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GRAND JURY

COUNTY OF SAN BERNARDINO

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July 1, 2015

Honorable Marsha G. Slough, Presiding Judge
Superior Court of California, County of San Bernardino
247 West Third Street, Eleventh Floor
San Bernardino, CA 92415-0302

Dear Judge Slough:

The 2014-2015 San Bernardino County Grand Jury is pleased to present this Final Report to you, the San Bernardino County Board of Supervisors, and the citizens of San Bernardino County.

On July 1, 2014 nineteen citizens came together, each bringing their own individual experiences and knowledge, to work together towards our common goal of ensuring our County, Cities and Special Districts are governed honestly and efficiently, monies are spent appropriately and public Detention Centers are managed effectively and in a satisfactory manner.

Throughout our term, Grand Jury members met and interviewed numerous employees of our County, Cities, and Special District Operations. The Grand Jury believes the majority of these employees are truly dedicated and want to do a good job. They provided us their time, expertise, and knowledge during our interviews. To them, the Grand Jury extends their deepest gratitude.

The Grand Jury received and investigated various complaints from our citizens. Some of these citizen complaints did not fall within our jurisdiction and unfortunately had to be rejected. We investigated those complaints that fell within our jurisdiction and they are included as part of our Final Report.

The Grand Jury would like to thank Presiding Judge Marsha Slough and the San Bernardino County Board of Supervisors for their support. Special thanks go to our Legal Advisor, Deputy District Attorney Charlie Umeda, for his expertise and assistance throughout the year. The Grand Jury welcomed Sarah Mayne as the new Grand Jury Assistant. She jumped in with both feet and did an excellent job.

I would like to thank each and every one of my fellow Grand Jury colleagues for their tenacious dedication to service. It has been an honor and a privilege to serve in the capacity of foreperson of the 2014-2015 San Bernardino County Grand Jury.

Respectfully,

Susan S. Brewster, Foreperson
San Bernardino County Grand Jury

2014-2015 GRAND JURY
SAN BERNARDINO COUNTY

OFFICERS

Susan Brewster	Foreman
Darrell Freeland	Foreman Pro Tem
Ruth McMillan	Secretary
Ruth Hankins	Assistant Secretary
James Wiebeld	Sergeant-at-Arms
Gary McGaha	Assistant Sergeant-at-Arms

MEMBERS

Alex Contreras	Redlands
Bob Brandon	Redlands
Bob Deao	Rancho Cucamonga
Buddy (James) Wiebeld	Phelan
Carole Taylor	Yucaipa
Clara Boswell	San Bernardino
Darrell Freeland	Victorville
Dave Hutson	Fontana
Edward Jabo	Mentone
Gary McGaha	Chino Hills
Jim (James) Sandles	Alta Loma
Jim (W.J.) Moore	Upland
Les Kirk	Apple Valley
Marva X.	Colton
Ron David	San Bernardino
Ruth Hankins	Adelanto
Ruth McMillan	Rancho Cucamonga
Susan Brewster	Alta Loma

FORMER MEMBERS

Jim (James) Espinosa	Chino	Resigned March 2015
Chuck (Jesus) Morga	Grand Terrace	Resigned October 2014
Diane Turner	Upland	Resigned September 2014

ADMINISTRATION

Presiding Judge	Marsha G. Slough
Legal Advisor	Charles J. Umeda
Grand Jury Assistant	Sarah Mayne

2014-2015 GRAND JURY
SAN BERNARDINO COUNTY

Back Row are Grand Jurors (left to right): Clara Boswell, Alex Contreras, Ruth McMillan, Jim Sandles, Dave Hutson, Jim Wiebeld, Ron David, Les Kirk, Susan Brewster, Bob Deao, Bob Brandon, Darrell Freeland, Marva X., Ruth Hankins, Carole Taylor, Ed Jabo

Front Row (left to right): Sarah Mayne, Grand Jury Assistant and Charlie Umeda, Grand Jury Legal Advisor

Not pictured: Gary McGaha, Jim Moore

Honorable
Marsha G. Slough

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COMPLAINTS

COMPLAINTS

The Grand Jury receives numerous citizen complaints throughout the year. Every complaint is carefully reviewed by the Grand Jury and a determination is made regarding jurisdiction.

If jurisdiction is confirmed and the complaint warrants investigation, it is assigned to the appropriate committee. The committee will investigate the complaint with the appropriate oversight by the Grand Jury. At times, an Ad Hoc committee is formed to investigate specific complaints. The complaint would then be investigated and the outcome reported to the full Grand Jury. A written report regarding a specific complaint may or may not be included in this year-end Grand Jury Final Report.

The process to submit a complaint is to obtain a Confidential Citizen Complaint Form from either the Grand Jury website (http:cms.sbcounty.gov.grandjury/Home.aspx) or by calling the Grand Jury Office at (909)387-3820. Once fully completed, the form is returned to the office. Although the Grand Jury normally does not investigate unsigned complaints, depending on the issue, it may conduct an investigation from an anonymous source.

The 2014-2015 Grand Jury received 31 new complaints. Of those, nine complaints were assigned and investigated, with four of those investigations included in this 2014-2015 Final Report. Nine complaints were not within the jurisdiction of the Grand Jury, one was anonymous, one was already resolved, six were rejected by the Grand Jury for various reasons other than jurisdiction, and one is being referred to the 2015-2016 Grand Jury.

REPORTS

GRAND JURY FINAL REPORTS

INTRODUCTION

The Grand Jury is tasked with conducting operational audits and reviewing various aspects in offices throughout San Bernardino County, which includes offices of the County, Cities, Special Districts and School Districts. The Grand Jury divided into two separate committees in order to optimize their time and resources. Those committees were Cities/Special Districts and County.

Many of the agencies/departments that may be visited are:

Airport
Assessor/Recorder/County Clerk
Auditor/Controller-Treasurer/Tax Collector
Behavioral Health
Board of Supervisors
Children and Family Services
Cities/Municipalities
Community Services
County Administrator
County Clerk-Elections
County Counsel
County District Attorney
County Fire Department
County Probation Department
County Public Defender
County Sheriff/Coroner
County Superintendent of Schools
Department of Social Services
Detention Facilities
Economic Development Agency
General Services
Building-Grounds
Emergency Services
Fleet Management Department
Mail Services/Printing
Purchasing
Real Estate
Risk Management
Human Resources-Civil Service
Permit and Resource Management Department
Public Works
Hospital

Human Services
Juvenile Dependency Court-Probation
Mental Health Services
Municipal Fire Departments
Municipal Police Departments
Preschool Services
Public Guardian
Public Health
Public K-12 School and Community College Districts
Senior Services
Special Districts (Community Service Districts and others including Water, Fire Protection, Parks and Recreation, Street Lighting)

This year the Grand Jury visited the following agencies/departments:

City of Adelanto
Adelanto Elementary School District
Children and Family Services
City of Ontario
City of Colton
City of Fontana
City of Rialto
City of San Bernardino
County Counsel
County of San Bernardino Administration Office
County of San Bernardino Assessor
County of San Bernardino Chief Executive Officer
County of San Bernardino Department of Special Districts
County of San Bernardino Devore Animal Shelter
County of San Bernardino Tax Collector
Department of Aging and Adult Services
Department of Land Use Services
Department of Public Works
Department of Social Services
Detention Centers
Fontana Unified School District
Local Area Formation Commission (LAFCO)
Program Integrity Division
Sheriff/Coroner Department
Transitional Assistance Department
Victor Valley Union High School District

California Penal Code §919(b) states: "*The Grand Jury* ***shall*** *inquire into the condition and management of the public prisons within the County."* Therefore, the following penal

institutions, which are designated detention centers by the County of San Bernardino, were inspected and are included in this report:

California Institution for Men
Central Juvenile Detention and Assessment Center
Glen Helen Rehabilitation Center
High Desert Juvenile Detention and Assessment Center
Rancho Cucamonga Superior Courthouse Holding Area
San Bernardino County Justice Center Holding Area

In addition to the Detention Centers, the following reports were written and approved for inclusion in this, the 2014-2015 Grand Jury Final Report:

Bloomington Sewer Project
Bullying Report
- Fontana Union High School District
- Victor Valley Union High School District

City of Colton- Governance & Procedures
City of San Bernardino Animal Shelter
City of San Bernardino - Code Enforcement
Devore Animal Shelter
Registered Sex Offender Websites
- City of Fontana - Police Department
- City of San Bernardino - Police Department

San Bernardino County Sheriff's Department Aviation and Towing Investigation*

*Note - One juror was recused from any and all issues regarding the SBCSD Aviation and Towing Investigation.

BLOOMINGTON SEWER CONTRACT 14-71

BACKGROUND

On December 17, 2013, the Board of Supervisors approved the Bloomington Sewer Project located at the corner of Valley Boulevard and Locust Avenue in the community of Bloomington.

On August 5, 2014, the 2014-2015 Grand Jury attended the San Bernardino County Board of Supervisors meeting. During the meeting, the Director of Special Districts submitted a request to obtain an additional $754,389.88 for the purpose of completing the Bloomington Sewer Contract 14-71 project.

The original contract awarded by the Board of Supervisors to a contractor on February 25, 2014, was for $1,257,200.27. With approval of the additional requested funds, the revised cost for the project totaled $2,011,590.15. This amount constituted an approximate 73% cost overrun of the original contract. The average percentage range of overruns for previous Special District projects is four to eight percent.

On August 14, 2014, the Grand Jury chose to investigate the reasons for this cost overrun.

METHODOLOGY

The Grand Jury interviewed the Director of Special Districts, the Interim Project Manager of Special Districts, and the Community Development and Housing Manager of the Bloomington Affordable Housing Development. Interviews were also conducted with the project contractor, consulting firms, and Special District's staff to gather information needed to institute preventive measures to minimize future projects cost overruns as large as this one.

FACTS

The original scope of the Bloomington Sewer Contract 14-71 project was developed to service the Bloomington Affordable Housing Development Phase One project which includes 190 affordable mixed-generational units, a County library, a community center, and mixed commercial units on the same property. The original contracted cost of the sewer project was $1,257,200.27. Special Districts requested public bids for the improvements and selected a licensed qualified contractor to perform the project's construction.

San Bernardino County and the consulting engineering firm agreed to work together to meet milestones and target completion dates as requested by the Special Districts Department. Bid proposal specification documents were prepared jointly by Special Districts and the consulting engineering firm personnel.

The consulting engineering firm and San Bernardino County staff coordinated the research of County planning documents to determine zoning and proposed development in an effort to determine the volume of effluent (the outflow of a sewer) to be accounted for in each segment of the project design. The results of this research were utilized while developing the most effective horizontal and vertical alignment of the proposed Valley Boulevard sewer main.

The installation of this new sewer line provides sanitation collection services and infrastructure previously unavailable in the Bloomington community. It also provides a balance of planning and development that will ensure sustainable services to existing and future homes and businesses located adjacent to the newly created service.

Meetings and discussions between the County of San Bernardino and the City of Rialto's staff led to a proposal to prepare a Sewer Master Plan Analysis. All the sewer main line demands and requirements for the section of the San Bernardino County tributary to Valley Boulevard from Alder Avenue to Cedar Avenue were considered. Valley Boulevard was prepared for an approximate length of 5,000 linear feet (LF). Based on the Sewer Improvement Plan provided by the consulting engineering firm, it was determined that the proposed sewer pipeline alignment

would be constructed with 18-inch diameter Poly Vinyl Propane (PVP) pipe and the pipeline would be installed by conventional cut and cover.

The new sewer alignment was specified to be within the Valley Boulevard right-of-way between Alder Avenue and Cedar Avenue. Valley Boulevard is asphalt paved arterial road with two lanes in each direction. Alder Avenue is an asphalt paved collector road with one lane in each direction, and Cedar Avenue is an asphalt paved arterial road with two lanes in each direction.

An on-site aerial topography was prepared and a proposal was made to supplement this aerial topography with a field survey. The field survey was performed showing Valley Boulevard from Alder Avenue to Cedar Avenue and adjoining streets where it anticipated the installation of the sewer main line. Part of the survey was to identify and locate the above ground street features and utility appurtenances shown in the aerial topography. The maps supplied by Special Districts, the Special Districts Department staff and the consulting personnel identified eight utility crossover locations from Special District's existing utility drawings.

The proposal plan drawing marked with the boring locations was jointly agreed upon by Special Districts and a second outside consulting firm. Dig Alert was notified so that known public and private underground utilities could be identified in the area of the individual borehole locations. All borings (Location Boring-1 through Location Boring-8) were drilled through existing pavement.

The borehole samples were taken at the edge of the road where the sewer pipeline was to be initially located. The results of the boring soil samples reported a top layer of asphalt ranging from six to eleven inches thick. Alluvial soil (sand and silty sand) was encountered below the asphalt to a maximum depth of 36.5 feet below existing grade for all eight of the borings. Sampled alluvium consisted of moist, medium dense to dense, fine to medium grained sand to silty sand with some gravel.

The sewer line project had to be relocated 10-12 feet toward the center of the road due to the interference with an existing waterline. The boring subsurface conditions found were assumed to

exist across the entire roadway. Boring a second set of holes for soil samples at the center line sewer alignment would have required the closing of the two westbound lanes. This would have required obtaining an Engineering Traffic Control Plan at an approximate cost of $5,000.00. A separate Road Permit at an estimated cost of $250.00 from the County would be needed for the closure. This would have been a significant change to the traffic control that was performed during the actual boring. The Grand Jury inquired as to the additional cost of a second set of eight boring holes at the center line if the sewer alignment had been done. It was reported the additional cost would have been $17,000.00 if concrete were encountered.

The pipeline excavation originally contracted was to be conducted by conventional technical soft soil excavation techniques. After the installation of the sewer line, the trench was to be refilled with the removed material.

At the beginning of asphalt potholing (asphalt removal), the contractor discovered an approximate one foot thick concrete roadway with reinforced steel rebar directly below the asphalt. Over seventy unforeseen utility crossovers were also discovered during the pipeline trench excavation. Special Districts had identified only eight utility crossovers from their investigation of existing utility drawings.

Prior to boring, the contracted consulting firm was required by State law to contact Dig Alert which is a company used to search and locate any underground utilities. Dig Alert conducted an underground search only in the areas where the borings were to be made and not where the pipelines were relocated.

The Board of Supervisors on August 5, 2014, approved a contract amendment to the original Bloomington Sewer Contract 14-71 for $754,389.88 to allow for the additional paving and removal of an underlying concrete road section found during trench excavation. With the approval of the contract amendment, the project completion deadline was extended from September 1, 2014, until September 30, 2014.

FINDINGS

1. The boring samples were not taken from the area of the excavation where the sewer line was to be installed.

2. Performance of additional boring along the relocated pipeline and utilization of Dig Alert in the early stages of the project would have identified the concrete highway beneath the asphalt and the additional utility crossovers. Incorporation of this information into the initial bid documents would have eliminated the necessity of returning to the Board of Supervisors for the excessive overrun cost of the allocated budget.

3. Accurate drawings were not available identifying crossover utilities.

RECOMMENDATIONS

15-01 For future projects, the Special Districts Department personnel should ensure the boring soil sample locations specified in the contract be performed on the site where the actual excavation is to be conducted.

15-02 The County of San Bernardino Board of Supervisors approve a measure that requires the Special Districts to have surveys conducted at reasonable intervals to update their existing utility drawings in order to reduce inaccurate information given to contractors.

15-03 Dig Alert should be used by Special Districts in the preliminary scoping of all future underground projects as required by State law.

