

The Sutter County Board of Supervisors' Response to the

ENDORSED FILED

2018-2019

SEP 26 2019

SUPERIOR COURT OF CALIFORNIA
COUNTY OF SUTTER
CLERK OF THE COURT

By JACKIE LASWELL Deputy

Sutter County Grand Jury Final Report



**Ronald Sullenger
Dan Flores
Mike Ziegenmeyer
Jim Whiteaker
Mat Conant**

**District No. 1
District No. 2
District No. 3
District No. 4
District No. 5**

RECEIVED

SEP 03 2019

SUPERIOR COURT OF CALIFORNIA
COUNTY OF SUTTER



County of Sutter
Office of the County Administrator

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

August 27, 2019

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

Dear Judge Green:

On behalf of the Sutter County Board of Supervisors, I am herewith submitting its response to the findings and recommendations of the 2018-19 Grand Jury. The response of the Board of Supervisors serves as the response from the County Administrative Officer and the Fire Chief. The Board of Supervisors has responded to the following reports as request by the Sutter County Grand Jury:

- Sutter County Fire Department
- Sutter County Jail
- Sutter County Sheriff's Department

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

I would be happy to meet with the Grand Jury to discuss any or all of these issues.

Sincerely,

A handwritten signature in black ink, appearing to read "Steven M. Smith", is written over a horizontal line.

Steven M. Smith
Interim County Administrator

TABLE OF CONTENTS

<u>Subject</u>	<u>Page</u>
Sutter County Fire Department.....	4
Sutter County Jail	9
Sutter County Sheriff's Department	11

Sutter County Fire Department

The Board of Supervisors, County Administrative Officer and Sutter County Fire Chief were requested to respond to this report. Below is the response from the Board of Supervisors that serves as the response from the County Administrative Officer as well as the Fire Chief.

FINDINGS

Grand Jury Finding #1:

"F1: The cost of providing service for area F has outpaced the revenue received."

Grand Jury Finding #2:

"F2: The Special Fire Tax has not been increased since 1997."

Grand Jury Finding #3:

"F3: The Sutter County General Fund does not contribute to CSA-F."

Grand Jury Finding #4:

"F4: CSA-F has repaid \$531,965 of the loan received from Sutter County leaving a balance of \$453,035."

Grand Jury Finding #5:

"F5: The use of grants to subsidize the cost of equipment and staffing is underutilized."

Grand Jury Finding #6:

"F6: Oswald-Tudor and Sutter Fire Stations have only one firefighter on staff for each shift."

Grand Jury Finding #7:

"F7: The Oswald-Tudor building needs a third exhaust ventilation system installed."

Grand Jury Finding #8:

"F8: Oswald-Tudor bays and sleeping accommodations need to be remodeled."

Grand Jury Finding #9:

"F9: Emergency vehicles are reaching their life expectancy."

Grand Jury Finding #10:

“F10: Information regarding the dire straits of the CSA-F has not been made public.”

Response from the Board of Supervisors:

F1: The Board of Supervisors agrees with this finding.

F2: The Board of Supervisors agrees with this finding.

F3: The Board of Supervisors partially disagrees with this finding.

The Board of Supervisors agree with this finding regarding regular operations, however, in FY 2018-19, the Board of Supervisors approved approximately \$80,000 from the General Fund to assist in the purchase of a replacement fire apparatus. The Board of Supervisors has also approved approximately \$700,000 in support of CSA-F's recent SAFER grant application.

F4: The Board of Supervisors agrees with this finding.

F5: The Board of Supervisors agrees with this finding.

F6: The Board of Supervisors agrees with this finding.

F7: The Board of Supervisors agrees with this finding.

F8: The Board of Supervisors agrees with this finding.

F9: The Board of Supervisors agrees with this finding.

F10: The Board of Supervisors partially disagrees with this finding.

While the financial status of CSA-F has been made public prior to the release of the Grand Jury report, the Grand Jury is correct that the bulk of County residents are not familiar with the financial predicament and more public education is needed.

