Chief of Fire Services  
City Council of Yuba City

## **5.0 FIRE & EMERGENCY SERVICES**

### **5.3 SUTTER COUNTY AIRPORT**

#### **INTRODUCTION**

In the wake of the terrorist attack of September 11, 2001, the 2001-2002 Grand Jury looked at the security of the Sutter County Airport. The Grand Jury in their Final Report documented the inadequate security fencing surrounding the Sutter County Airport, stating:

*“The security fence surrounding the airport is approximately 20 years old and in need of repairs...there is no security gate at this time, at the entrance to the airport. There is nothing prohibiting anyone from driving on the runways.”*

The Grand Jury at the time recommended that a new fence, security gate and surveillance camera for the airport be installed. It was also recommended that this year's Grand Jury follow up on the Board of Supervisors' actions in regard to this recommendation.

In September 2002 the Board of Supervisors in their response to the Grand Jury's Final Report agreed with these findings and went on to state that:

*“Staff is preparing a grant request for Federal and State funds for security measures at the Sutter County Airport. This grant would require about 5.5% matching funds from the Airport. The grant request would include fencing and controlled access onto the Airport property, other than the public parking area. The Board of Supervisors approved submitting this grant in August 2002.”*

#### **SUMMARY**

The 2002-2003 Grand Jury has determined that no improvements have been made to address the acknowledged security problems at the airport and supplementary funds have not been received from federal or state resources.

#### **REPORT**

The Grand Jury made a follow-up on-site visit to the Sutter County Airport on March 4, 2003. This was followed up later in the month with a telephone conference with Robert Barrett, Director of Public Works for Sutter County.

#### **FINDINGS**

- It was determined that security conditions and issues remained as identified in last year's Final Report.

- Even though the county acknowledged these security issues, no new security equipment has been purchased and no improvements have been made as recommended in the report of 2001-2002. In addition, Mr. Barrett indicated that no funds had been received from the grant application. The Grand Jury does not know if the grant application was ever approved.

## **RECOMMENDATION**

- The 2002-03 Grand Jury recommends that a new fence, security gate and surveillance camera for the Sutter County Airport be installed, the same recommendation as presented by the 2001-02 Grand Jury.
- The Grand Jury also recommends that the 2003-04 Grand Jury revisit the Sutter County Airport and in its Final Report to the citizens of Sutter County report back on the county's compliance with the above recommendation.

## **RESPONDENTS**

Robert Barrett, Director, Sutter County Public Works  
Board of Supervisors, County of Sutter

## **6.0 HEALTH, MENTAL HEALTH & SOCIAL SERVICES COMMITTEE REPORT**

## **6.0 HEALTH, MENTAL HEALTH & SOCIAL SERVICES**

### **6.1 PUBLIC GUARDIAN/CONSERVATOR**

#### **INTRODUCTION**

In last year's Grand Jury Final Report of 2001-2002 several recommendations were made concerning the Public Guardian/Conservator's office. It was suggested that the current Grand Jury revisit two of these recommendations in order to ensure that the Public Guardian/Conservator office had addressed the issues. The specific recommendations in last year's Final Report were:

- A policy on how long to maintain inactive case files should be established. This should be developed after consideration of the position of California governmental codes, the practices of other county public guardians, and the concerns of the Court, County Counsel and probate/conservatorship advocates, on how long to retain archived files.
- The use of the hangar shed (at the airport) for off-site client personal property should be reconsidered. At a minimum, the security on the door should be changed to a locking deadbolt system, any signage on the outside that would identify it as belonging to the Public Guardian should be removed, the storage facility should be subject to the same security and protective protocols recommended for the office site (i.e., fire and flood protection and limit access to identified and key control personnel).

#### **SUMMARY**

Members of the Grand Jury conducted an onsite inspection of the storage facility on March 4, 2003, accompanied by Katherine Covert, the Public Guardian/Conservator for Sutter County. The situation remained the same as observed by the Grand Jury last year. The inadequate storage shed is still used for long-term storage of conservatees' personal property and client confidential files are archived in cardboard boxes, including files on clients who have been deceased for many years.

It is again being recommended that the County provide for consistent and business like storage of client files, that the county determine the lawful period at which very old files may be destroyed, and that storage conditions provide for improved security and care of client property and files.

## **REPORT**

### **Mission**

The Public Guardian/Conservator oversees the administration of personal affairs and estates of adults as the Court appointed authority, for those persons unable to administer their own affairs. The agency came into being with the implementation of the Lanterman-Petris-Short (LPS) Act passed by the California State Legislature during the 1960s.. That Act closed many State-operated mental health hospitals and facilities, and required the establishment of local programs for the maintenance of clients in need of conservatorship protection. The Public Guardian/Conservator was originally set up to provide for patients of the Mental Health Agency. Once these programs were in place the county also accepted persons who were in need of the same services even though they were not patients of the Mental Health Agency.

Adult Protective Services (APS) and community physicians and psychologists, as well as county operated mental health services, refer clients to the agency. The California Probate Code, Welfare and Institution Code of California, and the LPS Act define eligibility requirements.

### **Program Operation**

Clients consist of individuals unable to care for themselves and who, in many cases, may be in a care facility. The County Guardian /Conservator usually enters into a case when there is no family available or willing or able to provide care and supervision. The Conservator is appointed following a hearing in the Superior Court of the County.

Staff noted that the Guardian/Conservator is one of the few county agencies that the Board of Supervisors has complete financial control over departmental funding. With only county funds available, and the lack of state or grant funding resources, the agency is restricted from implementing any sweeping changes. Funding does include about \$50,000 via a contract to provide services to the county's mental health department's clients. The agency may be able to recoup some fees from the estates of clients, which does offset some county expenses. It does not appear that there is any federal level financial help or participation.