Responding Agency	Recommendations	Due Date
San Bernardino County Special Districts Department	15-01 through 15-03	10/01/2015

BULLYING

BACKGROUND

Federal law mandates that any school that receives federal funds must address discrimination on a variety of personal characteristics. The California Education Code (EC) §§234, 234.1, 234.2, 234.3, 234.5, 32261-32262, 32265, 32270, 32282, 32283 and 48900 meet that requirement by establishing a series of policies that must be followed by school districts, schools, and staff within California. Individual school districts adopt these policies and may expand on them in order to accommodate any unique characteristics inherent with their district. Likewise, the individual school may further add to the school district's policies for their environments or situation. The above listed codes may never be altered by the school districts or schools to diminish their intended effect.

Recent research has identified a number of elements that impact the level and frequency of bullying. One such study examined a bullying prevention program based on a model which intervenes with the child's environment on a number of levels. This study included classmates, staff, families, the school as a whole and the community. The crucial element in this study was adult behavior. When adults in the school and at home become aware of the bullying, they must take action to change the situation. The research results demonstrated a "modest decrease" in the number of bullying reports in the schools under study as opposed to the control group.[1]

Another area of research that impacts bullying is classified as "school climate". "School Climate is described as the quality and frequency of interaction among and between adults and students at school" (Kupermine, Leadbeater, Emmons, and Blatt, 1997, p.77). The National School Climate Council (NSCC, 2012) referred to school climate as "the quality and character of school life". Researchers have found that positive relationships among students and teachers, and negative attitudes toward inappropriate behavior are key elements of school climate. A positive school climate can be fostered by school personnel promoting and modeling appropriate attitudes and

[1] Mark D. Weist, Nancy A. Lever, Catherine P. Bradshaw, and Julie Sarno Owens, Editors, Handbook of School Mental Health Research, Training, Practice, and Policy. Second Edition

behaviors. It was found that an "unhealthy" school climate in that there is a negative relationship between teachers and students, allows bullying to occur. Therefore, it is the researchers' conclusion that it is critical that the school climate be evaluated in order to improve it and prevent the occurrences of bullying.[2]

Reports of bullying need to be taken seriously and consistent intervention must take place in accordance with the school rules. The study also found that those engaging in bullying often suffer from mental health problems and that referral to mental health professionals for help would be appropriate.[3]

In regard to the bully, research has suggested the act of bullying is linked to cognitive, psychological, and social distortions and deficit. Through the application of social cognitive theory using a variety of intervention and counseling sessions, the student will learn appropriate interaction behaviors that will support a positive school climate and reduce the instances of bullying.[4]

The Office of Justice and Juvenile Delinquency Prevention views bullying as a form of violence common on school playgrounds, in neighborhoods, and in homes throughout the United States. It often occurs out of the presence of adults, who are unable to intercede. This behavior may indicate the beginning of a generally antisocial and rule breaking pattern that can extend into adulthood. Intervention should occur on three levels: school, classroom, and the individual.

METHODOLOGY

[2] Cixin Wang, Brandi Berry, and Susan M. Swearer (2013) Theory into Practice, "The Critical Role of School Climate in Effective Bullying Prevention", The College of Education and Human Ecology, Ohio State University

[3] Ji Hoon Ryoo, University of Virginia, Cixin Wang, University of California, Riverside, Susan M. Swearer, University of Nebraska-Lincoln School Psychology Quarterly. "Examination of the Change in Latent Statuses in Bullying Behaviors Across Time"

[4] Susan M. Swearer, Cixin Wang, Brandi Berry, and Zach Myers, (2014) Theory into Practice, "Reducing Bullying: Application of Social Cognitive Theory" HTIP #947221, Vol. 53, ISS4

Two school districts were randomly chosen within San Bernardino County: Fontana Unified School District (FUSD) and the Victor Valley Union High School District (VVUHSD). A high school and middle or elementary school were randomly selected within each district. Interviews were scheduled with key personnel within each of the four schools as well as each district. Students, selected by the principals, were also interviewed. In one case the parents attended and participated in the interviews. Written material, supporting documentation, and relevant publications were retrieved from each site.

FACTS

Both school districts participated in the Local Control and Accountability Plan (LCAP) Annual Update for 2013 - 2014. The Safe School Plan served as a tool for the school districts to identify what was necessary to improve their school climate (identified as Need in the plan) as well as methods to measure their progress (identified as Metric in the plan). The Grand Jury also reviewed the two high school and two middle school School Accountability Report Cards (SARC).

Research has also suggested that bullying takes different forms, depending on the sex of the bully and the victim, and that different interventions are required. It was also found that transition points, such as moving from grade school to high school, had an effect on the frequency of bullying and that a small percentage of the students were responsible for the majority of the bullying behaviors. The researchers concluded that "only when bullying interventions are developmentally based, gender and culturally sensitive, and address all types of bullying," will schools reduce the problem of bullying.
Researchers have also found that as students age, cyber bullying increases while verbal and physical bullying decreases. Bullying increases during the transition from elementary to middle school.[5]

[5] Ji Hoon Ryoo, Cixin Wang and Susan M. Swearer, School Psychology Quarterly, "Examination of the Change in Latent Statuses in Bullying Behaviors Across Time"

A number of community and student body characteristics such as high transient rate, high assisted lunch program population, high non-English speaking population, and high special education population, when combined, constitute a high risk school environment which may negatively influence the school climate.

Both school districts received a three year government (Safe and Supportive Schools, S3) grant to address bullying and have made use of a number of anti-bullying programs utilizing the provided funding. An analysis of the information obtained would reveal how bullying is viewed and treated at multiple levels as well as the degree to which the individual schools adhere to the State and school district's policies. Of those interviewed, one school administrator was the most tenured with three years in her current position. Another school administrator had been in his position for three and one-half months. One administrator stated that a positive school attitude is not uniformly shared by the teachers and feels that it is due to the pressure on the teachers to improve the students' academic scores. Reports of bullying need to be taken seriously and parents must be aware of and involved in the effort to address bullying.

FONTANA UNIFIED SCHOOL DISTRICT

Bullying is any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a pupil or group of pupils as defined in the Education Code §§48900.2, 48900.3, or 48900.4, directed toward one or more pupils that can have a negative effect on a student or students.

Both schools visited had anti-bullying policies in place. Posters throughout the campuses addressed bullying. Programs are in place as a resource to students and parents regarding bullying. Both schools have student dress codes that prohibit gang colors and required that pants be worn at waist height. In an effort to improve the school spirit and climate, tee shirts were provided to the students bearing the school colors, and one day a week is dedicated to wearing them.

The school district's Chief of Staff is responsible for monitoring the climates of all the schools within the district and recommending positive changes. The following two programs within the district were noted as contributing to a positive school climate. The Local Control and Accountability Program (LCAP) is established with parents and community input. The LCAP Program addresses eight areas for which the school district must establish goals and actions. The Advancement Via Individual Determination (AVID) program is designed to help underachievers reach higher grade averages to prepare for a college education. The purpose of the AVID Program is to prepare traditionally underserved students for four year college eligibility and to restructure the teaching methodologies of an entire school to make college preparatory curricula available to almost all students.

Fontana Unified School District (FUSD) identified a need to increase overall safety and improve the school climate and culture. The Metrics utilized were Climate Survey and Discipline Reports. They set 2017 as the time all students will receive the supports needed to promote increased safety, character building, and moral development.

The SARC results show that the counselor to pupil ratio for Fontana High School is 1:413, and for Fontana Middle School the ratio is 1:538. A progressive discipline approach is taken when students are having difficulty following school rules. Disciplinary measures are initially applied in the classroom. Students who continue demonstrating poor conduct are referred to an assistant principal for further intervention. When administering consequences, the assistant principal takes into consideration the referred student's past behavior trends and seriousness of infraction. Student discipline is always dealt with in a fair, firm, and consistent manner. The Safe School Plan was last updated in January 2015.

VICTOR VALLEY UNION HIGH SCHOOL DISTRICT

The two schools visited also had anti-bullying policies in place. At the beginning of each semester, the students are advised and reminded of the policies. At one campus this takes place in a homeroom setting. Broad based training such as social skills, study habits, and on-site counseling are provided as a resource to the students.

Instances of cyberbullying are increasing due to the availability of social media and are of concern to the school district. A student handbook addressing student expectations, rules, and school information is provided to the students every year and is routinely updated. The issue of cyberbullying is noted within it. According to the student handbook, cyberbullying is "the creation and transmission of aggressive behavior originating on or off the school site, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following: a message, text, sound, or image."

School representatives stated that behavioral modification and counseling are available to students and parent participation is encouraged. The student representatives interviewed felt that the school climate had improved within the last three years and that they feel safe in school. They attributed the "Breaking Down the Walls" program as one of the reasons for the improvement. This is a comprehensive program designed to unify, empower, and engage every student to create a positive and supportive campus climate through team building and removing barriers between students.

School administration voiced concern with the safety of all students but expressed a belief that bullying was not a major concern. The two instances of bullying that were cited involved cyberbullying.

The District has created an intervention program that involved the hiring of additional teachers and counselors to provide student services in an effort to reduce the instances and the effects of bullying. This program is in the middle of its first year of operation.

Along with approximately 75% of California schools, the District tracks violations of EC48900k through the Aeries Student Information System. The two choice schools within the District have neither program due to the lack of need. Both have "miniscule" disciplinary problems and maintain high academic standards. Choice middle and high schools are schools which require students: (A) to adhere to Uniform Standards, (B) 2.5 GPA (Grades 7-9) 3.0 GPA (Grades 10-

12), (C) parents and students sign and adhere to a behavior contract, and (D) 95% school attendance. The administrator hopes to replicate the success of the choice schools throughout the District. He believes that the greater the parent and community involvement, the higher the student achievement with less discipline needed in the school. A comprehensive middle and high school has all the advantages and benefits of specific academic programs such as AVID.

VVUHSD identified the Need in its School Safety Plan as promoting pupil engagement and achievement in a safe, respectful, well maintained, and equipped school learning environment. The Metric utilized dropout rates, chronic absenteeism rates, student attendance data from Aeries, and students participation in county academic events.

The SARC for Silverado High School for 2013 – 2014 listed an academic counselor to pupil ratio of 1:550, and for Hook Middle School the ratio is 1:404. The report also includes information: school crime; child abuse reporting procedures; disaster procedures (routine and emergency); policies related to suspension and expulsions; notification to teachers; sexual harassment policy; provisions of a school wide dress code; safe ingress and egress of pupils, parents, and school employees; safe and orderly school environment; and school safety rules. The Safe School Plan was previously revised in January 2009.

FINDINGS

1. A positive school attitude is not shared by all of the staff.
2. A positive relationship among students and teachers, and negative attitudes toward inappropriate behavior are key elements of a positive school climate.
3. A number of community and student body characteristics are not impacted by school district policy or actions and when combined can negatively impact school climate.
4. Parents of both the victims and the bullies are routinely contacted in a bullying situation.

RECOMMENDATIONS

15-04 All Administration, staff, and parents must consider bullying and maintaining a positive school climate as serious issues.

15-05 Continue to improve a positive school climate and anti-bullying programs following the termination of the grant funds, and include the community and families in that effort.

15-06 Promote and maintain programs that include parents, caregivers, and staff to combat bullying behavior.

Responding Agency	Recommendations	Due Date
Fontana Unified School District	15-04 through 15-06	10/01/2015
Victor Valley Union High School District	15-04 through 15-06	10/01/2015

CITY OF COLTON GOVERNANCE

BACKGROUND

In July 2014, the San Bernardino County Grand Jury initiated an investigation into management and financial record-keeping practices in the City of Colton. Colton is an incorporated city in San Bernardino County, California and is approximately 57 miles east of Los Angeles. According to the 2010 census, the population is approximately 52,000.

The Grand Jury investigated concerns including:

- Record keeping in the Public Works Department related to Capital Improvement Project (CIP) funds including Measure I funds (intended exclusively for transportation projects)
- The documentation and the approval process for Public Works projects
- City of Colton council members' interactions with the city manager and city departments
- Compliance with requirement for yearly audited financial statements
- Outdated computer systems
- Compliance by city staff with document retention policies for project files and computer backup data

METHODOLOGY

The Grand Jury conducted interviews with current and former employees of the City of Colton (the City) including line staff and management personnel, reviewed Colton's policies and procedures, examined a sample of Public Works files, and read various financial materials. Two site visits to the City were undertaken as part of the investigation.

FACTS

According to information published by San Bernardino Associated Governments (SANBAG), Measure I is the half-cent sales tax collected throughout San Bernardino County for

transportation improvements. Nineteen percent of the revenue is returned to the cities for use on local road improvement projects. These projects include the widening of streets, the installation of traffic signals, road maintenance efforts, storm drain facilities, bridges, upgrades to meet American Disabilities Act standards and other projects related to local transportation. This 20 year half-cent sales tax has provided nearly $10 million for Colton's streets and roads since implementation 18 years ago. Local officials make decisions about the allocation of these funds. Projects that are funded by the City without the use of Measure I revenues are categorized as CIP.

The Grand Jury reviewed the Public Works Department files for both CIP and Measure I projects. The City has approved a five year plan for Measure I funds. The project folders for Public Works contained documentation from start to completion of the projects. Financial records are consistently maintained and readily available to Public Works staff at all times. The Finance Manager in Public Works can directly access and input data to the computer financial system. All financial audits conducted by SANBAG and California Department of Transportation, as well as the city's independent auditor, did not reveal questionable accounting practices on public works projects.

Completed project files are maintained in file cabinets in an office area for three years. The files are then transferred to a warehouse storage area for seven years or more. There is no off-site storage area for archival of Public Works files and records. Off-site storage may include storage at a disaster proof facility, storage at remote location, or on a "cloud" type system.

The Grand Jury reviewed how public works projects are prioritized and whether city staff is complying with the City's procedures and guidelines. The Grand Jury specifically reviewed the approval process for the construction of speed bumps on city streets. City documents revealed that the projects at issue were completed consistently with the City's established procedures and guidelines. The Grand Jury uncovered no evidence to support allegations that favoritism was given to elected officials in the decision to approve construction of the speed bumps.

There were concerns regarding city work performed on private property of a council member.

The work was found to have been completed consistently with City policies and procedures. A city owned utility pole was removed and resulted in damages to a block wall on private property. The block wall was repaired to its original state, as required by city policy.

Documentation of the above projects is available to the public and has been confirmed by an independent investigative firm and an internal City review of complaints.

Interviews failed to support concerns that individual City council members were unduly involved in day-to-day city operations. City staff did not report feeling pressured to handle matters in certain ways for individual council members.

Financial reports are currently up-to-date and a newly hired Finance Manager has established procedures for maintaining records. Financial reports are available to staff on the computer system and by hardcopy on request. Archived financial records are maintained in boxes at a warehouse in the Public Works Department. No off-site storage is utilized.

The City of Colton is in the process of updating all computers to the latest operating systems and financial software. At the time of the Grand Jury's visit, 50 computers remained out of 250 to be updated. Off-site storage of computer backup media is not being used. There are no procedures in place to restore the existing backup at an alternate location in case of a catastrophic event such as an earthquake or fire.

Each computer user in City government has a unique log on. A user can access information from any computer in the City so long as the computer being used is supported by appropriate software. Interviews confirmed existing storage times for backed up data do not meet the document retention schedule established by the City of Colton.

Additional personnel are being hired to maintain and support the Information Technology (IT) Department as City finances improve. A forward looking plan is being considered for IT modernization in the City of Colton; however, the plan is currently too expensive to implement.