Information regarding the financial status of CSA-F has been available to the public through local media and as Board of Supervisors agenda items. The 2017-18 Recommended Budget to the Board of Supervisors outlined the financial situation of the Fire Department and the need for either reductions in service or a strategy for raising revenue. In 2018, members of the Fire Department, including the Chief, were quoted in local newspaper articles discussing working conditions, injuries to firefighters, and the need for additional funding for additional staff.

RECOMMENDATIONS

Grand Jury Recommendation #1:

"R1: The Board of Supervisors should reassess the revenue stream for CSA-F by December 31, 2019."

Grand Jury Recommendation #2:

"R2: The Board of Supervisors should reassess the Special Fire Tax by December 31, 2019."

Grand Jury Recommendation #3:

"R3: The Board of Supervisors should explore the benefits/drawbacks of adding CSA-F to the General Fund by December 31, 2019."

Grand Jury Recommendation #4:

"R4: The Board of Supervisors should give consideration (after the fiscal impact is assessed) to forgiving the remaining balance of loan made to CSA-F by December 31, 2019."

Grand Jury Recommendation #5:

"R5: The County should provide a grant researcher/writer to assist CSA-F personnel with finding and applying for grants beginning fiscal year 2020."

Grand Jury Recommendation #6:

"R6: Staffing levels should meet or exceed the NAFP standards by December 31, 2020."

Grand Jury Recommendation #7:

"R7: The third exhaust ventilation system should be installed at the Oswald Tudor Station by June 30, 2020."

Grand Jury Recommendation #8:

"R8: The County should immediately obtain estimates for remodeling Oswald-Tudor Fire Station and those expenses should be added into future costs for operating Service Area F by December 31, 2019."

Grand Jury Recommendation #9:

"R9: A capital improvement plan should be implemented and funded by fiscal year 2021 to cover costs of equipment as it becomes needed."

Grand Jury Recommendation #10:

"R10: The County should conduct community outreach events such as town hall meetings and distributing mailers to increase awareness of the condition of CSA-F"

within 60 days.”

Response from the Board of Supervisors:

R1: This recommendation has been implemented.

The Sutter County Board of Supervisors established a Fire Department Ad Hoc Committee to work with the County Administrative Officer, the Fire Chief, and with financial professionals, to determine what revenues are needed moving forward and what options are available for acquiring needed funding. The process is underway and will continue.

R2: This recommendation has been implemented.

The Sutter County Board of Supervisors established a Fire Department Ad Hoc Committee to work with the County Administrative Officer and the Fire Chief, and with financial professionals, to determine what revenue is needed moving forward and what options are available for acquiring needed funding. The process is underway and will continue.

In addition, a recommendation will be forthcoming to the Board of Supervisors for a financial and marketing advisor to help determine what amount of tax funding is needed and help establish a strategy for acquiring that tax funding.

R3: This recommendation has been implemented.

The Board of Supervisors' Fire Department Ad Hoc committee will be considering all funding options, including the benefits and drawbacks of adding CSA-F to the General Fund, and making recommendations to the full Board of Supervisors.

R4: This recommendation requires further analysis.

The County will assess the fiscal impact of forgiving the remaining balance of the loan made to CSA-F. Sutter County Fire Department will prepare a staff report for the Board of Supervisors consideration before December 31, 2019.

R5: This recommendation has been implemented.

Sutter County currently contracts with a federal lobbyist who, in addition to lobbying federal representatives and staff to obtain grant approval, offers grant research and writing assistance. The County has provided contracted grant writing assistance to the Fire Chief in preparation of SAFER grant applications over the past two years.

R6: Implementation of this recommendation requires further analysis.