### **Client Personal Property**

Ms. Covert met the committee at the storage shed located in the county airport's airplane hanger area. The storage room is not large, on a concrete slab, and is crammed with stacks of cardboard boxes of various sizes. There are also several black plastic garbage type bags, which contain clients' personal property – some on the floor and some on shelves. There are cobwebs on the ceiling and the walls and floor are covered with debris. Staff reported that "stuff" is able to blow under the door.

Ms. Covert operates this office with herself and one paid position. Extra help is available on a few occasions. Staff visit the storage area maybe twice a month but might miss some months entirely, depending on need. Staff would prefer to have the storage area neat and organized. However, budget and staffing constraints do not provide for these tasks to be completed on a regular basis. The Grand Jury was told that cleaning and organizing the storage area would require that two people work over several days, which would take staff away from critical office duties and perhaps even leave the office unattended.

When asked about the use of jail inmate workers (trusties) to help clean up the storage area, staff noted that the inmate workers would have to be supervised, plus there is identifying information on some confidential records that might be compromised if they handled it. Staff also reported that this would let the inmates know where this property is and that could further compromise the property's safe keeping.

Ms. Covert advises that some dust and water is able to enter under the door. However, she has learned over time where the water will go since "...it puddles up just inside the door," so staff avoid placing any property in these areas. She also noted that there are various vermin in the storage shed, primarily rats and various insects. She has occasionally placed vermin poison baits in the room. Ms Covert reported that county maintenance has placed wood pallets on the floor so that most items in storage are above the floor, and not resting on top of the concrete.

The storage area is not adequately secured. In fact some time back, county maintenance workers were inspecting all of the rooms and storage areas in the airport's hangers. These workers did not know to whom this storage unit belonged to (it is unmarked), so they broke the padlock to gain entrance. As soon as they were in they realized who the storage area belonged to and put a new lock on the door. The storage remains in this location. The county airport does not apply any costs to the Public Guardian-Conservator's budget. However, it appears there is little concern or chance that the county plans to find and fund a different storage location with appropriate security.

Ms. Covert noted that much of the conservatee personal property is "just junk," but does stress that in the owners opinion it could be their treasured items. She reported that the law allows her to dispose of or throw away worthless items but she feels it would upset the clients and out of concern for them she keeps everything. She shared the story of one client who often asks if she has kept his property, even though it appears to be worthless.

The state law does allow the county public guardians/conservators to sell "the good stuff." On these occasions the property goes to an auctioneer for the sale. It was also reported that if clients have property that is valuable and if they have the personal funds, a commercial storage unit might be rented. Ms. Covert noted that while most of the client's property is of little value, "...it is precious to them." Further while the client is still alive and under her jurisdiction, she would not throw away any property.

## **Records**

The case files on active clients remain in the main office on Live Oak Boulevard. Last year's Grand Jury expressed concern for security at the main office and the specific location of active files. Ms. Covert advised that the non-secure wall around the files has been removed and that area is no longer a storage area for those files.

The closed inactive files are in archive boxes in the hanger. They are stacked in the back of the room. Ms Covert pointed out to the members of the Grand Jury that old information is usable if a discharged person reenters the system. Having the old records available saves much time and initial legwork.

However, it does not appear that files of deceased clients are purged. Staff reported that the only procedure to locate these files would be from memory. Ms Covert noted that she knows fairly well where everything is and can locate it. But she also stated that if she and her assistant were both to disappear tomorrow, new staff would have a hard time.

Ms. Covert reported that the storage area is more full and crowded now than it has been in the past. She also acknowledged that continued growth of the county's population will effect an increase in the agency's case load and the storage problems.

## **FINDINGS**

- The Grand Jury has found no operational problems and generally approves of the agency's provision of directed client services. However, the problems identified in last year's Final Report, primarily with the archiving and non-destruction of inactive files and the storage of client personal property, remain.
- Last year's Grand Jury questioned the light duty lock on the hanger door. It was recommended that the access door be made more secure. Staff reported that they wished a better lock could be installed but they didn't know who would do it or how it would be funded. It does not appear a request has been made to do this.
- In the Grand Jury Final Report from last year it was recommended that the agency pursue determining its legal rights and protocols for the destruction of out of date and deceased client files. It is apparent that this was not pursued. The Grand Jury is well aware that there are protocols and laws governing the destruction of old probation department records, child protective services files, community care licensing files, etc.

## **RECOMMENDATIONS**

- The optimum storage unit solution would be the renting or construction of a commercial level storage unit, which would provide a cleaner more secure storage area. This unit should be closer to the agency's business office reducing travel and time away from the office. If this is not feasible, the next best alternative

- would be to remodel the current storage area at the county airport, securing access and enlarging the area. It should also be cleaned and organized. Commercial cardboard boxes in a single uniform size would also allow for safer stacking of property and files and provide a more efficient means for locating these items.
- The Public Guardian/Conservator should seek a legal definition from County Counsel on the legal ramifications of file destruction and the time frames for maintaining hard copies of these records. Further the professional association California Association of Public Administrators, Public Guardians and Public Conservators and its member counties should be contacted to determine their established business practices on this subject.
  - The inactive, outdated client files and records should be purged and/or destroyed as provided for by law and legal opinion. Since conservatorship cases involve jurisdiction being established by the court, officials of the court should concur in this decision.
  - At the time of the preparation of this Final Report, staff from the Public Guardian/Conservator agency contacted the Grand Jury, indicating that they had started to address the issues and recommendations noted above. Thus, it is also recommended that the Grand Jury in fiscal year 2003-2004 revisit the agency to determine compliance with the recommendations and findings.