City of Colton Policies and Procedures are not actively being reviewed and updated, but are updated when an issue arises and it is apparent that the policy or procedure is obsolete. For example, Policy and Procedures Section 4.04 titled Employer/Employee Relations was most recently revised in 2005. A second example is Section 2.03, Accounting, which was last revised in 1991. A separate indexing system is used to determine the date of adoption or revision of the policy or procedure.

FINDINGS

1. The City of Colton correctly administers and audits Measure I funds, as well as funds from other sources.

2. The City of Colton lacks a methodology for periodic review and approval of its published policies and procedures.

3. Failure to use safe and secure file retention facilities may result in the City of Colton being unable to adequately rebound and quickly return City functions to normal following a major disaster.

4. Retention policies for archived materials are not being followed.

RECOMMENDATIONS

15-07 A review schedule of City of Colton's Policies and Procedures should be established.

15-08 Policies and Procedures should have the date adopted indicated on the item itself as well as the most recent review and approval date.

15-09 City records should be stored in a secure "facility" that safeguards them in the event of a major disaster. Such "facility" may include off site facilities or "cloud" type storage.

15-10 Retention policies for computer backup media and hard copy media should be followed per the City of Colton retention policies.

Responding Agency	Recommendations	Due Date
City of Colton	15-07 through 15-10	10/01/2015

CITY OF SAN BERNARDINO CODE ENFORCEMENT

In January 2015, the Grand Jury started the investigation of residential single-family and multi-family rentals regarding code enforcement policies and procedures and Title 15 of the San Bernardino City Municipal Code.

The Grand Jury investigated concerns including:

- Code enforcement policy and procedures
- Enforcement of established policies and procedures
- Frequency of inspections
- Information provided to tenants and owners

METHODOLOGY

The Grand Jury conducted interviews with current code enforcement employees of San Bernardino including line staff and management personnel. The Grand Jury reviewed the Municipal Code Title 15, and policies and procedures relating to single-family and multi-family rentals. Title 15 of the Municipal Code was obtained directly from the city's website.

FACTS

San Bernardino Single-Family Rental Units

San Bernardino has a separate Code Enforcement Department for single-family rentals. Single - family rental property is defined as three or fewer dwelling units on the same parcel of land including a duplex or a triplex (Municipal Code §15.26.040).

Single-family rental units are inspected by City of San Bernardino Code Enforcement Department with an office staff of three. The Code Enforcement Department has six inspectors: four for rentals, one for demolition, and one for commercial and weed abatement. The Department uses three to four volunteers when they are available for office tasks. Each inspector uses a city owned vehicle.

The bankruptcy of the City of San Bernardino has reduced the overall number of Code Enforcement personnel and increased response times. In 2012, inspections were changed from annual to every two years. The office staff uses computers to keep track of the inspection dates and determines due dates for the next required inspection of properties. A formal checklist is not used. Code Enforcement is conducted in accordance with Chapter 15.26 of the San Bernardino Municipal Code dealing with the Single-Family Property Inspection Program Code.

If an owner does not remedy problems and pay accrued fines, a lien may be placed on the property. The lien is satisfied when the property is sold or refinanced. The city may foreclose resulting in a court ordered sale of the property. The owner would receive any money left over after all debts are paid including the mortgage company, taxes, legal fees, and liens. If the mortgager forecloses, the lien may survive the foreclosure; therefore, the new owner could be subject to the unpaid city lien.

San Bernardino Multi-Family Rental Units

Multi-family rentals are considered to be four or more units on a property. San Bernardino multi-family rental properties are assigned to Code Enforcement personnel under the San Bernardino Police Department's jurisdiction. The City of San Bernardino Multi-Family Rental Housing Code Inspection is used to satisfy Municipal Code Chapter 15.16.

Multi-family rentals are subject to both code enforcement inspections and fire safety inspections. A copy of the fire inspection form is attached. (Attachment 1 on page 28)

Receivership is the process of the court appointing an individual or company to manage the property and use equity and available funds to bring the property into compliance with established codes. Receivership has and is being used by the City of San Bernardino against owners who refuse to bring rental units up to code. All parties who have a financial interest or ownership in the property are notified. After the property meets the Municipal Code, the property is sold with the liens and taxes being paid first. Remaining funds are returned to the owner.

Common Code Enforcement Information for Single-Family and Multi-Family Rental Units

The most common violations are landscaping, trash, inoperable vehicles, peeling paint, swimming pools, and construction completed without permits. For serious complaints, the response time is generally one to two days. Complaints regarding general property maintenance are responded to within two weeks. Enforcement officers cannot enter a building without being invited by the tenant or owner if the property is occupied. An exception is when a warrant is issued by a legal authority.

Water conservation is taken under consideration. With the drought, the city has taken a more lenient approach to landscaping issues. Brown lawns are acceptable if the root system is not destroyed. Yards and landscaping must be trimmed and neat at all times as prescribed by local codes. Swimming pools are included in inspections to ensure safety and insect control. Swimming pools must be secured in a manner that prevents people and animals from falling into the pool.

Buildings that have been in a fire or flood and property that has been deemed unfit for habitation are issued violations and can be boarded up until the violations are corrected. The Code Enforcement Officer will work with the owners to give a time frame and fines as appropriate. The fines range from $100 to $500 per day not to exceed a $100,000 total cap. The violation could go before an Administrative Hearing Officer who has flexibility in setting time limits for repairs and monetary penalties.

The steps in remedying a violation may include:

- Officer conducts an inspection
- Violations are documented
- Violation notices are sent to the owner of the property
- Owner has two weeks to comply, or 15 days to appeal
- Inspection is completed again
- If a violation is not corrected, an administrative citation is issued
- Administrative hearing

To operate rental property, owners are required to pay a fee and obtain a business license. Receiving a business license from the City Clerk does not automatically enroll a property in the annual fire inspection program.

Owners of the rental property are charged for yearly code enforcement inspections, but there is no charge to the owner for inspections resulting from a complaint. If a property passes the next annual inspection, the length between inspections can be increased to a two year period instead of yearly. If an eviction of the tenant is in progress, the city will delay the inspection if the complaints are not of a serious nature. Inspections are conducted on both a pro-active basis and in response to complaints.

For serious housing issues, warrants can be obtained 72 hours after notice to the owner. For emergency health concerns, a warrant can be obtained immediately without notice. The City has contractors who board up buildings for safety or security reasons; however, the city does not make repairs to bring the property into compliance. Any work completed is charged to the owner or liens are placed against the property.

Any problems with hoarders are reported to the Fire Department, which takes action to resolve the situation. Animal control is in charge of animal hoarding or other issues regarding animals.

Complaints are received in person, by phone, or over the City of San Bernardino's website. Response time to any complaint is determined by the nature of the complaint, i.e.: two weeks for yard or peeling paint, immediate response if the complaint relates to serious health hazards.

According to San Bernardino City Code Enforcement, Fire, and City Attorney representatives, absentee owners are as responsive as owners that reside in the City of San Bernardino.

FINDINGS

1. Receipt of the business license for multi-family rentals does not automatically enroll a property in the annual fire inspection program resulting in some properties being excluded from the program.

2. The use of two different departments for code inspections of rental housing results in a lack of standardization and communication.

3. A business license is obtained for a single-family rental property before a Certificate of Occupancy is issued by the Code Enforcement Department resulting in a property being available for rent that may or may not meet code.

RECOMMENDATIONS

15-11 Establish a procedure that upon receipt of a business license for multi-family rentals, the property is automatically enrolled into the annual fire protection program.

15-12 Combine the single-family and multi-family rental units inspection departments resulting in improved communication and cost effectiveness.

15-13 Establish a procedure in which the application for a business license initiates a code inspection and Certificate of Occupancy before the issuance of a business license. All fees are to be paid at the time of applying for the business license.

Responding Agency	Recommendations	Due Date
City of San Bernardino	15-11 through 15-13	10/01/2015

SAN BERNARDINO CITY FIRE DEPARTMENT
APARTMENT UNIT INSPECTION

ADDRESS UNIT NUMBER

☐ No apparent violation(s) found at the time of inspection. Occupancy meets the minimum California Fire Code and Municipal Standards of fire and life safety of this City at this time.

Pursuant to San Bernardino Municipal Code 15.16.020, you are required to comply with the following:

No.	✔	VIOLATIONS	No.	LOCATION / REMARKS
		SMOKE DETECTORS		
1		Provide and/or maintain operable smoke detectors		
2		Hard wired smoke detectors shall be equipped with a battery backup		
3		Smoke detectors shall be replaced if over 10 years old.		
		EXITS		
4		Remove obstructions from exit doors and exit windows		
5		Remove all double key dead bolts from exit doors.		
6		Remove all grates, bars or similar devices from rescue windows or provide them with an approved release mechanism.		
		FIRE EXTINGUISHERS		
7		Provide and mount an extinguisher as indicated		
8		Service and tag each extinguisher annually and after use		
		FIRE ALARM SYSTEM		
9		Fire protection equipment shall be identified in an approved manner		
10		System maintenance paperwork must be current and readily available		
		FIRE SEPARATIONS		
11		Repair holes in required fire resistive construction		
		LAUNDRY ROOM / WATER HEATERS		
12		Provide proper ventilation from dryers / water heaters		
13		Remove lint/debris from washers, dryers and/or water heaters		
		ELECTRICAL	A REINSPECTION WILL BE MADE ON **OR ABOUT** _____, 20 ____ TO CHECK FOR COMPLIANCE. FAILURE TO COMPLY WITH THE ABOVE IS A MISDEMEANOR AND MAY RESULT IN IMPRISONMENT IN THE CITY OR COUNTY JAIL NOT EXCEEDING SIX MONTHS, OR A FINE NOT EXCEEDING $1,000.00 FOR EACH VIOLATION OR BOTH IMPRISONMENT AND FINE.	
14		Discontinue use of extension cords / multi plug adapters		
15		Maintain 30-inch clearance from all electrical panels		
16		Provide cover plates for junction boxes, block-outs for breakers		
17		Remove exposed wiring or protect in approved conduit		
		STORAGE HOUSEKEEPING		
18		Remove combustible materials away from heat producing appliances		
19		Arrange storage in an orderly manner to provide access/egress		
20		Remove waste/rubbish from the premises		
21		LP gas containers shall not be located on combustible balconies		
		OUTSIDE	RECEIVED - TENANT	DATE
22		Provide address numbers that are a minimum of 6" high		
23		Maintain keys in the Knox Box or repair operation of key switch	RECEIVED	DATE
24		Provide / maintain access to all fire lanes (marked & posted)		
25		Provide documentation of fire hydrant testing	INSPECTOR	DATE

DISTRIBUTION: ORIGINAL - OWNER/OCCUPANT • CANARY - FIRE PREVENTION • PINK - OTHER MFRH 2/2014 impress printi

SAN BERNARDINO COUNTY SHERIFF/CORONER DEPARTMENT JUVENILE AND ADULT DETENTION CENTERS

BACKGROUND

The Grand Jury, per California Penal Code §919(b), is mandated as follows: "The Grand Jury shall inquire into the conditions and management of the public prisons within the county." Each of the County Juvenile and Adult facilities has been designated by the California Code of Regulations (CCR) Title 15 as a Type I, II, III, Juvenile, and Court Holding facility, which is described as: "A local detention facility used for the detention of persons pending arraignment, during trial and upon a sentence of commitment." As a result of the Assembly Bill 109 (AB109) mandate more of these facilities are housing sentenced inmates.

The Grand Jury used the document entitled, "Inspection Form" included in the Jail Inspection Handbook provided by the California Board of State and Community Corrections. Visitation Inspection reports were written on each visited Detention Center referred to below and are incorporated herein. The six detention centers that the Grand Jury inspected this year are:

Central Juvenile Detention and Assessment - County
Staff to inmate ratio 1/8 – Inmate capacity 240, current 146
The Facility was clean, neat and well maintained.
Very impressive library

High Desert Juvenile Detention and Assessment Center – County
Staff to inmate ratio 1/8 – Inmate capacity 200, current 110
The Facility was clean, neat and well maintained.
Some inmates have problems with visitors due to the distance.

Rancho Cucamonga County Superior Court House Holding Area - County

Staff to inmate ratio 1/16 – Inmate capacity 261, current 101

The Facility was clean, neat and well maintained.

San Bernardino County Justice Center Holding Area – County

Staff to inmate ratio 1/16 – Inmate capacity 338, current 120

This is a new building.

The Facility was clean, neat and well maintained.

Glen Helen Rehabilitation Center – County

Staff to inmate ratio 1/120 – Inmate capacity 1446, current 1223

The Facility was clean, neat and well maintained.

The County Sheriff's and Fire Department have a partnership to train inmates.

Shower area throughout needed painting.

California Institution for Men – State

Staff to inmate ratio 1/150 – Inmate capacity 4530, current 4530

They have a hard-hat diving and underwater welding school which should be commended.

The entire facility is deteriorating and outdated, over used and under maintained.

This facility does not have air conditioning.

STATE CONDUCTED INSPECTION SUMMARY

The State of California, Department of Corrections and Rehabilitation Corrections Standards Authority also conducted biannual inspections of the Adult detention facilities for compliance with the minimum standards as outlined in CCR Titles 15 and 24. The state inspection is in conjunction with the annual inspection and reports of the San Bernardino County Health Officer and State Fire Marshal. The most recent four state inspections per Penal Code §6031 covered inspections conducted in April 2014. The four facilities inspected were Upland Police Department, Fontana Police Department, Montclair Police Department, and Ontario Police Department.

The results of the inspections indicated no issues of non-compliance. However, the inspections reported that since AB109 went into effect in October 2011, to relieve overcrowding in State Prisons, there have been changes within the county jail system. In the last three years, County Detention Centers have been experiencing a large influx of sentenced inmates causing new issues.

CONCLUSION

There are no major discrepancies found at any of the five County Detention Centers the Grand Jury inspected. All personnel were knowledgeable and professional during each site visit.

The Grand Jury was impressed with the overall cleanliness of each of the county facilities and the professionalism demonstrated by all personnel during each site visit. At the Glen Helen Rehabilitation Center, it was observed that female inmates handled the call center for inmate visitation requests at all facilities. Also, the Glen Helen kitchen and bakery facilities prepared all meals and baked goods at that location for all the adult detention centers. This is both cost efficient and a source for creating skill development.

*** * * INSPECTION FORM * * ***

Please fill out those sections that apply to the facility you are inspecting.

FACILITY NAME: Central Valley Juvenile Detention and Assessment Center	INSPECTION DATE: September 9, 2014
FACILITY CAPACITY: 240	LAST BOARD OF STATE & COMMUNITY CORRECTIONS INSPECTION DATE: April 17, 2014
ADDRESS: 900 East Gilbert Street San Bernardino, CA 92404	Telephone Number: (909) 383-1769 Fax Number: (909) 387-7557
TYPE OF FACILITY: Type II Detention Center (Inmates pending arraignment, during trial, and upon sentencing)	OTHER: Juvenile Detention and Assessment Center

SITE TOUR -AREA INSPECTED/REVIEWED - (Please Check Areas Seen)

QUALITY OF LIFE	PROGRAMS	PERSONS INTERVIEWED
Physical Plan X	Educational X	Inmates
Meals/Nutrition X	Vocational X	Facility Manager
Mental Health X	Community Services	Medical X
Physical/Dental Health X	Domestic Violence X	School Staff X
Religious Services	Victim/Gang Awareness X	Mental Health Staff X
Visiting	Substance Abuse X	Line Staff X
Volunteer Involvement X	Other	Food Services Staff X

ANY ADDITIONAL INFORMATION/NOTES: None

GENERAL INFORMATION

- What is the capacity of the facility? 240
- What is the current number of pretrial inmates? Average 62 132 Boys
- What is the current number of sentenced inmates? Average 76 14 Girls
- Has the facility exceeded capacity since last year's inspection? No
- What is the average length of detention? +/- 30 Days
- What is the inmate classification system? Describe: It is a system to establish housing placement in the facility while ensuring the safety of youth by placing youth appropriately
- Number of weekend offenders: None
- Number of inmate suicides in the last year: None
- Number of attempted suicides in the last year: None
- Number of deaths from other causes in the last year: None
- Number of escapes in the last year: None
- Date of last fire/emergency drill? Institution: May 8, 2014; Fire and Earthquake Drill, August 29, 2014; Drills are completed on a monthly basis. Unit Drill: Completed weekly.