The Board of Supervisors approved a request by the Fire Department to apply for a Staffing for Adequate Fire and Emergency (SAFER) grant from the Federal Emergency Management Agency (FEMA) to fund six (6) Fire Engineers to help with the requirements of this standard, and to insure safe response for the Firefighters. This

grant is a three-year grant and will only be a temporary fix until a funding source can be established to insure appropriate staffing levels within the Department. The Board of Supervisors committed approximately \$700,000 in General Fund revenues as the local match; if approved, FEMA would supply approximately \$1.1 million.

R7: This recommendation has not yet been implemented but will be implemented in the future.

Sutter County Fire Department requested a price quote from the supplier of the ventilation system for repairs and additions. The Department is hoping to repair this within the current fiscal year.

R8: This recommendation requires further analysis.

The priority is to provide staffing first. This issue will be discussed by the Board of Supervisors Fire Department Ad Hoc Committee. A decision of whether a remodel is reasonable at this time should be ascertained within four (4) months.

If a decision is made to pursue the remodel, staff will be directed to obtain related estimates.

R9: This recommendation requires further analysis.

Capital improvement needs will be part of the discussion and consideration by the Board of Supervisors Fire Department Ad Hoc Committee.

The Ad Hoc Committee, financial professionals, and the County will analyze future funding needs and identify resources to acquire the funding for capital improvements. County staff will advise the Ad Hoc Committee of the Grand Jury's recommendation that a capital improvement plan be implemented and funded by fiscal year 2021.

R10: This recommendation has been implemented.

The public education continues: Chief Shalowitz has been on the local community radio channel to educate the public on the status of the Department. Recently, the Fire Department has created a social media education endeavor on Facebook, Instagram, and Twitter. A more aggressive public education campaign will occur in conjunction with any strategy the Board of Supervisors pursues for gaining public support for additional funding for fire services. Town hall meetings and distributing mailers will be considered as a part of that strategy.

Sutter County Jail

The Board of Supervisors and Sutter County Sheriff were requested to respond to this report. Below is the response from the Board of Supervisors, developed in concert with the County Administrative Office. A response from the Sutter County Sheriff is attached.

FINDINGS

Grand Jury Finding #1:

"F1: The GED class is currently not available to inmates because there is no instructor."

Grand Jury Finding #2:

"F2: Lack of classroom space limits class availability."

Grand Jury Finding #3:

"F3: Inmates are routinely transported between the medium security facility and the main jail through an unsecured area."

Grand Jury Finding #4:

"F4: The alley at the south side of the Sheriff's Office is unsecured and accessible to the public."

Response from the Board of Supervisors:

F1: The Board of Supervisors was not asked to respond.

F2: The Board of Supervisors was not asked to respond.

F3: The Board of Supervisors agrees with this finding.

F4: The Board of Supervisors agrees with this finding.

RECOMMENDATIONS

Grand Jury Recommendation #1:

"R1: An instructor for the GED class should be found and GED classes resumed immediately."

Grand Jury Recommendation #2:

"R2: Find and dedicate classroom space for offered courses."

Grand Jury Recommendation #3:

“R3: A secured fence with an automatic gate should be installed between the Sheriff's Office and the medium jail facility by January 1, 2020.”

Grand Jury Recommendation #4:

“R4: A secured automatic gate should be installed at the entrance to the alley on the south side of the Sheriff's Department Building by January 1, 2020.”

Response from the Board of Supervisors:

R1: The Board of Supervisors was not asked to respond.

R2: The Board of Supervisors was not asked to respond.

R3: This recommendation requires further analysis.

The Sheriff and the County Administrative Office, in conjunction with Development Services, are working on potential solutions. If funding can be identified in the Fiscal Year 2019-20, construction of exterior fencing and automatic gates could occur in Fiscal Year 2019-20 or 2020-21. The viability of implementing the recommended action should be ascertained and presented to the Board of Supervisors within the next four (4) months.

R4: This recommendation requires further analysis.

The Sheriff and the County Administrative Office, in conjunction with Development Services, are working on potential solutions. If funding can be identified in the Fiscal Year 2019-20, construction of exterior fencing and automatic gates could occur in Fiscal Year 2019-20 or 2020-21. The viability of implementing the recommended action should be ascertained and presented to the Board of Supervisors within the next four (4) months.