## **RESPONDENTS**

Katherine Covert, Public Guardian/Conservator  
Board of Supervisors, County of Sutter

## **6.0 HEALTH, MENTAL HEALTH & SOCIAL SERVICES**

### **6.2 SUTTER COUNTY HUMAN SERVICES: TEMPORARY ASSISTANCE TO NEEDY FAMILIES AND CALWORKS PROGRAMS**

#### **INTRODUCTION**

The Temporary Assistance for Needy Families (TANF) and California Work Opportunity and Responsibility to Kids (CalWORKS) programs are found within the Welfare and Social Services branch of the Sutter County Human Services Department. These programs have replaced past programs, which were formerly referred to as Aid to Families with Dependent Children (AFDC), a federal program and Greater Avenues for Independence (GAIN), a former state program.

Members of the Grand Jury met with Agency Director Ed Fisher and Income Maintenance Program Manager Lori Harrah on January 22, 2003. The committee was briefed on agency services including information on several different but interlocking programs. Mr. Fisher advised that Welfare Services are funded from three sources; about 50% from the federal government, approximately 43% from the state government and the balance through county funds. Mr. Fisher stated funding assistance is predominantly geared towards programs involving children.

Subsequent to this meeting, members of the Grand Jury conducted an onsite visit of the CalWORKS program at the Holly Oak Center in Yuba City. Mr. Fisher and program supervisor Bill Ramsour provided an overview of the CalWORKS program and led the committee on a tour of that department.

Departmental staff also provided access to and copies of the following documents:

1. Three archive storage boxes filled with informational material on all departmental programs housed in the Human Services facilities located at 190 Garden Highway and at the Holly Oak Center. Documents contained in these boxes included statements pertaining to the policies and procedures for each program.
2. An informational packet, prepared for the Grand Jury by agency management, describing the programs offered by the Human Services Agency.
3. The pamphlet "I Can Coffee Club" which is provided to clients as a self-help document.
4. The pamphlet "Employment 101," provided to clients to aid them in developing their own search portfolio, including a sample from the January 2003 schedule.
5. An application packet for Medi-Cal services.
6. The pamphlet "People Services."
7. The agency's directory titled "Who Are We/What Do We Do?"

## SUMMARY

It appears that program operations are managed and conducted in a professional and fiscally responsible manner. No recommendations are being presented.

## REPORT

### Mission

The goal of the TANF and CalWORKS programs is to aid the Department of Welfare and Social Services in the pursuit of its mission to ensure the health and well being of children and their parents through complementing the many interrelated aid and health services programs.

At the risk of oversimplifying the responsibilities of the programs, the TANF program provides cash aid while the CalWORKS program provides services.

### Program Operation

TANF provides financial assistance to eligible families. TANF replaced the decades old AFDC program, which purportedly encouraged or allowed families to become complacent and dependent on financial assistance, remaining on aid for years and in some cases, including successive family generations. The current TANF program limits adult participation and financial assistance to a maximum of 5 years.

Departmental staff provided detailed and clear answers to the TANF program and how it ties into the CalWORKS program. They also provided a document prepared for the Grand Jury, which describes their programs. Additional information was provided on the functions of the following programs:

- **Food Stamps:** The Federal Food Stamp Program is designed to increase food purchasing for low-income households in order to provide a more nutritious diet. If an indigent adult applies for aid but does not have children; s/he are not eligible for TANF, but may be for food stamps.
- **Medi-Cal:** This government insurance program provides medical assistance for individuals who meet specific criteria. Eligibility is the same as above. The main weakness with this program is that not every doctor, dentist; clinic, etc. will accept Medi-Cal patients. Most children may be seen at one of several clinics that do participate in the Medicare program.
- **CMSP – County Medical Service Program:** This program is comprised of 32 California counties that provide medical insurance to medically indigent adults with no other source of medical insurance. This program is only for those adults who are not eligible for Medi-Cal. However, fewer doctors and medical providers are willing to accept patients who are in this program.
- **General Relief:** This program provides aid and care for indigent poor with no other means of support and who are not eligible for other federal, state or local

programs. Unless verifiably incapacitated, recipients participate by working to repay the funds. The California Welfare and Institution Codes require each County to provide general relief to all indigent poor, incompetent, and/or those adults incapacitated by age, disease, or accident. Funds are entirely derived from the county's general funds. All able bodied persons receiving this aid must participate in a job search and work program.

- **Interim Assistance:** This assistance program provides funds for persons waiting for a Supplemental Security Income (SSI). Funds are set at the General Relief rate. SSI is paid through the Social Security system for certain needy, blind, aged or disabled persons.
- **Indigent Burials:** If a person should die who has no personal funds to provide for their internment, the county will take care of this need.
- **Refugee Programs:** This is a federally mandated and funded program to assist political refugees for eight months after they arrive in the United States. If there are no children in the home, they may not be eligible for other programs at the end of the eight months. However, if the family does have children after the eight-month period they may receive assistance through the TANF program.

### **TANF Caseload Issues and Client Profile**

TANF provides time-limited eligibility for the adults for up to five years. Children can remain in the program up to age 18. Adults have mandated job training provided through the CalWORKS program. A critical component of the program operations is the Eligibility Worker staff person, who interviews applicants, obtains vital statistics on all people in the household, and determines the cash assistance level. This includes verification of Social Security registration, birth and marriage certificates, residence verification (including items such as rent receipts, PG&E bills, etc.). Absentee parent information is gathered for referral to the Sutter County Department of Child Support Services, in order that the county may collect child support reimbursement.