INDIVIDUAL CELLS/ROOM

- Condition of walls: Painted and clean
- Personal possessions allowed and stored in cell/room (Art, Books, Etc.): Softbound books
- Graffiti present: None
- Ample bedding: Yes

LOCAL INSPECTIONS

- Fire Inspection Conducted: Yes – Date 07/03/2014
- Medical/Mental Health: Yes – Date 01/15/2014

- Environmental Health: Yes – Date1/15/2014
- Nutritional Health: Yes – Date 01/15/2014
- Corrections Standards Authority: Yes – Date 04/17/2014
- Other (Describe): Yes – Date Review onsite

STAFFING

- What is the staff to inmate ratio? 1 to 8
- Does staff communicate in language that an inmate can understand? Yes, roster indicates bilingual staff. If an interpreter is needed, there is a contract in place to accommodate all languages.
- Diversity and gender of staff? Males and females; well represented diversity in staff.
- Impression of staff/inmate interactions? Professional and competent

CONDITION OF THE GROUNDS – lawns, exercise area and equipment, asphalt, other.

- Yard is in excellent shape. Manicured lawn, clean sidewalks and walls

EXTERIOR OF BUILDINGS

- General Condition: paint, roof, drains, gutters, other: Brick buildings very clean and well maintained.
- Safety and security issues including fencing, outdoor lighting: 14 foot brick wall surrounds the Facility.

INTERIOR OF BUILDINGS

- Condition of the interior of the building noting graffiti, peeling paint, unpleasant odors, or other signs of deterioration: Smells good and looks good
- General cleanliness of the facility including windows, lighting, lockers, desks, conditions of the mattresses, bedding and pillows: Clean
- Condition of sleeping room door panels: Good
- Temperature of living units and classroom: 72 degrees

- If a court holding area is present in the facility, access to toilet and drinking water? Yes
- Are cleaning fluids and chemicals labeled and safely stored? Yes
- Is the Material Safety Data Sheet (MSDS) available? Yes
- Is a Weapons Locker present? Yes If so, where is it located? In the Administration Office area and outside the intake area.
- Recreation/sports equipment? Yes
- Hallways - Clear? Yes Are the doors secured? Yes Propped open or closed? No
- Holding areas (cells/rooms) – Is there access to drinking water and toilet? Yes
- Are there individual cells/rooms, or dormitories? Cells
- Beds – Type of bed and is it off the floor? Beds are off the floor
- Adequate lighting? Yes
- Adequate temperature? Yes

ORIENTATION OF INMATES

- Are inmates oriented to rules and procedures? Yes
- Are rules and grievance procedures posted? Yes
- Are there procedures for handling citizen and inmate complaints? Yes
- Are rules and grievance procedures understood by inmates? Yes, reviewed by intake and classification officer.
- Inmates interviewed? No Number interviewed: Zero
- Comments: None

MEALS/NUTRITION

- Is the kitchen area clean? Yes, there is a daily cleaning assignment in place that staff is to acknowledge. There is also a monthly supervisor's inspection list that addresses the following areas: food temperature control, personnel, water, sewage, equipment, utensils, pest control, and ventilation.
- Are knives and chemicals secured? Yes, chemicals and knives are secured. Knives are secured in a correctional institution approved safety cabinet made of unbreakable/shatter

proof plastic which has been reinforced with a stainless steel backing. They are inventoried before and after each shift.

- Have the inmates working in the kitchen been trained? No, not applicable since no inmates work in the kitchen.
- Have the inmates had a medical clearance/review before assignment? Not applicable
- Are meals served in the cell, dayroom or at a central cafeteria? In the dayroom
- Are inmates permitted to converse during meals? Yes
- Length of time allowed for eating? 20 minutes

PERSONAL APPEARANCE OF INMATES

- What is the appearance of inmates (dirty, unkempt, well groomed, etc.)? Well groomed
- Is the inmate's appearance well groomed? Yes
- Showers – frequency, privacy, maintained, supervised by staff? Every day
- Is facial hair allowed? Yes, if a judge allows
- Are there any reported assaults by inmates on inmates? Yes
- Condition of clothing (does the clothing fit; is it appropriate for the weather, etc.)? Good

PROGRAMS

- Is exercise inside or out? Outside on the back patio, basketball court or recreation area. Held indoors during inclement weather
- How frequently is exercise offered? Seven days each week
- How much exercise time is each inmate offered? Each youth receives one hour of exercise per day in addition to school PE
- Do men get more exercise time that the women? No, equal time; either outside or in the day room
- Are there clergy available to inmates upon request? Yes
- Can a request for clergy be made for emergency reasons? Yes
- Are there religious services? Yes
- What faiths? All faiths
- Are anger management and other applicable programs available? Yes

- What type of onsite health facility is available to inmates? Medical, Mental, Dental
- Are medical services available? Yes
- How frequently is medical staff onsite? 24 hours/7days a week
- How long do inmates wait to be seen? Within 24 hours
- Is a physician available by phone or on call? Yes, a pediatrician is on call 24 hours/ 7 days a week.
- What off-site hospital is used for serious health issues? Arrowhead Regional Medical Center (ARMC) or St. Bernardine Medical Center.
- Are mental health services available? Yes, a mental health screening is conducted upon intake and youths can request services at any time during their detainment.
- How frequently is mental health staff onsite? FAST (Forensic Adolescent Services Team) is available 24 hours/ 7 days a week. Per the staffing procedure, a minimum of one licensed healthcare professional is on duty at all times or on call staff is available as needed. Generally one mental health professional is on duty 7 days a week.
- How long do inmates wait to be seen? Medical Services: Same day by an RN then referrals are made if needed. New intakes are screened within a four hour period. Mental Health Services are required by National Correctional Healthcare Standards to assess every youth who is booked within 14 days of intake for mental health assessment. Youth are constantly triaged based on their immediate needs and anyone can refer the youth to mental health at any time prior to the 14 day requirement, including self-referral.
- What type of on-site dental facility is available to inmates? On-site dental services are provided to youth by a dentist and dental assistant. They provide routine restorative dental care.
- How are inmates transported to off-site facilities? Youth are transported off-site in waist and leg restraints by a transportation team consisting of two Probation Corrections Officers in a County van or car.
- How is security handled for off-site visits? Same as above answer. Each transportation officer is logged on with The San Bernardino County Sheriff Department Dispatch. If the officers are visiting a new appointment location, they will call in advance and scout the location prior to the appointment.

- Are vocational classes available? Yes If so, what types? Regional Occupational Program (ROP), Food Service Certification, Gardening
- Is there a program to involve community volunteers? Yes

DISCIPLINE OF INMATES

- How often is discipline enacted? Whenever needed to change negative behavior or action
- What is the range of discipline options? Ranging from a writing assignment to time out up to 72 hours Without Group Participation (WGP)

GRIEVANCES

- What are the most common types of grievances filled by inmates?
    - Failing to earn their points or earning consequences
    - Facility rules and staff
    - Food related
- Is there a record kept based on type and number? Yes

TELEPHONE

- Do inmates have access to telephones and how often? Yes, upon request after hours

CORRESPONDENCE

- Is there a limited free postage for inmates without money? Yes
- Are inmates aware that incoming and outgoing mail can be read? Yes
- How are confidential correspondences to attorneys, legislators, CSA, etc., handled? Searched for contraband, sealed by youth in the Probation Corrections Officer (PCO's) presence.

VISITING

- Is there adequate space, convenient times or accommodations for family's work schedule, etc? Yes, special accommodated visits are held on Saturday.

- Are there provisions for special visits with attorneys/clergy? Yes, in a confidential location.
- Does staff supervise visits? Yes
- Do all inmates have access to visiting? Yes If not, give reason: Not Applicable

EDUCATIONAL PROGRAMS

- College level/high school/other: General Educational Development (GED), vocational classes, workshops on substance abuse, parenting, anger management, living skills and cognitive skills
- Name of school district providing educational services: San Bernardino County Superintendent of Schools
- Teachers: 17 full-time substitutes: varies
- Number of current inmates in educational program: 127
- Are activities, coursework and homework assigned by teachers? Yes
- Relationship between educational program staff and facility staff: Collaborative and professional
- Atmosphere of classroom: All teachers attempt to create as close to a traditional classroom environment as possible. Classes are equipped with smart board technology, current operating computers for students' use, textbooks, paper, and pencils, etc.
- Are there adequate supplies (books, paper, computers, etc.)? Textbooks are broad and are provided to align with current Williams* legislation requirements. Supplies are adequate to meet the needs of the educational program. (*Williams Legislation requires qualified teachers, adequate facilities, & sufficient materials.)

JUVENILES

- What is the proximity to adult inmates? Not Applicable
- Is staff available to supervise juveniles? Yes
- Is there constant auditory access to staff? Yes
- Is the juvenile provided a snack if requested? Yes
- Is there access to toilets and washing facilities? Yes

- Is there access to drinking fountains or water? Yes
- Are there provisions to provide extra clothing or blankets if needed? Yes

CONDITIONS OF SECURE DETENTION OUTSIDE A LOCKED ENCLOSURE (e.g., CUFFING RAIL)

- Is there contact with other juveniles? No
- Is there constant supervision by staff? Yes
- Any timed intervals of supervision? What are the time limits? Three eight hour shift programs.
- Is there access to toilet and washing facilities? Yes
- Is there access to drinking fountains or water? Yes

CONDITIONS OF NON-SECURE DETENTION

- Is there constant supervision? Yes
- Are males and females in the same room? No

POLICIES AND OPERATIONS MANUALS

Review the following sections, making notes of each:

- Inmate Grievances: 51
- Citizen Complaints: Zero
- Major Incidents: Zero
- Table of Contents of the Manual (s): Have copies

DOCUMENT REVIEW

INMATE GRIEVANCES/COMPLAINTS/INCIDENTS AND RESOLUTIONS:

TYPES	RESOLUTIONS
Youth on youth fight	Secured in room, pepper sprayed, handcuffed
Staff and youth behavior issues	Secured in room, pepper sprayed, handcuffed
TYPES PER MONTH	NUMBER OF TIMES PER MONTH
Youth on youth fights May, 2014	12
Staff and youth behavior issues May, 2014	11
Youth on youth fights June, 2014	5
Staff and youth behavior issues June, 2014	9
Youth on youth fights July, 2014	7
Staff and youth behavior issues July, 2014	7

Total Complaints reviewed: 51

MAJOR INCIDENTS

TYPES	RESOLUTIONS
None	

Total Complaints reviewed: Zero

COMMENTS AND CONCERNS OBSERVED DURING THE TOUR:

Impressive Library

AB109 QUESTIONS – Not Applicable

*** * * INSPECTION FORM * * ***

Please fill out those sections that apply to the facility you are inspecting

FACILITY NAME: High Desert Juvenile Detention and Assessment Center	INSPECTION DATE: September 4, 2014
FACILITY CAPACITY: 200 CURRENTLY: 110, 95 boys and 15 girls	LAST BOARD OF STATE & COMMUNITY CORRECTIONS INSPECTION DATE: April 16, 2014
ADDRESS: 21101 Dale Evans Parkway Apple Valley, CA 92307	Telephone Number: 760-961-6701 Fax Number: 760-961-6717
TYPE OF FACILITY: Type II Detention Center (Inmates pending arraignment, during trial, and upon sentencing)	

SITE TOUR -AREA INSPECTED/REVIEWED - (Please Check Areas Seen)

QUALITY OF LIFE	PROGRAMS	PERSONS INTERVIEWED
Physical Plan X	Educational X	Inmates
Meals/Nutrition X	Vocational X	Facility Manager X
Mental Health X	Community Services	Medical X
Physical/Dental Health X	Domestic Violence	School Staff X
Religious Services X	Victim/Gang Awareness X	Mental Health Staff X
Visiting X	Substance Abuse X	Line Staff X
Volunteer Involvement	Other	Food Services Staff X

ANY ADDITIONAL INFORMATION/NOTES: None

GENERAL INFORMATION

- What is the capacity of the facility? 200
- What is the current number of pretrial inmates? Average 48 over 12 months
- What is the current number of sentenced inmates? Average 62
- Has the facility exceeded capacity since last year's inspection? No
- What is the average length of detention? Approximately +/- 30 days depending on severity
- What is the inmate classification system? Describe. The Probation Correction Bureau has established standards of risk factors; a copy was provided.
- Number of weekend offenders? None
- Number of inmate suicides in the last year? None
- Number of attempted suicides in the last year? None
- Number of deaths from other causes in the last year? None
- Number of escapes in the last year? None
- Date of last fire/emergency drill? Systems tested annually; emergency operation procedures current; deputies trained to use fire hoses; no evacuation of inmates. Drills are impractical, but in an emergency, evacuations can be done in stages; there is a process in place that is followed.

INDIVIDUAL CELLS/ROOM

- Condition of walls? Good condition and clean.
- Personal possessions allowed and stored in cell/room (Art, Books, Etc.)? Toiletries stored in day room on a shelf. No books allowed in rooms.
- Graffiti present? No
- Ample bedding? Yes

LOCAL INSPECTIONS

- Fire Inspection Conducted: Yes –7/29/2014
- Medical/Mental Health: Yes – 4/23/2014

- Environmental Health: Yes– 4/23/2014
- Nutritional Health: Yes – 4/23/2014
- Correction Standards Authority: Yes - 4/16/2014
- Other (Describe): Yes – Available onsite

STAFFING

- What is the staff to inmate ratio? 1 to 8
- Does staff communicate in language that an inmate can understand? Yes. If interpreter is needed, there is a contract in place to accommodate all languages. Languages available are: Spanish, Polish and Vietnamese by those on staff.
- Diversity and gender of staff? Male and female, well represented diversity in staff.
- Impression of staff/inmate interactions? A point system is used based on the inmate's actions. Mutual respect for one another was evident.

CONDITION OF THE GROUNDS – lawns, exercise area and equipment, asphalt, other.

- Excellent. They are reseeding the exercise area.

EXTERIOR OF BUILDINGS – General Condition: paint, roof, drains, gutters, other. Safety and security issues including fencing and outdoor lighting.

- Well maintained

INTERIOR OF BUILDINGS - walls, paint, floors, drains, plumbing fixtures, air vents, windows, other.