Sutter County Sheriff's Department

The Board of Supervisors and Sutter County Sheriff were requested to respond to this report. Below is the response from the Board of Supervisors, developed in concert with the County Administrative Office. The response from the Sutter County Sheriff is attached.

FINDINGS

Grand Jury Finding #1:

"F1: There is insufficient storage space for evidence and property."

Grand Jury Finding #2:

"F2: Evidence tracking practices are inadequate."

Grand Jury Finding #3:

"F3: Chain of Command over evidence has not been trained in evidence handling and procedures."

Grand Jury Finding #4:

"F4: There are insufficient in-house auditing practices for evidence and/or property."

Grand Jury Finding #5:

"F5: There is no annual independent audit of evidence and property."

Grand Jury Finding #6:

"F6: The current computer system and evidence tracking software is severely outdated."

Grand Jury Finding #7:

"F7: There is no secured parking for Sheriff's Deputies and personnel."

Response from the Board of Supervisors:

F1: The Board of Supervisors was not asked to respond.

F2: The Board of Supervisors was not asked to respond.

F3: The Board of Supervisors was not asked to respond.

F4: The Board of Supervisors was not asked to respond.

F5: The Board of Supervisors was not asked to respond.

F6: The Board of Supervisors agrees with this finding.

F7: The Board of Supervisors agrees with this finding.

RECOMMENDATIONS

Grand Jury Recommendation #1:

“R1: The evidence room should be expanded or relocated and meet the standards put forth by the IAPE no later than December 2020.”

Grand Jury Recommendation #2:

“R2: Property Officers of the Evidence Unit need to attend the Property and Evidence Management classes by December 2019.”

Grand Jury Recommendation #3:

“R3: Chain of Command of the Evidence Unit need to attend the Property and Evidence Management classes by December 2019.”

Grand Jury Recommendation #4:

“R4: Auditing practices should be developed and implemented by December 2020.”

Grand Jury Recommendation #5:

“R5: An independent auditing agency should be contracted to perform annual audits of evidence and property within one (1) year.”

Grand Jury Recommendation #6:

“R6: The current computer system and evidence tracking software needs to be upgraded to meet industry standards as soon as possible but no later than January 2022.”

Grand Jury Recommendation #7:

“R7: A secured, designated parking area that includes privacy fencing needs to be provided for Sheriff's employees and deputy patrol units by December 2021.”

Response from the Board of Supervisors:

R1: The Board of Supervisors was not asked to respond.

R2: The Board of Supervisors was not asked to respond.

R3: The Board of Supervisors was not asked to respond.

R4: The Board of Supervisors was not asked to respond.

R5: The Board of Supervisors was not asked to respond.

R6: This recommendation has not yet been implemented but will be implemented in the future.

The Sheriff's Office and Information Technology are reviewing potential products and the Sheriff has identified potential funding. The County is planning for implementation in Fiscal Year 2019-20.

R7: This recommendation requires further analysis.

The Sheriff is working with the County Administrative Office and Development Services for potential solutions. If funding is available, the County plans to implement construction of exterior fencing and automatic gates in Fiscal Year 2019-20 or 2020-21. The viability of implementing the recommended action should be ascertained and presented to the Board of Supervisors within the next four (4) months.



SUTTER COUNTY SHERIFF'S OFFICE
BRANDON BARNES
SHERIFF – CORONER

DATE: June 25, 2019
TO: Michael Johnson, Foreman, Sutter County Grand Jury
FR: Sheriff Brandon Barnes
SUBJECT: 2018-2019 Grand Jury Response

As a newly elected Sheriff, I wanted to express my appreciation of the Grand Jury and the role they play in helping to bring deficiencies to our attention and guiding the Office of the Sheriff to provide better services to our community. I have reviewed the proposed report and offer the following responses to both the "Findings" and the "Recommendations" suggested by the Grand Jury.