The department has an in-house Fraud Investigator who performs a process referred to as Early Fraud Detection. The department's Special Investigative Unit (SIU) receives referrals from the eligibility workers who suspect that information provided by an applicant may not be correct. The SIU investigator checks the data for accuracy and if it is determined that a person has committed fraud, the case is referred to the District Attorneys investigator who completes a criminal investigation. People who falsify records may be sanctioned and denied aid for a prescribed period of time.

If an applicant for TANF has recently lost employment but has a work history, the department encourages them to quickly return to the job market through a program called "Fast Track." The applicant is immediately sent to CalWORKS and enters a training program. The client does not have to wait for a "new class" to begin since this is a continuous and ongoing program. The intent is to assist them in transition from subsidy to self-sufficiency. It has been determined that many clients want to be employed and will work but they lack work experience, job hunting skills or the confidence to proceed.

At its high point in January of 1996, AFDC had 1,963 adults on aid in Sutter County. In December 2002 the TANF caseload was 1,100 adults. Staff reports a nearly 50% drop in families receiving assistance since AFDC was replaced by TANF and CalWORKS. These figures also appear to hold true statewide.

At the time of the Grand Jury's visit it was reported that there were 603 TANF family recipients. About 200 more clients could be added when you count those who voluntarily return to participate in available services.

Every attempt is made to insure good health and welfare of children. If an applicant is determined to be eligible for cash assistance, they will receive a Medi-Cal card for each family member and food stamps. Parents are referred to the Health Department for immunization services and encouraged to pursue the WIC program.

### **California Work Opportunity and Responsibility to Kids (CalWORKS)**

The TANF program was initiated in 1996 as part of the Federal Welfare Reform Act, HR 3734. The enabling authority for the CalWORKS program was Assembly Bill 1534, Chapter 270, in the 1997 Statutes of California. This is the program that replaced the GAIN program, which was implemented around 1986. CalWORKS, like GAIN, attempts to teach job skills, proper employment application procedures, cleanliness, dress and appearance and other pertinent work attitudes. However, CalWORKS appears to be a more effective program.

The changes from GAIN to CalWORKS, required a redesign of the employment program, shifting from an education and training based program to a work first emphasis with:

- Reduced numbers of exemptions for adults receiving cash assistance thereby increasing the population required to participate in work activities.
- Time limits for adults on cash assistance without working, unless exempted. Recipients are required to work or participate in community service after 18 to 24 months.
- Participation requirements for a minimum number of hours each week in which the recipient must engage in employment and or training activities.
- Expansion of supportive services to include mental health, substance abuse and domestic abuse counseling services.

During 2001 the required employment preparation component was completely redesigned to provide an interactive 10 day open entry/open exit program that addresses:

- ❖ life skills issues,
- ❖ problem solving,
- ❖ team work and
- ❖ self esteem.

Clients are taught appropriate dress, interviewing skills and techniques, along with job retention strategies. The class was renamed Employment 101. Upon completion the clients enter the job search with their personal portfolio containing a master packet

application, with samples of cover letters and follow up letters. This provides participants with the tools to compete in the labor market and obtain employment that will lead to self-sufficiency. Clients who obtain employment may continue in a "I CAN" support program. I CAN is the acronym for Individual Career Advancement Network.

Another component is Dress for Success, which is designed to help clients look their best when applying for a job. Staff takes new clients to local department stores and purchase appropriate clothing for job searches. The men wear slacks, dress shirt and tie. The women also wear appropriate clothing, some of which is predetermined to supplement what they already have.

When a participant obtains a job he/she goes over to a bell on the wall and clangs it. All the other participants then know that someone has met success. Candy is passed out and a celebration follows. It was stated that some former clients return to ring the bell when they find a new job "because it feels good."

Dress for Success, Employment 101, Fast Track, and I CAN are all programs designed to help clients to be successful.

It is noted that the TANF and CalWORKS programs operate smoothly because of the department's systems support unit which makes sure that computers are operating, needed training is scheduled for the staff, and updates to programs are timely completed in order to meet changes in laws and business practices. Coordination with other related agencies in the County are also addressed.

## **RECORDS**

All client records are confidential and receive critical attention. Active files remain in a locked work area and no public access is allowed. Many inactive and closed files are in rolling cabinets in the north end of the office. There is also a storage area about ½ mile away for some of the closed files. This Grand Jury did not tour that facility but staff advised that the files there remain under lock with only certain personnel allowed access. If one of those files needs to be accessed, a staff member retrieves it. Records are destroyed after a prescribed period of time passes. Exceptions would include those that could be controversial in nature or could involve litigation.

## **FINDINGS**

- It appears that the change from the financial assistance of the old AFDC program to the more recent TANF and CalWORKS programs has been successful in helping to provide educational skills and financial incentive for the clients to find employment and remove themselves from welfare assistance programs.

- Programs appear to be functioning well under a skilled management team. In spite of the fact that they are managing several complex programs, staff receives adequate training to complete work responsibilities.

## **RECOMENDATIONS**

- None

## **RESPONDENTS**

Ed Smith, Director Sutter County Department of Human Services  
Board of Supervisors, County of Sutter

## **6.0 HEALTH, MENTAL HEALTH & SOCIAL SERVICES**

### **6.3 SUTTER COUNTY HUMAN SERVICES: MENTAL HEALTH SERVICES**

#### **INTRODUCTION**

Members of the Grand Jury met with Sutter Human Services Agency Director, Ed Smith, Program Chief, Lynn Tarrant and other agency staff who were introduced at the onsite tour of the department's Live Oak Boulevard facility on December 10, 2002. A number of pamphlets describing agency programs were provided. The tour included an overview and introduction to a number of the agency's diverse and complex programs.