- Condition of the interior of the building noting graffiti, peeling paint, unpleasant odors, or other signs of deterioration? Excellent
- General cleanliness of the facility including windows, lighting, lockers, desks, conditions of the mattresses, bedding and pillows? Okay, all very good.
- Condition of sleeping room door panels? Okay, good
- Temperature of living units and classroom? Okay, comfortable

- If a court holding area is present in the facility, ensure access to toilet and drinking water? Not Applicable
- Are there adequate supplies (books, paper, computers, etc.)? Yes
- Are cleaning fluids and chemicals labeled and safely stored? Under lock and key
- Is the Material Safety Data Sheet (MSDS) available? Did not observe, but was told one was present.
- Is a Weapons Locker present? Yes. If so where is it located? Outside the Intake Area and in the Administration Office area.
- Recreation/sports equipment? Yes
- Hallways - clear? Yes
- Are the doors secured? Yes Propped open or closed? No
- Holding areas (cells/rooms) – Is there access to drinking water and toilet? Yes
- Are there individual cells/rooms or dormitories? They are called Units which consist of two beds, a toilet and a sink.
- Beds – Type of bed and is it off the floor? All are off the floor.
- Adequate lighting? Okay
- Adequate temperature? Okay

ORIENTATION OF INMATES

- Are inmates oriented to rules and procedures? Yes
- Are rules and grievance procedures posted? Yes
- Are there procedures for handling citizen and inmate complaints? Yes, standard form collected and forwarded to Internal Affairs for review and actions included in the grievance policy.
- Are rules and grievance procedures understood by inmates? Yes, reviewed with inmates by intake and classification officer.
- Inmates interviewed? No
- Number interviewed: Zero
- Comments: None

MEALS/NUTRITION

- Is the kitchen area clean? Yes. Meals are cooked and prepared at the Central Juvenile Facility
- Are knives and chemicals secured? Not applicable, only staff in kitchen. No inmates in the kitchen area
- Have the inmates working in the kitchen been trained? No. Inmates do not work in the kitchen; however, they do hand out the food tray in their day rooms. These inmates are trained and have food handling cards.
- Have the inmates had a medical clearance/review before assignment? Not applicable. Inmates do not work in the kitchen; however, they do hand out the food trays in their day rooms. These inmates are trained and have food handling cards.
- Are meals served in the cell, dayroom or at a central cafeteria? Day room
- Are inmates permitted to converse during meals? Yes
- Length of time allowed for eating? 20 minutes

PERSONAL APPEARANCE OF INMATES

- What is the appearance of inmates (dirty, unkempt, well groomed, etc.)? Well groomed
- Is the inmate's appearance well groomed? Yes
- Showers – frequency, privacy, maintained, supervised by staff? Daily and supervised.
- Is facial hair allowed? Yes
- Are there any reported assaults by inmates on inmates? Yes
- Condition of clothing (does the clothing fit; is it appropriate for the weather, etc.)? Clean and appropriate

PROGRAMS

- Is exercise inside or out? Outside on the back patio, basketball court, or recreation field.
- How frequently is exercise offered? Daily
- How much exercise time is each inmate offered? Each youth receives one hour of exercise per day not including PE.

- Do men get more exercise time that the women? No, equal time, either outside or in the day room.
- Are there clergy available to inmates upon request? Yes
- Can a request for clergy be made for emergency reasons? Yes
- Are there religious services? Yes
- What faiths? All faiths
- Are anger management and other applicable programs available? Yes
- What type of onsite health facility is available to inmates? Medical, Dental, Mental
- Are medical services available? Yes
- How frequently is medical staff onsite? RN and LVN are on site 24 hours/7days a week.
- How long do inmates wait to be seen? Within 24 hours
- Is a physician available by phone or on call? Yes, a Pediatrician is on call 24 hours/7 days a week.
- What off-site hospital is used for serious health issues? Saint Mary's Hospital in Victorville or Arrowhead Regional Medical Center in San Bernardino
- Are mental health services available? Yes
- How frequently is mental health staff onsite? Clinician - FAST (Forensic Adolescent Services Team) has clinical therapist on site seven days per week. (During staff shortages, therapist may not be on site on weekends, but standby services are available as needed). A Psychiatrist is available three days per week.
- How long do inmates wait to be seen? Same day by an RN then referrals are made if needed. Mental Health Assessments must be completed within 14 days of a minor's stay. FAST utilizes a triage system and minors are seen according to priority levels: (3) highest seen daily, (2) medium seen within three days, and (1) lowest seen within 14 days. Levels include minors on Suicide Observation Status, Administrative Segregation, acute crisis, returning from psychiatric hospital, minors who are 12 and younger, restraints in use, high Massachusetts Youth Screening Instrument score three or more in warning range.
- What type of on-site dental facility is available to inmates? A dentist comes twice a month.

- How are inmates transported to off-site facilities? Wrist and leg restraints. Youth are transported with two transportation staff.
- How is security handled for off-site visits? Wrist and leg restraints. Youth are transported with two transportation staff. If the staff members are visiting a new appointment location, they will call in advance and scout the location prior to the appointment.
- Are vocational classes available? If so, what types? Yes. General Educational Development (GED), Building Skills, HVAC, Plumbing, Electrical, Masonry, Blueprint Reading, Food Handler Certification, Painting and Landscaping.
- Is there a program to involve community volunteers? Yes

DISCIPLINE OF INMATES

- How often is discipline enacted? Whenever needed to change negative behavior or actions.
- What is the range of discipline options? From writing sentences to 72 hours Withdrawn
- from Group Participation (WGP)

GRIEVANCES

- What are the most common types of grievances filed by inmates?
  - Transferring back to Central Valley Juvenile Detention and Assessment Center (CVJDAC)
  - Failing to earn their points or consequences
  - Changing units
- Is there a record kept based on type and number? Yes

TELEPHONE

- Do inmates have access to telephones? Yes

CORRESPONDENCE

- Is there a limited free postage for inmates without money? Yes

- Are inmates aware that incoming and outgoing mail can be read? Yes. Mail is separated, logged in and opened in front of youth after assurance that there is no contraband in the envelope.
- How are confidential correspondences to attorneys, legislators, CSA, etc., handled? Screened for contraband, sealed by youth in Probation Correction Officer's presence.

VISITING

- Is there adequate space, convenient times or accommodations for family's work schedule, etc.? Yes, call visiting center to schedule time – four days a week.
- Are there provisions for special visits with attorneys/clergy? Yes, in a confidential location.
- Does staff supervise visits? Yes
- Do all inmates have access to visiting? Yes If not, give reason: Not Applicable

EDUCATIONAL PROGRAMS

- College level/high school/other: GED ,vocational classes, art, and workshops on substance abuse, parenting, anger management, living skills and cognitive skills.
- Name of school district providing educational services: San Bernardino County Superintendent of Schools.
- Teachers – number of full-time: 8 Number of substitutes: Varies
- Number of inmates in educational program: Currently 97
- Are activities, course work and home work assigned by teachers? Yes
- Relationship between educational program staff and facility staff: Collaborative and professional.
- Atmosphere of classroom: All teachers attempt to create as close to a traditional classroom environment as possible. Classes are equipped with smart board technology, and current operating computers for students' use, textbooks, paper, pencils, etc.

- Are there adequate supplies (books, paper, computers, etc.)? Textbooks are Board Adopted and are provided to align with current Williams Legislation* requirements. Supplies are adequate to meet the needs of the educational program. (*Williams Legislation requires qualified teachers, adequate facilities, and sufficient materials.)

JUVENILES

- What is the proximity to adult inmates? None
- Is staff available to supervise juveniles? Yes
- Is there constant auditory access to staff? Yes
- Is the juvenile provided a snack if requested? Yes
- Is there access to toilets and washing facilities? Yes
- Is there access to drinking fountains or water? Yes
- Are there provisions to provide extra clothing or blankets to assure comfort? Yes

CONDITIONS OF SECURE DETENTION OUTSIDE A LOCKED ENCLOSURE (e.g., CUFFING RAIL)

- Is there contact with other juveniles? No
- Is there constant supervision by staff? Yes
- Any timed intervals of supervision? No. What are the time limits? None. Three shifts.
- Is there access to toilet and washing facilities? Yes
- Is there access to drinking fountains? Yes

CONDITIONS OF NON-SECURE DETENTION

- Is there constant supervision? Yes
- Are males and females in the same room? No

POLICIES AND OPERATIONS MANUALS

Review the following sections, making notes of each:

- Inmate Grievances/Complaints: 55
- Citizen Complaints: None

- Major Incidents: 29 (May – July 2014)
- Table of Contents of the Manual (s): Have copies

DOCUMENT REVIEW

INMATE GRIEVANCES/COMPLAINTS: May 2014 – July 2014

TYPES	RESOLUTIONS
Staff being racist	1 - Youth counseled
Wanted transfer to Central Juvenile Unit	13 not approved and 10 approved
Not receiving mail	1 - None written to youth
Wants to be moved to another unit	3 - Counseled and encouraged to run a good program
Complaints about teaching staff	11 - Youth counseled
Wants a special unit	3 – Form filled out
Bugs in food	2 – Food replaced
Wants a haircut	4 – Wait for a court order or 180 days to release date
Diet complaint	1 - Saw Dietician and a BMI done
Phone call issues	1 - Phone number found. 1 Call made to phone number on file - no answer.
Lost points	1 - Points awarded back, 3 - Counseled

Total Inmate Grievances/Complaints reviewed: 55

MAJOR INCIDENTS – July 2014

TYPES	RESOLUTIONS
Fight - inmate on inmate	2 - Restrained and warned
Inmate kicking his door, the other inmate wanted to fight	1- The other inmate denies he wanted to fight
Inmate covered windows with paper, fought with staff	1- Received 48 hours WGP
Inmate rude, disruptive and confrontational	3 - Counseled
Inmate attempted to injure himself, wanted to kill himself	1- Reviewed by medical, and put on FAST (Forensic Adolescent Services Team)

Total Complaints reviewed: 29

COMMENTS AND CONCERNS OBSERVED DURING THE TOUR:

They have an area designated as an emergency prepared area in case of an earthquake. Inmates can be housed and fed in this area.

AB109 QUESTIONS – Not Applicable

*** * * INSPECTION FORM * * ***

Please fill out those sections that apply to the facility you are inspecting

FACILITY NAME: Rancho Cucamonga Superior Court Holding Area	INSPECTION DATE: September 17, 2014
FACILITY CAPACITY: 261 Current Numbers: 85 Males and 16 Females Average 80 inmates per day	LAST BSCC INSPECTION DATE: January 29, 2013
ADDRESS: 8303 North Haven Avenue Rancho Cucamonga, CA 91730	Telephone Number: (909)945-4441 Fax Number: (909)948-4577
TYPE OF FACILITY: Type II (Inmates pending arraignment, during trial, & upon sentencing) DETENTION CENTER: OTHER: County Superior Court Holding Area	

SITE TOUR -AREA INSPECTED/REVIEWED - (Please Check Areas Seen)

QUALITY OF LIFE	PROGRAMS	PERSONS INTERVIEWED
Physical Plan X	Educational	Inmates
Meals/Nutrition X	Vocational	Facility Manager
Mental Health	Community Services	Medical
Physical/Dental Health	Domestic Violence	School Staff
Religious Services	Victim/Gang Awareness	Mental Health Staff
Visiting	Substance Abuse	Line Staff X
Volunteer Involvement	Other	Food Services Staff

ANY ADDITIONAL INFORMATION/NOTES: None

GENERAL INFORMATION

- What is the capacity of the facility? 261
- What is the current number of pretrial inmates? Changes daily (Total average 80 per day)
- What is the current number of sentenced inmates? Changes daily (Total average 80 per day)
- Has the facility exceeded capacity since last year inspection? No
- What is the average length of detention? 5 to 8 hours
- What is the inmate classification system? N/A Describe: Classified at home detention center
- Number of weekend offenders? Zero
- Number of inmate suicides in the last year? Zero
- Number of attempted suicides in the last year? Zero
- Number of deaths from other causes in the last year? Zero
- Number of escapes in the last year? Zero

- Date of last fire/emergency drill? Unknown

INDIVIDUAL CELLS/ROOM

- Condition of walls? Clean and well maintained
- Personal possessions allowed and stored in cell/room (Art, Books, Etc.)? Not Applicable
- Graffiti present? None seen
- Ample bedding? Not Applicable

LOCAL INSPECTIONS

- Fire Inspection Conducted: Yes–July 1, 2013
- Medical/Mental Health: Yes– July 2, 2014
- Environmental Health: Yes – July 2, 2014
- Nutritional Health: Yes – July 2, 2014
- Correction Standards Authority: Yes– January 29, 2013
- Other (Describe) None Yes/No: Not Applicable

STAFFING

- What is the staff to inmate ratio? 1 Deputy Sheriff to 16 Inmates.
- Does staff communicate in language that an inmate can understand? Most of the time; inmate language needs vary daily
- Diversity and gender of staff? Diverse staff: Males and Females.
- Impression of staff/inmate interactions? Good interactions witnessed

CONDITION OF THE GROUNDS

- Lawns, exercise area and equipment, asphalt, other. Not Applicable

EXTERIOR OF BUILDINGS

- General Condition: paint, roof, drains, gutters, other. Safety and security issues including fencing, outdoor lighting. Well maintained

INTERIOR OF BUILDINGS

- Walls, paint, floors, drains, plumbing fixtures, air vents, windows, other: For a building built in the 1980s, it was well maintained.
- Condition of the interior of the building noting graffiti, peeling paint, unpleasant odors, or other signs of deterioration? Water damage on ceiling tiles.
- General cleanliness of the facility including windows, lighting, lockers, desks, conditions of the mattresses, bedding and pillows? Not Applicable
- Condition of sleeping room door panels? No overnight sleeping of inmates.
- If a court holding area is present in the facility, ensure access to toilet and drinking water? Yes
- Are cleaning fluids and chemicals labeled and safely stored? Yes
- Is the Material Safety Data Sheet (MSDS) available? Yes
- Is a Weapons Locker present? Yes If so, where is it located? At the entrance of the Holding Area.
- Recreation/sports equipment? Not Applicable
- Hallways - clear? Yes
- Are the doors secured? Yes Propped open or closed? No
- Holding areas (cells/rooms) –Is there access to drinking water and toilet? Yes
- Are there individual cells/rooms, or dormitories? Individual cells
- Beds – Type of bed and is it off the floor? No beds on site.
- Adequate lighting? Yes
- Adequate temperature? Yes

ORIENTATION OF INMATES

- Are inmates oriented to rules and procedures? Yes
- Are rules and grievance procedures posted? No
- Are there procedures for handling citizen and inmate complaints? Yes
- Are rules and grievance procedures understood by inmates? Yes
- Inmates interviewed? No Number interviewed: Zero
- Comments: None

MEALS/NUTRITION

- Is the kitchen area clean? Yes
- Are knives and chemicals secured? Yes
- Have the inmates working in the kitchen been trained? Yes
- Have the inmates had a medical clearance/review before assignment? Yes
- Are meals served in the cell, dayroom or at a central cafeteria? In the cell or dayroom.
- Are inmates permitted to converse during meals? Yes
- Length of time allowed for eating? 30 minutes

PERSONAL APPEARANCE OF INMATES

- What is the appearance of inmates (dirty, unkempt, well groomed, etc.)? Well groomed.
- Is the inmate's appearance well groomed? Yes
- Showers – frequency, privacy, maintained, supervised by staff? Not Applicable
- Is facial hair allowed? Yes
- Are there any reported assaults by inmates on inmates? No
- Condition of clothing (does the clothing fit; is it appropriate for the weather, etc.)? Yes

PROGRAMS

- Is exercise inside or out? Not Applicable
- How frequently is exercise offered? Not Applicable
- How much exercise time is each inmate offered? Not Applicable
- Do men get more exercise time that the women? Not Applicable
- Are there clergy available to inmates upon request? No
- Can a request for clergy be made for emergency reasons? No
- Are there religious services? No
- What faiths? Not Applicable
- Are anger management and other applicable programs available? No
- What type of onsite health facility is available to inmates? Not Applicable
- Are medical services available? Emergency only
- How frequently is medical staff onsite? Only when needed

- How long do inmates wait to be seen? Average wait 5 to 10 minutes
- Is a physician available by phone or on call? Yes, at West Valley Detention Center
- What off-site hospital is used for serious health issues? San Antonio Rancho Facility and Arrowhead Regional Medical Center
- Are mental health services available? No
- How frequently is mental health staff onsite? Not Applicable
- How long do inmates wait to be seen? Not Applicable
- What type of on-site dental facility is available to inmates? Not Applicable
- How are inmates transported to off-site facilities? Bus, van or car
- How is security handled for off-site visits? Not Applicable
- Are vocational classes available? If so, what types? Not Applicable
- Is there a program to involve community volunteers? Yes

DISCIPLINE OF INMATES

- How often is discipline enacted? As necessary, when needed
- What is the range of discipline options? Put in a single cell

GRIEVANCES

- What are the most common types of grievances filed by inmates? Restraints on too tight.
- Is there a record kept based on type and number? Yes

TELEPHONE

- Do inmates have access to telephones and how often? No, only new bookings (remands)

CORRESPONDENCE – Not Applicable

VISITING

- Is there adequate space, convenient times or accommodations to family's work schedule, etc.? Not Applicable
- Are there provisions for special visits with attorneys/clergy? Attorneys only

- Does staff supervise visits? Yes
- Do all inmates have access to visiting? Attorneys only
- If not, give reason: Inmates only at the site for 5 to 8 hours.