SUTTER COUNTY JAIL

FINDINGS:

F1 The GED class is currently not available to inmates because there is no instructor.

F1 Response: The Sheriff's Office disagrees with the finding. The Sheriff's Office does not deny this has been a challenge in the past, however as of 06-17-19, the Sheriff's Office is receiving services through the Sutter County One Stop. A GED instructor is on site teaching GED courses 3 days per week.

F2 Lack of classroom space limits class availability.

F2 Response: The Sheriff's Office disagrees with the finding. Both the main jail and the minimum-security facility have adequate classroom space. Additionally, the AB900 jail expansion project includes an additional (third) classroom for inmate programs. The Sheriff's Office has also entered into a contract for jail tablets, to provide additional educational and entertainment options for the inmates.

F3 Inmates are routinely transported between the medium security facility and the main jail through an unsecured area.

F3 Response: The Sheriff's Office agrees with this finding.

F4 The alley at the south side of the Sheriff's Office is unsecured and accessible to the public.

F4 Response: The Sheriff's Office agrees with this finding.



SUTTER COUNTY SHERIFF'S OFFICE
BRANDON BARNES
SHERIFF – CORONER

RECOMMENDATIONS:

- R1 An instructor for the GED class should be found and GED classes resumed.

R1 Response: The recommendation has been implemented. As of 06-27-19, the Sheriff's Office is receiving services through the Sutter County One Stop. A GED instructor is on site teaching GED courses 3 days per week.

- R2 Find and dedicate classroom space for offered courses.

R2 Response: The recommendation has been implemented. There are currently two classrooms dedicated to inmate programing, one in the main jail and one in the minimum-security facility. Additionally, a third classroom will be implemented with the completion of the AB900 projects in July of 2019. This will allow for ample programming space. The Sheriff's Office has also entered into a contract for jail tablets to provide additional educational and entertainment options for the inmates.

- R3 A secured fence with an automatic gate should be installed between the Sheriff's Office and the medium jail facility by January 1, 2020.

R3 Response: The recommendation requires further analysis. The Sheriff recognizes the security concerns on the exterior of the Sheriff's Office. The Sheriff's Budget cannot solely support a project of this type. The Sheriff is working with the interum County CAO and the Director of Developmental Services for potential solutions. The goal is to find a funding source during the 19/20 fiscal year with hopes of implementing construction of the exterior fencing and automatic gates in the 20/21 fiscal year.

- R4 A secured automatic gate should be installed at the entrance to the alley on the south side of the Sheriff's Department Building by January 1, 2020.

R4 Response: The recommendation requires further analysis. The Sheriff recognizes the security concerns on the exterior of the Sheriff's Office. The Sheriff's Budget cannot solely support a project of this type. The Sheriff is working with the interim County CAO and the Director of Developmental Services for potential solutions. The goal is to find a funding source during the 19/20 fiscal year with hopes of implementing construction of the exterior fencing and automatic gates in the 20/21 fiscal year.



SUTTER COUNTY SHERIFF'S OFFICE
BRANDON BARNES
SHERIFF – CORONER

SUTTER COUNTY SHERIFF'S DEPARTMENT
SAFETY (FOR OTHERS) FIRST

FINDINGS:

F1 There is insufficient storage space for evidence and property.

F1 Response: The Sheriff's Office agrees with this finding.

F2 Evidence tracking practices are inadequate.

F2 Response: The Sheriff's Office agrees with this finding.

F3 Chain of Command over evidence has not been trained in evidence handling and procedures.

F3 Response: The Sheriff's Office agrees with this finding.

F4 There are insufficient in-house auditing practices for evidence and/or property.

F4 Response: The Sheriff's Office agrees with this finding.

F5 There is no annual independent audit of evidence and property.

F5 Response: The Sheriff's Office agrees with this finding.

F6 The current computer system and evidence tracking software is severely outdated.

F6 Response: The Sheriff's Office agrees with this finding.