This Mental Health agency is a Bi County operation serving both Sutter and Yuba Counties, the only such operation in the State. The program is a community based mandated program to provide for the mental health needs of area residents.

A number of agency pamphlets describing programs and client access were given to the committee. Included were:

1. Pamphlet – "Who are We"
2. Pamphlet – "Sutter-Yuba Mental Health Services"
3. Pamphlet – "Client/Consumer & Family Member"
4. Pamphlet – "Sutter-Yuba Mental Health Youth Services"
5. Pamphlet – "Family Assistance Service Team" (FAST Team)
6. Handout – "Sutter-Yuba Mental Health Plan, Quality Improvement Program and Committee."

#### **SUMMARY**

The Sutter-Yuba Mental Health Department is a multi-functioning and complex operation that is meeting the regional needs of citizens in our community. The Grand Jury has no recommendations for the improvement of services.

#### **REPORT**

##### **Mission**

The agency's Mission is to promote the mental health and well-being of the children and adults of the Sutter-Yuba area. They provide psychiatric services to individuals and families who are experiencing serious or ongoing mental health problems. The agency does not provide long-term hospital care.

## **Program Operation**

This complex and multi functional agency provides a number of separate but interrelated services to both adults and juveniles. Agency Director, Ed Smith states, “We offer the full spectrum of mental health services including rehabilitative, out-patient and day treatment, and in-patient and residential programs.”

Client support is also available through the “In the Company of Friends,” a peer support group program for housing, employment, recreation and self-help programs.

To meet the needs of clients with substance abuse and mental health problems, a wide variety of out-patient alcohol and drug abuse services are also available directly through the County and through contract in-patient and residential facilities. To access any of these mental health services, any citizen may contact;

Mental Health Division  
Office: (530) 822-7200  
1965 Live Oak Blvd., Yuba City, CA 95991  
Fax: (530) 822-7108

Unless otherwise indicated, all services are provided at the Live Oak Blvd. facility. However, the agency also uses other community programs when available and appropriate (such as referring people with alcohol abuse problems to Alcoholics Anonymous (AA).

Psychiatric emergency services are available without cost to the user. Fees for all other services are based upon the client’s ability to pay. Mental Health accepts most private medical insurance, Medi-Cal and Medicare. The State of California funds those programs and services for eligible clients who are unable to pay.

Programs include:

**Adult Education** provides a variety of classes, including arts and crafts, primarily for adults with serious psychiatric disabilities. This program helps develop independent living skills, prevocational skills, self-esteem and basic academic skills.

**Adult Services** includes group therapy, information, education and medication for persons with serious psychiatric disabilities. Individual or group therapy is available on a limited basis. These services are available Monday, Tuesday, Thursday, and Friday from 8:00 a.m. to 5:00 p.m. and on Wednesday 8:00 a.m. to 8:00 p.m.

**Children’s System of Care (CSOC)** coordinates the efforts of several county agencies including Probation, Child Protective Services (CPS), area schools, and Mental Health to provide a single plan for intensive services that are needed to keep a child in the most natural and least restrictive setting possible. Each family participates in the process of planning and assessing the services they receive. Interventions help youth function more effectively in school, home and the community. A screening team reviews the referral to

determine if the criteria for CSOC are met, including at risk of out of home placement. An agency seeing a need for this program calls and obtains a referral packet at the CSOC Office.

**Community Support Services Intervention Counselors** act as resource specialists for adults with serious psychiatric disabilities who live independently or in family care homes and require follow-up care. Community Support Services are also available for children.

**Day Treatment for both Adolescents and Children** programs are provided in conjunction with the schools within classrooms set aside for emotionally disturbed adolescents and children. The program serves youth in Sutter and Yuba Counties. The program uses a variety of therapeutic interventions to help youth function more effectively in school, home, and the community.

**For Adults** is a program which provides services for adults with serious psychiatric disabilities. Treatment is delivered in structured groups, which focus on cognitive skills, social skills, medication management, education on psychiatric disabilities, and pre-vocational skills. The program supports each individual's ability to be self-sufficient and live successfully in the community.

**Homeless Mentally Ill (HMI)** program provides a day center operated by the Salvation Army for those with serious psychiatric disabilities. Included is socialization skill building, group activities, and educational efforts. The HMI Program offers representative payee services for short-term food supplies, clothing, and shelter.

**In-patient Services** provides acute psychiatric in-patient care for individuals over the age of 18 whose symptoms are so severe that out-patient treatment efforts are unsafe or inadvisable. Each person's treatment is coordinated by a treatment team headed by a psychiatrist and includes a therapist and nursing staff. Treatment typically includes individual counseling, medication and structured groups and activities. At the time of discharge, they can recommend appropriate follow-up care. The facility is licensed by the State of California as a psychiatric health facility and does not provide long-term hospital care.

**Out-patient Treatment for Families & Youth** provides individual therapy, group therapy, family therapy, parent information/education, and medication, which is available for youth who are diagnosed as emotionally disturbed or with a psychiatric disability. These services are available Monday, Tuesday, Thursday, and Friday from 8:00 a.m. to 5:00 p.m.