EDUCATIONAL PROGRAMS – Not Applicable

JUVENILES

- What is the proximity to adult inmates? Varies daily
- Is staff available to supervise juveniles? Yes
- Is there constant auditory access to staff? Yes
- Is the juvenile provided a snack if requested? Yes
- Is there access to toilets and washing facilities? Yes
- Is there access to drinking fountains or water? Yes
- Are there provisions to provide clothing or blankets to assure comfort? No

CONDITIONS OF SECURE DETENTION OUTSIDE A LOCKED ENCLOSURE (e.g., CUFFING RAIL)

- Is there a contact with juveniles? No
- Is there constant supervision by staff? Not Applicable
- Any timed intervals of supervision? What are the time limits? One shift
- Is there access to toilet and washing facilities? Yes
- Is there access to drinking fountains? Not Applicable

CONDITIONS OF NON-SECURE DETENTION

- Is there constant supervision? Not Applicable
- Are males and females in the same room? Not Applicable

POLICIES AND OPERATIONS MANUALS

Review the following sections, making notes of each:

- Inmate Grievances: One

- Citizen Complaints: None
- Major Incidents: One
- Table of Contents of the Manual(s): Have the complete manual

DOCUMENT REVIEW

INMATE GRIEVANCES/COMPLAINTS:

TYPES	RESOLUTIONS
Shackles too tight on his ankle, and claimed he was assaulted by two deputies	The use of force was appropriate in response to the inmate's actions

Total Complaints reviewed: One

MAJOR INCIDENTS

TYPES	RESOLUTIONS
Revived inmate who was unconscious, lying face down on the floor	Sheriff staff applied CPR, called 911, and the inmate was revived

Total Complaints reviewed: One

COMMENTS AND CONCERNS OBSERVED DURING THE TOUR:

AB109 QUESTIONS – Not Applicable

* * * INSPECTION FORM * * *

Please fill out those sections that apply to the facility you are inspecting

FACILITY NAME: San Bernardino County Justice Center Holding Area	INSPECTION DATE: September 30, 2014
FACILITY CAPACITY: 338 80% Males and 20% Females Currently 115 males and 5 females	LAST BOARD OF STATE & COMMUNITY CORRECTIONS INSPECTION DATE: New Building First occupied May 2014
ADDRESS: 247 West Third Street San Bernardino, CA 92415	Telephone Number: (909)383-3902 Fax Number: (909)383-3912
TYPE OF FACILITY: Type II (Inmates pending arraignment, during trial, and upon sentencing) DETENTION CENTER: OTHER: Court Holding Area	

SITE TOUR - AREA INSPECTED/REVIEWED - (Please Check Areas Seen)

QUALITY OF LIFE	PROGRAMS	PERSONS INTERVIEWED
Physical Plan X	Educational	Inmates
Meals/Nutrition	Vocational	Facility Manager X
Mental Health	Community Services	Medical
Physical/Dental Health	Domestic Violence	School Staff
Religious Services	Victim/Gang Awareness	Mental Health Staff
Visiting X	Substance Abuse	Line Staff X
Volunteer Involvement	Other	Food Services Staff

ANY ADDITIONAL INFORMATION/NOTES:

- All inmates are given two peanut butter and jelly sandwiches – unless on a special diet
- Any medical emergencies are handled via 911
- Two non-sworn officers run the holding area control panels inside a secured area.
- If the two elevators in the holding area become inoperative, there are two secure stairwells and a secure freight elevator.

GENERAL INFORMATION

- What is the capacity of the facility? 338
- What is the current number of pretrial inmates? Not Applicable
- What is the current number of sentenced inmates? Not Applicable
- Has the facility exceeded capacity since last year inspection? Not Applicable
- What is the average length of detention? Eight hours
- What is the inmate classification system? Not Applicable
- Number of weekend offenders? Not Applicable
- Number of inmate suicides in the last year? Zero

- Number of attempted suicides in the last year? Zero
- Number of deaths from other causes in the last year? Zero
- Numbers of escapes in the last year? Zero
- Date of last fire/emergency drill? New building- none yet

INDIVIDUAL CELLS/ROOM

- Condition of walls? Excellent
- Personal possessions allowed and stored in cell/room (Art, Books, Etc.)? Yes
- Graffiti present? None
- Ample bedding? None - 8 hour holding area

LOCAL INSPECTIONS: Not Applicable

STAFFING

- What is the staff to inmate ratio? 1 to 23
- Does staff communicate in language that an inmate can understand? Yes
- Diversity and gender of staff? Some diversity; 2 Females and 5 Males
- Impression of staff/inmate interactions? Good working relationship; very little interaction with inmates.

CONDITION OF THE GROUNDS

- Lawns, exercise area and equipment, asphalt, other: Not Applicable

EXTERIOR OF BUILDINGS

- General Condition: paint, roof, drains, gutters, other: New building
- Safety and security issues including fencing, outdoor lighting: Good

INTERIOR OF BUILDINGS

- Walls, paint, floors, drains, plumbing fixtures, air vents, windows, other: New building

- Condition of the interior of the building noting graffiti, peeling paint, unpleasant odors, or other signs of deterioration? Very good shape, new building
- General cleanliness of the facility including windows, lighting, lockers, desks, conditions of the mattresses, bedding and pillows? Good shape
- Condition of sleeping room door panels? Not Applicable
- If a court holding area is present in the facility, ensure access to toilet and drinking water? Yes
- Are cleaning fluids and chemicals labeled and safely stored? Yes
- Is the Material Safety Data Sheet (MSDS) available? Yes
- Is a Weapons Locker present? Yes If so, where is it located? In the aisle outside the Holding Area.
- Recreation/sports equipment? Not Applicable
- Hallways-clear? Yes Are the doors secured? Yes Propped open or closed? No
- Holding areas (cells/rooms) – (if present), is there access to drinking water and toilet? Yes
- Are there individual cells/rooms, or dormitories? Individual cells and group rooms
- Beds – Type of bed and is it off the floor? None
- Adequate lighting? Yes
- Adequate temperature? Yes

ORIENTATION OF INMATES

- Are inmates oriented to rules and procedures? Yes, at their home detention center.
- Are rules and grievance procedures posted? No
- Are there procedures for handling citizen and inmate complaints? Yes, but handled by the inmate's home detention center.
- Are rules and grievance procedures understood by inmates? Yes
- Inmates interviewed? No
- Number interviewed: Zero
- Comments: None

MEALS/NUTRITION

- Is the kitchen area clean? Not Applicable
- Are knives and chemicals secured? Not Applicable
- Have the inmates working in the kitchen been trained? Not Applicable
- Have the inmates had a medical clearance/review before assignment? Not Applicable
- Are meals served in the cell, dayroom or at a central cafeteria? Served in cells
- Are inmates permitted to converse during meals? Yes
- Length of time allowed for eating? One hour and 30 minutes

PERSONAL APPEARANCE OF INMATES

- What is the appearance on inmates (dirty, unkempt, well groomed, etc.)? Well groomed and clean clothes.
- Is the inmate's appearance well groomed? Yes
- Showers – frequency, privacy, maintained, supervised by staff? Not Applicable
- Is facial hair allowed? Yes
- Are there any reported assaults by inmates on inmates? No
- Condition of clothing (does the clothing fit; is it appropriate for the weather, etc.)? Clean and adequate

PROGRAMS – Not Applicable

DISCIPLINE OF INMATES

- How often is discipline enacted? If required, it is done at the inmate's home detention center.
- What is the range of discipline options? Not Applicable

GRIEVANCES

- What are the most common types of grievances filed by inmates? Not Applicable
- Is there a record kept based on type and number? Not on site; it is handled at the home detention center.

TELEPHONE

Do inmates have access to telephones and how often? Not Applicable

CORRESPONDENCE – Not Applicable

VISITING – Not Applicable

EDUCATIONAL PROGRAMS – Not Applicable

JUVENILES

- What is the proximity to adult inmates? Separated by a hallway
- Is staff available to supervise juveniles? Yes
- Is there constant auditory access to staff? Yes
- Is the juvenile provided a snack if requested? Yes
- Is there access to toilets and washing facilities? Yes
- Is there access to drinking fountains or water? Yes
- Are there provisions to provide clothing or blankets to assure comfort? Not Applicable

CONDITIONS OF SECURE DETENTION OUTSIDE A LOCKED ENCLOSURE (e.g., CUFFING RAIL)

- Is there contract with other juveniles? Minimal upon arrival and departure
- Is there constant supervision by staff? Yes
- Any timed intervals of supervision? What are the time limits? Not Applicable
- Is there access to toilet and washing facilities? Yes
- Is there access to drinking fountains? Yes

CONDITIONS OF NON-SECURE DETENTION

- Is there constant supervision? Yes
- Are males and females in the same room? No

POLICIES AND OPERATIONS MANUALS

Review the following sections, making notes of each:

- Inmate Grievances: Zero
- Citizen Complaints: Zero
- Major Incidents: Zero
- Table of Contents of the Manual (s) – Not Applicable

DOCUMENT REVIEW

INMATE GRIEVANCES/COMPLAINTS:

TYPES	RESOLUTIONS
Zero	

Total Inmate Grievances/Complaints reviewed: Zero

MAJOR INCIDENTS

TYPES	RESOLUTIONS
Zero	

Total Complaints reviewed: Zero

COMMENTS AND CONCERNS OBSERVED DURING THE TOUR:

One area of concern was no documentation is maintained onsite of any inmate grievances, complaints or major incidents. If anything is reported, it is documented and goes to the inmate's home detention center. A copy of the documents should reside at the point of the occurrence.

AB109 QUESTION - Not Applicable

* * * INSPECTION FORM * * *

Please fill out those sections that apply to the facility you are inspecting

FACILITY NAME: Glen Helen Rehabilitation Center	INSPECTION DATE: August 27, 2014
FACILITY CAPACITY: 1,446 CURRENTLY: 1,223	LAST BOARD OF STATE AND COMMUNITY CORRECTIONS INSPECTION DATE: March 2013
ADDRESS: 18000 Institution Road San Bernardino, CA 92407	Telephone Number: (909)473-2511 Fax Number: (909)473-3633

SITE TOUR -AREA INSPECTED/REVIEWED - (Please Check Areas Seen)

QUALITY OF LIFE	PROGRAMS	PERSONS INTERVIEWED
Physical Plan X	Educational X	Inmates X
Meals/Nutrition X	Vocational X	Facility Manager X
Mental Health X	Community Services X	Medical X
Physical/Dental Health X	Domestic Violence X	School Staff X
Religious Services X	Victim/Gang Awareness	Mental Health Staff X
Visiting X	Substance Abuse X	Line Staff X
Volunteer Involvement	Other	Food Services Staff X

Any Additional Information/Notes:

This facility has housing cells known as "blocks" with single and dual bunks for maximum security; dormitory units house 360 inmates each known as M-1 and M-2 minimum security. There is a women's dormitory, which houses a maximum of 270 inmates in minimum security. A two story facility houses a maximum of 56 inmates in minimum and maximum security. This facility has an educational program known as INROADS (Inmate Rehabilitation through Occupational and Academic Development Systems) which provides academic, vocational and intervention classes.

GENERAL INFORMATION

- What is the capacity of the facility? 1,446
- What is the current number of pretrial inmates? 423
- What is the current number of sentenced inmates? 800
- Has the facility exceeded capacity since last year's inspection? No
- What is the average length of detention? 617 Days
- What is the inmate classification system? Describe: The San Bernardino County Sheriff's Department classification system has been centralized over the last 18 months. The Classification/Population Management Unit (CCU) does all the classification for the entire Detention and Correction Bureau. Inmates are classified during booking at West Valley Detention Center, Central Detention Center or High Desert Detention Center. The inmates are classified as a 1-7. Inmates classified as a 1 are the highest security inmates and 7 are the lowest. The other classifications are Protective Custody, Administrative Segregation and Unusual Behavior for inmates with mental disabilities. All the Type II detention center dorms and cells are rated for a certain classification of inmate. The Classification Unit can see where there is room for a particular inmate and send the inmate to any Type II detention center in the county. This method of classification has brought bureau-wide consistency and has helped manage the inmate population. In 2013 the San Bernardino County Sheriff's Department Classification System was studied by professors at California State San Bernardino and validated as an accurate and safe classification tool.

- Number of weekend offenders? Currently there are zero Work Release inmates; 1,220 Weekender inmates; and 321 inmates on Electronic Monitoring.
- Number of inmate suicides in the last year? Zero
- Number of attempted suicides in the last year? Zero
- Number of deaths from other causes in the last year? Zero
- Numbers of escapes in the last year? Zero
- Date of last fire/emergency drill? Staff reports fire drills are impractical, but in an emergency, evacuations can be done in stages. There is a process that is followed and all emergency exits are clearly marked and posted.

INDIVIDUAL CELLS/ROOM

Condition of walls? Good, well maintained

Personal possessions allowed and stored in cell/room (art, books, etc.)? Yes

Graffiti present? Generally no, however, in the Discipline Area some graffiti was present.

Ample bedding? Yes. All bedding is off the floor.

LOCAL INSPECTIONS – Not Addressed

STAFFING

- What is the staff to inmate ratio? The staff to inmate ratio varies, depending on the housing unit. For instance, Minimum 1 Housing Unit is capable of housing 360 inmates and employs three deputy sheriffs, which represents 120:1ratio. On the other hand, Glen Helen North is capable of housing 70 inmates and employs one deputy sheriff which represents 70:1 ratio.
- Does staff communicate in language that an inmate can understand? Yes, if an interpreter is needed, there is a contract in place to accommodate all languages. Languages are also available in Spanish, Finnish, Swedish, Polish and Vietnamese by staff.
- Diversity and gender of staff? There are numerous cultures on staff. There are 56 males and 14 females on the staff.

- Impression of staff/inmate interactions? Great working relationship with mutual respect and dignity.

CONDITION OF THE GROUNDS

- Lawns, exercise area and equipment, asphalt, other: Excellent condition, the grounds were clean and well maintained.