F7 There is no secured parking for Sheriff's Department and personnel.

F7 Response: The Sheriff's Office agrees with this finding.

RECOMMENDATIONS:

R1 The evidence room should be expanded or relocated and meet the standards put forth by the IAPE no later than December 2020.

R1 Response: The recommendation requires further analysis. To properly manage the storage of property, the evidence system would require the building of a new structure. This is beyond the means of the Sheriff's Office budget and would require a cost analysis and approval of funding by the Board of Supervisors. When this report becomes public,



SUTTER COUNTY SHERIFF'S OFFICE
BRANDON BARNES
SHERIFF – CORONER

the Sheriff will discuss options with the interim CAO and recommend a plan for improvement within the 19/20 fiscal year.

- R2 Property Officers of the Evidence Unit need to attend the Property and Evidence Management classes.

R2 Response: The recommendation has not been implemented, but will be implemented in the future. We agree that advanced training would be beneficial for those assigned to evidence. A search of the California POST courses lists an evidence management course (#32903) provided by the Alameda County Sheriff's Department, but there are currently no dates assigned to this course. The Sheriff's Office will monitor this course for availability soon. Staff will be scheduled for training when it becomes available through POST.

- R3 Chain of Command of the Evidence Unit need to attend the Property and Evidence Management classes by December of 2019.

R3 Response: The recommendation has not been implemented, but will be implemented in the future. The Sheriff's Office agrees additional training is necessary for those in the chain of command that oversee evidence. A search of the California POST courses lists an evidence management course (#32903) provided by the Alameda County Sheriff's Department, but there are currently no dates assigned to this course. The Sheriff's Office will monitor this course for availability soon. Staff will be scheduled for training when it becomes available through POST.

- R4 Auditing practices should be developed and implemented by December 2020.

R4 Response: The recommendation has not been implemented, but will be implemented in the future. The Sheriff's Office agrees auditing practices need to be improved and will be taking steps to develop policy on this topic. Policy and implementation will be completed by December of 2020, as recommended.

- R5 An independent auditing agency should be contracted to perform annual audits of evidence and property within one (1) year.

R5 Response: The recommendation requires further analysis. The Sheriff's Office will have to locate and contract with a company that provides this level of external audit. Our ability to complete the audit will be dictated by the proposed cost and our ability to secure a funding source for the audit. We fully support this recommendation but will need to evaluate the cost. This evaluation will take place by the end of calendar year 2019.



SUTTER COUNTY SHERIFF'S OFFICE
BRANDON BARNES
SHERIFF – CORONER

- R6 The current computer system and evidence tracking software needs to be upgraded to meet industry standards as soon as possible but no later than January 2022.

R6 Response: The recommendation has not been implemented, but will be implemented in the future. The Sheriff's Office agrees that improvements in this area need to be made. We have already reviewed two separate products, Central Square and FileonQ, both of which have evidence management systems. The Sheriff's Office has been working with County IT to determine the best product for our needs and we have located potential funding sources for this project. We are hoping for implementation in the 19/20 fiscal year.

- R7 A secure, designated parking area that includes privacy fencing needs to be provided for Sheriff's employees and deputy patrol units by December 2021.

R7 Response: The recommendation requires further analysis. The Sheriff recognizes the security concerns on the exterior of the Sheriff's Office. The Sheriff's Budget cannot solely support a project of this type. The Sheriff is working with the interim County CAO and the Director of Developmental Services for potential solutions. The goal is to find a funding source during the 19/20 fiscal year with hopes of implementing construction of the exterior fencing and automatic gates in the 20/21 fiscal year.

The Sheriff's Office is grateful for the recommendations of the Grand Jury. We feel we have an exemplary staff but regretfully have financial limitations like most agencies of our size. We will work to improve in the areas noted and continue to build upon our successes. If the Grand Jury would like to discuss any of these issues in greater detail, please feel free to contact the Office of the Sheriff.

Brandon Barnes
Sheriff-Coroner