**Psychiatric Emergency Services**, also available through the Crisis Line (673-8255 or 673-TALK), is accessible 24 hours a day. Psychiatric Emergency on-call staff evaluate and assist individuals who are experiencing severe emotional distress or acute problems related to psychiatric disabilities. Clients may be referred to the mental health programs, outside agencies, or self-help groups after the initial emergency intervention.

**Socialization** is a no-cost, drop-in program for adults with serious psychiatric disabilities. It offers music, crafts, games and activities with adult supervision staff. The program is available Monday, Tuesday, and Wednesday from 12:30 p.m. to 1:30 p.m.

The **Alcohol and Drug Program** provides a wide continuum of care for clients through the *Options for Change* and *First Steps* treatment programs (on occasion the courts may order this program for young mothers). The staff uses five levels in its approach with clients: Early intervention, out-patient, intensive out-patient, day treatment, and referral for residential care.

**Options for Change** also provides nine other Mental Health Agency services:

1. *Early Intervention*: a 20-week education & support program.
2. *Deferred Entry of Judgment*: A 20-week education program
3. *SACPA*: Assessment and treatment for Sutter County.
4. *Out-patient Program*: A 24-week treatment and aftercare program.
5. *Intensive Out-patient Program*: A 36-week treatment and aftercare program.
6. *Residential Referral Services*: A 30-day contracted residential service.
7. *Sutter County - Drug Court/Sutter County*: an 18-month day treatment program. In Yuba County they have implemented a one-year treatment program
8. *Juvenile Drug Treatment Court/Yuba County*: A 10-12 month adolescent treatment program in Yuba County.
9. *First Steps*: A nine-month perinatal day treatment program designed to help women to become free from chemical dependency and to begin recovery. On site day care is available for children 0-5 whose mother attends day treatment. There is also an associated Family Program for participants.

**Youth Services** are provided to clients who range in age from about 5 years to 18 years, roughly through senior high school. Children from 0 – 5 years will be assessed for services on a case-by-case basis. Work with primary school age children tends to focus on family and peer relationships, and school adjustment. Play therapy, social skills groups, and behavior management are often employed. Work with adolescents tends to focus on early middle and late adolescent development issues. Individual group and family therapy may be offered.

### **Caseload/Client Profile**

The pool of clients served at the Sutter-Yuba Mental Health Agency is mostly from the Sutter/Yuba County area. They are the children and adults who for one reason or another have difficulty functioning in a “normal” societal setting. Clients may be self referred, or family members, school staff, medical professionals, law enforcement personnel, or others who have become concerned may refer them.

The Sutter-Yuba Mental Health Agency recognizes that it must meet the needs of many ethnic, language and cultural groups. Every effort is made to relate with clients in as non-threatening and supportive atmosphere as possible. Whenever possible, bi-lingual staff is

hired and all staff is trained to accommodate clients of the various cultural backgrounds. Staff is also able to communicate with the deaf.

In recent years the Sutter-Yuba Mental Health Agency has attempted to utilize a multidisciplinary team approach. Management recognizes that many of the clients are in need of services from two or more county agencies. For instance, a family involved with CPS (Child Protective Services) may also need mental health services, welfare assistance, and child health programs (such as required immunizations from the health department, etc.). A “team” put together consisting of qualified staff from several of the agencies meets to plan for various services for the client and point them in those directions.

### **Funding Sources**

Most operational money is appropriated out of legislation that came about several years ago when the State of California implemented the Lantermen/Petris/Short Act. The agency is also successful in obtaining grants.

### **Records**

The confidential status of client records and information is maintained. Information is shared with those who have a need to know when a written release signed by the client (or parent/guardian for children) is provided to staff.

Client records are stored in the designated area under the control of designated records clerks. If and when staff needs a record, they request it and a records clerk will retrieve the file. No staff other than records clerks may retrieve client files except staff from the 24/7 Crisis Hotline who may need information, for example at 2 a.m. on a Sunday morning.

Closed record files are placed in storage units under lock and key and only accessible to records clerks. The storage unit are heavy metal semi portable units located adjacent to the main building.

### **FINDINGS**

- The Sutter/Yuba Mental Health Department is a multi-functioning and complex program. Its many separate but inter-functioning programs reach out to a variety of citizens and clients to meet their needs. Many of these clients are also connected to other community “help” agencies, such as from law enforcement, drug abuse programs, health programs, to welfare and food assistance.
- Staff provides its expertise and then “hooks” the clients up with other programs needed for mental and physical help. The Grand Jury has not received any recent citizen complaints about the mental health services in Sutter county.

### **RECOMMENDATION**

- None

### **RESPONDENTS**

Edmund C. Smith, Director Human Services Agency  
Board of Supervisors, County of Sutter

## **6.0 HEALTH, MENTAL HEALTH & SOCIAL SERVICES**

### **6.4 WOMEN, INFANTS, AND CHILDREN (WIC) PROGRAM**

#### **Current Status and Follow-up to the Grand Jury Final Report of 2001-2002**

##### **INTRODUCTION**

Last years Grand Jury (2001-2002) evaluated the Women Infants, and Children (WIC) Program. The Final Report for that year quoting the documents and statements provided by department staff noted that the focus of the program was to provide services to ensure the health of pregnant women, mothers, and infants and children up to the age of five. Besides providing medical and nutritional services, the program also disseminates information to support these efforts. Eligibility for client participation in the program hinges greatly on financial need. That Final Report has previously been provided to the county, and is accessible to the public through the library and the Grand Jury's website ([www.suttercourts.com](http://www.suttercourts.com)).