EXTERIOR OF BUILDINGS

- General Condition: paint, roof, drains, gutters, other: Good Safety and security including fencing, outdoor lighting. Fencing height increased to 14 feet, outdoor lighting was good.

INTERIOR OF BUILDINGS

- Walls, paint, floors, drains, plumbing fixtures, air vents, windows, other: Good
- Condition of the interior of the building noting graffiti, peeling paint, unpleasant odors, or other signs of deterioration? Mild deterioration due to age in the bathroom areas.
- General cleanliness of the facility including windows, lighting, lockers, desks, conditions of the mattresses, bedding and pillows? Excellent
- Condition of sleeping room door panels? Good
- Temperature of living units and classroom? Overall good; Air conditioner in one wing was being repaired.
- If a court holding area is present in the facility, ensure access to toilet and drinking water? Not applicable
- Are there adequate supplies (books, paper, computers, etc.)? Yes
- Are cleaning fluids and chemicals labeled and safely stored? Yes
- Is the Material Safety Data Sheet (MSDS) available? Yes
- Weapons Locker present? Yes, located in the Administration Office.
- Recreation/sports equipment? In good shape
- Are the hallways clear? Yes
- Are the doors secured? Yes Propped open or closed? No

- Holding areas (cells/rooms) – (if present), is there access to drinking water and toilet? Yes
- Are there individual cells/rooms, or dormitories? Yes, all three types.
- Beds – Type of bed and is it off the floor? Off the floor bunks.
- Adequate lighting? Yes
- Adequate temperature? Yes air conditioned throughout

ORIENTATION OF INMATES

- Are inmates oriented to rules and procedures? Yes. Upon booking, inmates are provided an orientation pamphlet outlining the facility rules and regulations. Each morning at 09:39 hours the Inmates Orientation Video is played over the facility television system. The video provides information on inmate rules, regulations and available programs. It will first be played in English and then Spanish.
- Are rules and grievance procedures posted? Yes. There is a laminated copy of the rules and grievance procedures posted on the wall at the end of each housing unit.
- Are there procedures for handling citizen and inmate complaints? Yes. Department policies require that a complaint form be issued upon request. The complaint is logged then sent to Internal Affairs. The complaint is then assigned for investigation.
- Are rules and grievance procedures understood by inmates? Yes. English and Spanish versions of the inmate rules and grievance procedures are provided. Other languages will be provided upon request. There is also an on call interpreter if needed.
- Inmates interviewed? No
- Number interviewed: Zero
- Comments: None

MEALS/NUTRITION

- Is the kitchen area clean? Yes.
- Are knives and chemicals secured? Yes. The knives are tethered and inventoried by staff at the beginning, middle and end of each shift. The chemicals are secured by staff.

- Have the inmates working in the kitchen been trained? Yes. Some are trained prior to their incarceration. Others are trained by staff. Each inmate attends an 8 hour food handler's class and receives certification.
- Have the inmates had a medical clearance/review before assignment? Yes. They are medically cleared before being assigned to any kitchen detail.
- Are meals served in the cell, dayroom or at a central cafeteria? Yes. Meals are served dependent upon inmate's classification.
- Are inmates permitted to converse during meals? No
- Length of time allowed for eating? A minimum of 15 minutes unless they are considered "slow eaters" by the medical staff.

PERSONAL APPEARANCE OF INMATES

- What is the appearance of inmates (dirty, unkempt, well groomed, etc.)? Well groomed
- Is the inmate's appearance well-groomed? Yes
- Showers – frequency, privacy, maintained, supervised by staff? Yes
- Is facial hair allowed? Yes. Mustaches are to be trimmed at the side of the mouth not to extend over the upper lip. Beards and goatees are not permitted unless it is for religious purposes.
- Are there any reported assaults by inmates on inmates? Yes. An average of 12 per month.
- Condition of clothing (does the clothing fit, is it appropriate for the weather, etc.)? Yes

PROGRAMS

- Is exercise inside or out? Outside
- How frequently is exercise offered? A minimum of 2 times per week.
- How much exercise time is each inmate offered? A minimum of 3 hours per week.
- Do men get more exercise time than the women? No.
- Are there clergy available to inmates upon request? Yes. Inmates may attend religious services or put in an Inmate Request Slip to speak to the facility Chaplain.

- Can a request for clergy be made for emergency reasons? Yes. Chaplains are on call for urgent benevolent or religious reasons. They deliver death notices or messages of a traumatic nature to inmates and or staff.
- Are there religious services? Yes. Inmates have the opportunity to participate in religious services and receive religious counseling. There is Bible study every Sunday. Catholic and non-denominational services provided.
- What faiths? There are volunteer chaplains available for any religion upon request.
- Are anger management and other applicable programs available? Yes. Anger Management, Parenting, Substance Abuse, and Marriage and Family Programs are available through the INROADS Program.
- What type of onsite health facility is available to inmates? There are exam rooms for sick calls. Medications are distributed as medically necessary.
- Are medical services available? Yes. Dental and X-rays are handled at West Valley Detention Center.
- How frequently is medical staff onsite? 24 hours/7 days a week – There is a minimum of one RN and one LVN on site for each shift and a total of 8 medical staff members.
- How long do inmates wait to be seen? Requests for services are responded to within 16-24 hours and all urgent requests are seen immediately.
- Is a physician available by phone or on call? A doctor is at the facility twice a week for a total of 8 hours. A Nurse Practitioner is available 16 hours per week. There is also a doctor on call through Arrowhead Regional Medical Center 24 hours/7 days a week.
- What off-site hospital is used for serious health issues? Arrowhead Regional Medical Center
- Are mental health services available? Yes
- How frequently is mental health staff onsite? A Clinician is on site 5 days a week. A psychiatrist is on call.
- How long do inmates wait to be seen? Requests for services are responded to within 24-48 hours. In emergency situations, nursing staff will assess mental health requests when mental health staff is not available.

- What type of onsite dental facility is available to inmates? Any dental treatment is held off the facility. Female inmates are transported to West Valley Detention Center and the males are transported to Central Detention Center.
- How are inmates transported to off-site facilities? The hospital transportation deputy sheriff will transport an inmate in a van and an ambulance is used in emergency situations.
- How is security handled for off-site visits? Inmates are handcuffed or shackled before being transported. A deputy sheriff will ride in an ambulance with an inmate or follow behind the ambulance to the hospital.
- Are vocational classes available? Yes. Numerous classes are available through the Inmate Services Division and INROADS. If so, what types? GED, Bakery, Auto Repair, Behavioral, Parenting, Culinary
- Is there a program to involve community volunteers? No

DISCIPLINE OF INMATES

- How often is discipline enacted? As incidents require action.
- What is the range of discipline options? 2 to 30 days restricted activity.

GRIEVANCES

- What are the most common types of grievances filled by inmates? Accusations against other inmates and requesting things
- Is there a record kept based on type and number? Yes

TELEPHONE

- Do inmates have access to telephones and how often? Yes. Telephones are available in each dayroom area. They are available during regular dayroom hours. Inmates are allowed to make collect or prepaid phone calls utilizing their individual pin numbers.

CORRESPONDENCE

- Is there a limited free postage for inmates without money? Inmates without funds are allowed two postage paid envelopes per week from a welfare bag.
- Are inmates aware that incoming and outgoing mail can be read? Yes. The Inmate Rules and Regulations Pamphlet states that mail is "subject to being scanned, read and inspected."
- How are Confidential correspondences to attorneys, legislators, CSA, etc., handled? Legal mail is inspected for contraband, but not read. Outgoing mail is sealed by the inmate after the inspection. Incoming legal mail is opened by the inmate in front of a deputy sheriff and inspected.

VISITING

- Is there adequate space, convenient times or accommodations to family's work schedule, etc.? Yes. Visiting is held 5 days a week (not Monday or Tuesday) and the last visit is 7:20 PM.
- Are there provisions for special visits with attorneys/clergy? Yes. They must be cleared through Inmate services and can be allowed to visit at separate times.
- Does staff supervise visits? Yes.
- Do all inmates have access to visiting? Yes. If not, give reason: When an inmate is on discipline, he or she cannot receive visits. The average discipline is 2 to 3 days, but maximum (which is rare) can be up to 30 days. An inmate on discipline can receive official visits.

EDUCATIONAL PROGRAMS

- College level/high school/other: General Education Diploma
- Name of school district providing educational services: California State University at San Bernardino and Chaffey College.
- Teachers – number of full-time, number of substitutes: There are 6 full time teachers, 1 on call substitute and 8 interns.
- Number of inmates in educational program: Monthly average 180 males and 63 females.

- Are activities, course work and home work assigned by teachers? Home work is given and required each day. There are also individual and group assignments.
- Relationship between educational program staff and facility staff: Excellent. The inmates trust the teachers. The teachers enjoy being a mentor.
- Atmosphere of classroom: Comfortable
- Are these adequate supplies (books, paper, computers, etc.)? Yes

JUVENILES – Not Applicable

CONDITIONS OF SECURE DETENTION OUTSIDE A LOCKED ENCLOSURE (e.g., CUFFING RAIL) – Not Applicable

CONDITIONS OF NON-SECURE DETENTION – Not Applicable

POLICIES AND OPERATIONS MANUALS

- Inmate Grievances: 16 (see page 11)
- Citizen Complaints: Zero
- Major Incidents: Zero
- Table of Contents of the Manual(s): Have copies of Emergency Operations Manual and Detention and Corrections Bureau Policy and Procedures

DOCUMENT REVIEW - INMATE GRIEVANCES/COMPLAINTS:

TYPES	RESOLUTIONS
Miscalculated release date	Audit completed on booking jacket. All calculations correct.
Cancelled visit	Unfounded - inmates switching ID cards to obtain visits. Visits reinstated after investigation.
Undelivered magazine	Magazine determined to be acceptable. Delivered to inmate.
Accusation of being involved in an assault.	Inmate was a victim of assault.
Inmate not treated for pre-existing hernia.	Inmate was referred for treatment
Inmate did not receive a Satanic Bible	Satanic Bible provided to inmate.
Inmate requesting early release.	Inmate not eligible for early release due to criminal history.
Accusations of stolen property after booking.	Property was in a vehicle that was impounded upon arrest. He was advised how to get his property out of the tow yard.
Charged for medical co-pay but not seen by medical staff.	Money was refunded.
Inmate requesting a Bible although the library is closed.	ISU was able to find an extra Bible and gave it to the inmate.
Inmate was unable to finish personal phone call when deputy sheriff closed the dayroom.	Inmate out in excess of Title 15 regulations. Inmate requested to withdraw the grievance.
Inmate moved from minimum to maximum housing unit.	Inmate classification changed after a discipline.
Missing food from diet tray.	Culinary staff advised. Inmate advised to immediately notify staff if the issue continues.
Improperly adjusted release date.	Credits recalculated.
Not enrolled in INROADS Classes	Classes were filled and inmates with earlier release dates were enrolled first.
Did not receive library book.	Unfounded - library being updated.

Total Complaints reviewed: 16

MAJOR INCIDENTS

TYPES	RESOLUTIONS
None	

Total Complaints reviewed: Zero

COMMENTS AND CONCERNS OBSERVED DURING THE TOUR:

- Start tracking the success of the INROADS onsite training following release of the inmates.
- No booking is done onsite; booking is conducted at West Valley Detention Center.
- Sentenced inmates from State facilities roll their bedding up during the day.
- Shower areas throughout the facility need painting.
- Glen Helen North – San Bernardino County Sheriff's Department/San Bernardino County Fire Department partnership program has a capacity of 96, currently has 45 inmates. This activity has just been implemented; it bears a lot of potential and needs to be watched in the future.
- Female inmates handle the inmate visitation request call center for all county detention centers.
- The 1:120 ratio between staff and inmates is problematic.

AB109 QUESTIONS (Early release from state facilities to county facilities due to realignment policies)

- How has AB109 impacted the overall operating of this facility? (i.e. staff, workload, security, operating procedures, and training) Special diet requests, grievances and sick call all increased.
- Have the facility operating costs changed since implementing AB109? If so, have funds been available to cover these expenses? Funds are tight, and staffing with additional Sheriffs are the major concerns.
- Explain the procedure for determining how inmates are selected for early release? All the early releases are done through the Classification Population Management Unit (CCU). Every Monday a list of sentenced inmates is compiled by SBSD Technical Services Unit. The number of days varies depending on the number of inmates that need to be released to bring the inmate population under the population cap for all Type II facilities. The inmate lists are given to all Type II facilities and all the inmates booking jackets are reviewed. The inmates must be at or under the designated days determined by CCU. The inmate's current charges, criminal history and past convictions are checked to see if they

meet the early release criteria (see release criteria). The lists with all the inmates who qualify for early release are sent to the Lieutenant at CCU and he determines how many inmates need to be released that week and how many days early. The early release orders are sent out on Thursday so the inmates will be out of custody for the weekend.

Under CCU there are six full time release officers who work seven days a week. Before the inmate is arraigned, they review all inmates booked for specific charges, review their criminal histories and conduct an interview with the inmates. If they determine an inmate is safe for release, they release the inmate on his/her Own Recognizance (OR) with a date to appear in court. In 2013 they released 5,736 inmates and as of the Grand Jury's visit in August 2014, they have released 3,660 inmates early. SBSD is also preparing to OR Post Arraignment inmates with the cooperation of the courts, District Attorney and Public Defenders' Office once the system for OR is in place.

- Is there anything else you would like the Grand Jury to know about AB109 and the impact it has had on your facility? The Sheriff to inmate ratio is a concern, which requires additional funding.

* * * INSPECTION FORM * * *

Please fill out those sections that apply to the facility you are inspecting

FACILITY NAME: California Institution for Men	INSPECTION DATE: September 23, 2014
FACILITY CAPACITY: 4,530 - FULL	LAST BOARD OF STATE & COMMUNITY CORRECTIONS INSPECTION DATE: Not provided
ADDRESS: 14901 Central Avenue Chino, CA 91710	Telephone Number: (909)606-7068 Fax Number: (909)393-8699
TYPE OF FACILITY: Type III (Convicted or Sentenced Inmates) DETENTION CENTER: Four individual units OTHER: Date Built 1941	

SITE TOUR -AREA INSPECTED/REVIEWED - (Please Check Areas Seen)

QUALITY OF LIFE	PROGRAMS	PERSONS INTERVIEWED
Physical Plan X	Educational X	Inmates X
Meals/Nutrition X	Vocational X	Facility Manager
Mental Health X	Community Services	Medical
Physical/Dental Health	Domestic Violence	School Staff
Religious Services	Victim/Gang Awareness	Mental Health Staff
Visiting X	Substance Abuse X	Line Staff X
Volunteer Involvement	Other	Food Services Staff X

ANY ADDITIONAL INFORMATION/NOTES

- Four individual units at this location
- All areas are deteriorating
- Large areas of vacant land which could be used for farming
- In the Kitchen of Area D, bulk flour was stored by the door on a pallet that should be at least 12 inches off the floor
- Inmates are transported to Montclair Bus Station upon release

GENERAL INFORMATION

- What is the capacity of the facility? 4,530
- What is the current number of pretrial inmates? Zero
- What is the current number of sentenced inmates? 4,530
- Has the facility exceeded capacity since last year's inspection? No
- What is the average length of detention? 1 year to life
- What is the inmate classification system? 1 – 4. Describe: Inmates are classified in four categories: 1 being the lowest to 4 being the highest.