##### **SUMMARY**

With the understanding and commitment provided by the county on September 24, 2002, it is recommended that the county continue to place a copy of the document People Services within each Parents' Kit provided to clients. The Sutter County Children and Families Commission is responsible for the provision of this kit to the WIC Program, to the County Health Department and to other local resources, including the county library system. Therefore, it is important that the Commission and the WIC Program staff ensure the inclusion of this handout within each kit that it disseminates.

##### **REPORT**

This year's Grand Jury revisited a single issue in that report which does not appear to have been clearly addressed and was surrounded by misinformation by some in the service of the county and the public at large.

The Grand Jury Report of 2001-2002 noted the county's dissemination of a document in a parent's kit, the Parent's Guide, that referenced only one local resource for women dealing with an unplanned pregnancy or who were seeking counseling for family planning, i.e., Planned Parenthood.

At that time the Grand Jury had not been provided with a newsprint document titled People Services. However, it was reported at the Board of Supervisors meeting and it was stated in the Board's September response to the Final Report, that they were providing this document, which lists local resources for women seeking information in these areas.

## **FINDINGS**

- During follow up contacts this year it was reported by Allan Leavitt (Assistant Director of the Health Division of The Department of Human Services) that a four page newsprint handout titled People Services is given to all WIC recipients receiving the Parents Kit materials.
- A copy of this handout was provided to the Grand Jury. This document is produced as a combined effort of the Sutter County Department of Human Services and the Rideout Fremont Health Group. It lists many resources. Mr. Leavitt further assured the Grand Jury that each recipient of the "WIC" box is also provided a copy of this publication.

## **RECOMMENDATION**

- It is recommended that the county continue to place a copy of the document People Services within each Kit for New Parents provided to clients.
- Since the Sutter County Children and Families Commission is responsible for the provision of this kit to the WIC Program, the County Health Department, and to other local resources, including the county library system, it is important that the Commission ensure the inclusion of the handout People Services within each kit that it disseminates.

## **RESPONDENTS**

Ed Smith, Director Sutter County Department of Human Services  
Board of Supervisors, County of Sutter

## **7.0 PLANNING & ENVIRONMENT COMMITTEE REPORT**

## **7.0 PLANNING & ENVIRONMENT**

### **7.1 SUTTER-YUBA MOSQUITO & VECTOR CONTROL DISTRICT**

#### **INTRODUCTION**

The Sutter County Grand Jury conducted interviews and an inspection and review of requested documents pertaining to the operation of the Sutter-Yuba Mosquito & Vector Control District during the month of January 2003. Persons interviewed included Ron McBride, District Manager and Debra Lemenager, Entomologist.

The Grand Jury requested that documents appropriate to the operations of the District be provided to the Grand Jury prior to our scheduled meeting on January 7, 2003. The specific documents requested and received were:

- Enabling Laws and Code of Regulations for District Operations.
- Mission Statement and Goals
- Procedural Manual
- Staff Policy and Procedure Handbook
- Staff Hiring and Recruiting Procedures
- Staff turnover
- Current Budget for Fiscal Year 2002-2003
- Proposed Budget for Fiscal Year 2003-2004 (Not prepared)
- Funding sources
- Emergency and Disaster Preparedness Plan.

#### **SUMMARY**

The Sutter-Yuba Mosquito & Vector Control District appears to be a well-managed Special District serving the Sutter-Yuba area. There are no recommendations for improvement.

#### **REPORT**

##### **Mission**

The Mission of the District is to conduct field surveillance for the detection and control of mosquitoes in order to suppress their populations and prevent the transmission of mosquito-borne diseases such as Western Equine Encephalomyelitis and St. Louis Encephalitis viruses, malaria, and West Nile Virus.

The Sutter-Yuba Mosquito & Vector Control District was formed on February 25, 1946 to combat disease and public nuisance mosquitoes. The District is now comprised of approximately 735 square miles, 525 of which are located in Sutter County with a

population of 100,000 and the remaining 210 in Yuba County with a population of 60,000.

### **Program Operations**

The District was formed under the Mosquito Abatement Act of 1915, which was contained in Chapter 5 of the California Health and Safety Code beginning with Section 2200. As of January 1, 2003, Senate Bill No. 1588 took effect. This bill repealed specific provisions of the Act of 1915 and enacted amended and new codes, which contain provisions relating to the establishment of the Mosquito Abatement and Vector Control District Law. This law specifies the procedures for district formation, procedures for the selection of the district board of trustees and officers, and the powers and duties of the board. Other law conforming changes were also made.

A seven member Board of Trustees governs the District. The Board consists of one member from each incorporated city within the District (Marysville, Yuba City, Wheatland and Live Oak) and three representatives at large, two from the County of Sutter and one from the County of Yuba.

The District presently has 13 full time and 14 seasonal employees that administer a comprehensive mosquito-borne virus surveillance and response program to monitor and control the mosquito population within the District boundaries. The California Department of Health Services, which governs regulations pertaining to mosquito and vector control, certifies the management and all permanent field personnel. Staff turnover has never seemed to be a problem. Attrition by reason of retirement, sickness or death is usually the reason to recruit for personnel and the procedure for doing so is set forth in the Employee Handbook. A fleet of specialty vehicles and equipment (including a contract airplane and pilot) is maintained and used for surveillance and treatment of mosquito sources. In addition to planned control measures, the District responds, in a timely manner, to individual requests for control measures in specific areas.

An Entomology Laboratory is maintained in the District to:

- Monitor abundance of immature and adult mosquitoes,
- Collect and submit to California Department of Health Services mosquito pools for virus isolation, and
- Maintain sentinel chicken flocks, obtain blood samples and submit them to laboratory.

The District supports its field operations with technical and outreach programs such as community education and the provision of mosquito fish for use in rice fields small ponds and canals. Consultation and assistance for all other vectors of public health importance, such as, flies, fleas, and ticks is provided as resources allow.

The District is a participating member of the Sutter County Operational Area Organization created to plan a systematic approach for coordination of emergency activities and linking communications systems during emergencies.

### **Funding**

The District's budget for fiscal year 2002-2003 is \$1,443,353 with approximately 90% of the total revenue coming from property taxes. The remainder comes from charges for service, rental income, interest, and other agencies.

### **FINDINGS**

- The Sutter-Yuba Mosquito & Vector Control District is aggressively pursuing its objective to provide protection against mosquito-borne diseases and nuisances.
- However, management is concerned that the West Nile Virus, which, heretofore, has been confined to the eastern United States, will eventually reach this area.
- Plans are also being prepared to provide the public with educational material on ways to prevent and control the virus.
- Another concern of the District is the effect on operations if tax revenue is lost to the State under a proposal by Governor Gray Davis to balance the State's budget. Less money could mean more mosquitoes in the air.

### **RECOMMENDATIONS**

- None

### **RESPONDENTS**

Ron McBride, District Manager, Sutter-Yuba Mosquito & Vector Control District  
Board of Supervisors, County of Sutter

## **7.0 PLANNING & ENVIRONMENT**

### **7.2 ROBBINS WASTE WATER TREATMENT FACILITY Current Status and Follow-up to the Grand Jury Final Report of 2001-2002**

#### **INTRODUCTION**

The Grand Jury of 2001-2002, in its Final Report, Chapter 7.1, SUTTER COUNTY PUBLIC WORKS, subsection on the Robbins Waste Water Treatment Facility”, stated:

#### **FINDING**

*“The Robbins Trailer Park has been responsible for an infiltration to the system. The owner of the trailer park is aware of and working closely with Sutter County Public Works to correct the problem. To date, the problem of infiltration has not been corrected. It has, however, been improved. The County will monitor to ensure compliance”*

#### **RECOMMENDATION**

*The 2002/2003 Grand Jury should schedule a visitation with Public Works to ascertain the progress of this problem.*

The County Board of Supervisors in their response to the report on this issue stated that they agreed with the Finding.

#### **SUMMARY**

The problem originally found in 2001 was re-examined and found to be an inordinate amount of effluent discharge from one landlord/tenant location, rather than what was originally discussed as an infiltration issue that was to be corrected. A recommendation is presented to charge fair usage fees to the landlord/tenant location based on its use of the water treatment facility when compared to other users in the service region, and verify that the landlord has made significant repairs to his property and is encouraging tenant conservation.

#### **REPORT**

On December 3, 2002, members of the Sutter County Grand Jury met with Michael Lee, Senior Civil Engineer and David Allison, Engineering Aide, representatives from the Sutter County Department of Public Works.

After a briefing and discussion on the Robbins Waste Water Treatment Facility and the Grand Jury Findings of 2001-2002, it was determined that the real problem is not “infiltration” but rather what appears to be an inordinate amount of waste water running into the sewage system from the Robbins Trailer Park. It was also noted that the sewage

plant is operating at its capacity and no new connections can be made to it, thus precluding construction of any new houses or businesses in the area.

How long the problem has existed is unknown with any specificity, since the meters at the trailer park were not installed until approximately three years ago. Thus, the problem may have been chronic for longer than the last three years. In November of 2002, representatives of Public Works had a meeting with the trailer park owner concerning the apparent excessive wastewater flow. We understand that he was told that if improvements were not made to his property that usage rate would be increased to \$1700.00 a month.

At a follow- up meeting with the Department of Public Works on February 18, 2003, the Grand Jury was informed that the trailer park owner has made some repairs to leaking faucets and water closets. There appears to be an improvement in the out flow rate. These repairs, however, have not been verified by the public works department.

The Grand Jury also reviewed copies of meter readings for the sewage plant and for the trailer park complex for the 2002 calendar year.

## **FINDINGS**

- From the meter readings data that was provided, the Grand Jury was able to determine:
  - the total of average daily flows, for each month, for the entire waste water treatment facility,
  - the total of average daily flows for the trailer park complex, and
  - the calculated percentage of effluent from the trailer park to the total system.
- The trailer park complex's percentage of the total in the system, by month, ranged from a low of 17.2% to a high of 51.83%.
- The monthly average for the year 2002 was 38.75% of the total entering the system.
- Thus, the trailer park complex, consisting of 14 trailers and 11 apartments, discharges over a third of the total community effluent.

## **RECOMMENDATION**

It is recommended that:

- the Public Works Department increase the monthly rates for sewage and water service for the Robbins Trailer Park, to reflect the actual service it is being provided, when compared to other users of the Robbins Waste Water Treatment Facility,
- encourage and confirm the owner's repairs to the trailer park complex purportedly to reduce the comparative excessive usage of the treatment facility, and

- confirm the complex owner's conservation initiatives for the tenants.

(Note: A suggested method for developing usage fees could be to compare the average monthly usage per unit of the 25 units in the trailer park complex to the average monthly residential usage by others in the community of Robbins, then set the fees to this scale. An example is that if the usage were twice as much, the charge per unit in the trailer park would be twice the charge of the other residential rate in the service area.)

- It is also recommended that the 2003-2004 Grand Jury schedule a visit with Sutter County Public Works Department to determine if the waste water flows from the trailer park have significantly decreased and, if not, have the rates per unit in the park been increased.

## **RESPONDENTS**

Sutter County Department of Public Works  
Board of Supervisors, County of Sutter