- Number of weekend offenders? Zero
- Number of inmate suicides in the last year? One
- Number of attempted suicides in the last year? Not provided
- Number of deaths from other causes in the last year? Natural causes, 6 inmates in 2014
- Number of escapes in the last year? None
- Date of last fire/emergency drill? One every quarter

INDIVIDUAL CELLS/ROOM - Overall poor but livable

- Condition of walls? Peeling paint, bare walls
- Personal possessions allowed and stored in cell/room (Art, Books, Etc.)? Yes, cluttered
- Graffiti present? None observed
- Ample bedding? Yes, old cloth-covered mattresses

LOCAL INSPECTIONS

- Fire Inspection Conducted: Yes - Quarterly
- Medical/Mental Health: Information not provided
- Environmental Health: Information not provided
- Nutritional Health: Information not provided
- Correction Standards Authority: Information not provided

STAFFING

- What is the staff to inmate ratio? 1 to 150
- Does staff communicate in language that an inmate can understand? Yes
- Diversity and gender of staff? Male and female with diverse ethnicity
- Impression of staff/inmate interactions? Matter of fact, routine

CONDITION OF THE GROUNDS

- Lawns, exercise area and equipment, asphalt, other: Most lawns were dead, exercise area and equipment old. Asphalt appears to be deteriorated and very old.

EXTERIOR OF BUILDINGS

- General Condition: paint, roof, drains, gutters, other: General condition was little or no signs of maintenance, paint peeling, roof shingles were old and well worn, many broken windows. Exposed metal is rusted.
- Safety and security issues including fencing, outdoor lighting: Fencing at Area A was around 14 feet high which terminated at the exterior of a one story building wall. In some sections of Area D, lighting did not exist.

INTERIOR OF BUILDINGS

- Walls, paint, floors, drains, plumbing fixtures working, air vents, windows, other: Bare walls (lathe and plaster) exposed, paint peeling; Interior windows broken by staff to administer teargas, floor tiles missing. Dirty and musty throughout.
- Condition of the interior of the building noting graffiti, peeling paint, unpleasant odors, or other signs of deterioration? Unpleasant odors and signs of deterioration rampant.
- General cleanliness of the facility including windows, lighting, lockers, desks, conditions of the mattresses, bedding and pillows? Old cloth-covered mattresses appeared well-used and dirty.
- Condition of sleeping room door panels? Paint peeling, and rusty.
- If a court holding area is present in the facility, ensure access to toilet and drinking water? Not Applicable
- Are cleaning fluids and chemicals labeled and safely stored? Yes
- Is the Material Safety Data Sheet available? Yes
- Is a Weapons Locker present? None seen, sworn officers are unarmed. They carry a teargas canister.
- Recreation/sports equipment? Yes, baseball, basketball, and exercise equipment.
- Are the hallways clear? Yes. Are the doors secured? Yes. No doors were propped open; all were closed.
- Holding areas (cells/rooms): Those in the halls have no access to drinking water or toilet.
- Are there individual cells/rooms, or dormitories? All three types exist.
- Beds – Type of bed and is it off the floor? All observed beds were off the floor.

- Adequate lighting? Lighting varied from building to building.
- Adequate temperature? 85 degrees with no air conditioning - fans were used throughout the buildings.

ORIENTATION OF INMATES

- Are inmates oriented to rules and procedures? Yes
- Are rules and grievance procedures posted? Yes
- Are there procedures for handling citizen and inmate complaints? Yes, the tracking of which was not documented.
- Are rules and grievance procedures understood by inmates? Yes
- Inmates interviewed? No Number interviewed: Zero
- Comments: None

MEALS/NUTRITION

- Is the kitchen area clean? Yes, puddles of water from cleaning were on the floor
- Are knives and chemicals secured? Yes
- Have the inmates working in the kitchen been trained? Yes
- Have the inmates had a medical clearance/review before assignment? Yes
- Are meals served in the cell, dayroom or at a central cafeteria? Served in a central cafeteria
- Are inmates permitted to converse during meals? Yes
- Length of time allowed for eating? 15 minutes

PERSONAL APPEARANCE OF INMATES

- What is the appearance of inmates (dirty, unkempt, well-groomed, etc.)? Clean
- Is the inmate's appearance well-groomed? Yes
- Showers – frequency, privacy, maintained, supervised by staff? Daily and supervised
- Is facial hair allowed? Yes
- Are there any reported assaults by inmates on inmates? Yes, stated to be a routine activity.

- Condition of clothing (does the clothing fit; is it appropriate for the weather, etc.)? The clothing is clean and weather appropriate.

PROGRAMS

- Is exercise inside or out? Inside and outside
- How frequently is exercise offered? Daily
- How much exercise time is each inmate offered? One hour per day
- Do men get more exercise time that the women? No, there are no women inmates at this facility.
- Are there clergy available to inmates upon request? Yes
- Can a request for clergy be made for emergency reasons? Yes
- Are there religious services? Yes
- What faiths? All major faiths
- Are anger management and other applicable programs available? Yes
- What type of onsite health facility is available to inmates? All types
- Are medical services available? Yes
- How frequently is medical staff onsite? 24 hours / 7 days a week
- How long do inmates wait to be seen? 16 hours maximum
- Is a physician available by phone or on call? Yes
- What off-site hospital is used for serious health issues? Chino Valley Medical Center
- Are mental health services available? Yes
- How frequently is mental health staff onsite? 24/7
- How long do inmates wait to be seen? 16 hours maximum
- What type of on-site dental facility is available to inmates? Fully staffed 5 days a week
- How are inmates transported to off-site facilities? Shackled with an armed sworn officer, in a van or car.
- How is security handled for off-site visits? Shackled with an armed sworn officer, in a van of car.
- Are vocational classes available? Yes. If so, what types? Hard-hat diving, welding, masonry, landscaping, janitorial, General Education Diploma.

- Is there a program to involve community volunteers? Yes

DISCIPLINE OF INMATES

- How often is discipline enacted? As needed
- What are the most common types of grievances filled by inmates? Fights and theft
- Is there a record kept based on type and number? No records were presented or reviewed.

TELEPHONE

- Do inmates have access to telephones and how often? The availability of phones is determined by the classification. Level One has access in their facility.

CORRESPONDENCE

- Is there limited free postage for inmates without money? Yes
- Are inmates aware that incoming and outgoing mail can be read? Yes
- How are confidential correspondences to attorneys, legislators, CSA, etc., handled? The sealing of envelopes is witnessed by a sworn officer.

VISITING

- Is there adequate space, convenient times or accommodations to family's work schedule, etc.? Yes
- Are there provisions for special visits with attorneys/clergy? Yes
- Does staff supervise visits? Yes
- Do all inmates have access to visiting? Yes
- If not, give reason: Not Applicable

EDUCATIONAL PROGRAMS

- College level/high school/other: General Education Diploma
- Name of school district providing educational services: Information not provided
- Teachers – number of full-time, number of substitutes: Information not provided
- Number of inmates in educational program: Not provided

- Are activities, course work and home work assigned by teachers? Yes
- Relationship between educational program staff and facility staff: Good
- Atmosphere of classroom: The classrooms are the most comfortable location in the facility
- Are these adequate supplies (books, paper, computers, etc.)? Yes
- Temperature of living units and classroom? 80 degrees

JUVENILES - Not Applicable

CONDITIONS OF SECURE DETENTION OUTSIDE A LOCKED ENCLOSURE (e.g., CUFFING RAIL) - Not Applicable

CONDITIONS OF NON-SECURE DETENTION – Not Applicable

POLICIES AND OPERATIONS MANUALS

- Inmate Grievances: Nothing provided: the four sections resolve their own grievances. Nothing is tracked.
- Citizen Complaints: Nothing provided, unable to determine due to various staff members receiving complaints and resolving them.
- Major Incidents: 9

TABLE OF CONTENTS OF THE MANUAL(S) - Copies of Operational Procedure and Department Operations Manual Supplements.

DOCUMENT REVIEW

INMATE GRIEVANCES/COMPLAINTS:

TYPES	RESOLUTIONS
None Provided	

Total Complaints reviewed: Zero

MAJOR INCIDENTS

TYPES	RESOLUTIONS
Force or violence racial riot – 9 Blacks and 11 Whites	Broke up the riot with pepper spray and grenades, decontamination and rehoused
Death in custody - natural causes	From 2012 to 2014 the total is 7
Death in custody - suicide by hanging	One

Total Complaints reviewed: 9

COMMENTS AND CONCERNS OBSERVED DURING THE TOUR

- This facility is an outdated, over-used and under-maintained facility.
- The staff to inmate ratio of 1 staff to 150 inmates seems problematic.

AB109 QUESTIONS

- Have the facility operating costs changed since implementing AB109? If so, have funds been available to cover these expenses? No maintenance funds are available.

DEVORE ANIMAL SHELTER

BACKGROUND

The 2014-2015 Grand Jury investigated Devore Animal Shelter (DAS) in response to a public complaint alleging that the facility failed to adhere to its policies and failed to comply with the Hayden Law. DAS is a county facility administered by the Department of Public Health.

METHODOLOGY

The Grand Jury scheduled an interview with the DAS staff to ascertain whether the facility was complying with the requirements of the Hayden Law. The Grand Jury conducted an inspection of the facility to observe its operation and to see how animals were treated.

The scope of the investigation focused on the facility's compliance with its policies and procedures and the legal requirements of the Hayden Law. The shelter was asked to supply the Grand Jury with its policies and procedures regarding rescue animals including documentation for organization and control of the animals. The Grand Jury also investigated the following issues at DAS: micro-chipping of animals (implanting of a micro-chip under the skin of a domestic animal as a means of identification); number of animals being euthanized; sick animals not being isolated from the healthy population; and Trap/Neuter/Release (TNR) not being utilized.

FACTS

The Hayden Law and Legislative History

In 1998, California enacted the Hayden Law that was intended to save more animals lives through an emphasis on adoption and owner redemption of sheltered animals. The Hayden Law, in addition to other provisions regarding the treatment and care of animals housed at shelters, increased the holding period of animals from 72 hours to 4-6 business days depending on the shelter's public hours.

Under state law, the state is required to reimburse local agencies and school districts for increased costs when the legislature passes a law that constitutes a new program or higher level of service. In a 2001 decision, the Commission on State Mandates found that some provisions of the Hayden Law were reimbursable state mandates meaning that funds would be provided to carry out the provisions of the law. In 2009, provisions of the Hayden Law that were deemed to be reimbursable state mandates were suspended when the Governor and the legislature failed to make allocations for reimbursement within the budget for those provisions.

The provisions of the law that are currently suspended and unenforceable are as follows:

- The requirement that each animal brought into a shelter be held for a minimum of six business days, unless the animal is available for adoption or owner-redemption on one weekend day or one weekday evening. In that case, the animal must be held only four days (Food and Agricultural Code §31108, §31752, §31753)
- Some of the records that allow shelters (and their owners or rescue/adoption groups) to track animals in the system (Food and Agricultural Code §32003)
- The requirement that animals other than cats and dogs receive the same conditions of holding and care as cats and dogs (Food and Agricultural Code §31753)
- The requirement that shelters maintain lost/found lists and provide the names and addresses of other shelters in the area (Food and Agricultural Code §32001)
- The required use of a standardized protocol to determine whether a cat is truly feral before denying a cat the benefit of the longer holding periods enacted in the Hayden Law (Food and Agricultural Code §31752.5).

Provisions of the Hayden Law that remain in effect are as follows[6]:

- The statewide policy preference for adoption and owner-redemption (Civil Code §1834.4.; Food and Agricultural Code §17005; Penal Code §599d)
- The explicit provision that shelters, including public shelters, are "depositories of living

[6] Source: Maddie's Law, TaimieByant, 2004, Hayden Law Update, http://www.maddiesfund.org/hayden-law-update.htm?p=5C62B4CA-5C7F-49EB-8FF3-C8BEF8B646CE

animals" (Civil Code §§1815-1816) responsible for treating those animals "kindly" (Civil Code §1834)

- Only some of the required records that allow shelters (and their owners or rescue/adoption groups) to track animals in the system have survived suspension (Food and Agricultural Code §32003)
- The requirement that shelters give owner-relinquished animals who aren't suffering irremediably an opportunity for adoption or redemption instead of killing them immediately (Food and Agricultural Code §31754)
- The requirement that shelters release animals to animal rescue and adoption groups qualified under Internal Revenue Code §501(c)(3) non-profits that have requested an animal prior to his/her euthanasia (Food and Agricultural Code §31108, §31752, §31752.5, §31753, §31754)
- The requirement that shelters use all reasonable means of checking for owner identification (Penal Code §597.1)
- Statutory permission for involuntary gratuitous depositories to accept freely offered rewards (Civil Code §1846)
- Statutory authorization for a judge to prohibit a convicted animal abuser from owning animals as a condition of probation (Penal Code §597.1)
- The requirement of pre- or post-seizure hearings if an owner requests one (Penal Code §597.1)

Facility Inspection

The Grand Jury conducted a thorough inspection of the facility. The Grand Jury observed clean kennels, as well as clean and manicured grounds. There was a separate area for sick, feral, or aggressive animals. The animals were comfortable in their environment and came to the front of the cage to observe the Grand Jury members as they passed. DAS is able to provide care for large animals such as horses. DAS staff plays easy listening music because staff believes it relaxes the animals.

According to DAS personnel, the facility employs a Drug Enforcement Administration (DEA) certified veterinarian. The DEA certification allows the veterinarian to dispense drugs[7]. The veterinarian works two or three days per week at the shelter as needed. The shelter employs one Registered Veterinary Technician who coordinates with the veterinarian regarding care and treatment of all animals within the shelter.

DAS staff provided the Grand Jury with an overview and demonstration of the Chameleon database system. The database provides a detailed history for animals from the time they arrive at the facility to final disposition. All medical records are posted in the system and reviewed by the staff. The database tracks reported animal bites, animal placements, medication, payments and receipts. The system also includes pictures of the animals. The data stored in the database is available for other shelters providing a complete history of each animal in the system. When animals are adopted by rescue groups their spay and neuter information is tracked in the system. The shelters can then monitor this information if necessary.

Every effort is made to return lost animals that are micro-chipped to their owners. Each micro-chip contains a bar code referencing the pet tracking company. The company is able to identify the owner of the animal through its tracking system.

The Grand Jury inquired into the use of volunteers at the facility and was informed that dog walking, petting and similar activities are discouraged due to the potential of spreading viruses. Volunteers are used to assist in off-site adoption events. Sheriff Department work release inmates from the Glen Helen Correctional Facility work at DAS repairing and cleaning the grounds. DAS uses paid County Work Experience personnel for clerical or front desk work.

DAS enters into signed contracts with hundreds of rescue groups. Rescue groups “pull” animals to be adopted by others. There are policies and procedures in place at DAS when working with rescue groups. If any of the rescue groups are out of compliance with state law, all adoption privileges are suspended until violations are corrected. Out of compliance includes violation of the IRS codes governing tax-exempt organizations under Internal Revenue Code 501(c)(3).

[7]www.deadiversion.usdoj.gov/pubs/manuals

The DAS provided the Grand Jury with the various forms used to become a Rescue Group Partner. The forms include:

- Contract
- Introductory letter
- A medical release agreement
- An application
- A waiver indicating rescue group is aware of policies and procedures
- 501(c)(3) tax exempt status, and applicable licenses or permits.

The general public has priority when adopting an animal from the shelter. If the animal is not spayed or neutered at the time of adoption, the adopter will have a specified period of time to have it done. The new owner or the rescue group must spay or neuter the animal within the allowed time, and provide proof of the procedure before the adoption is finalized with the shelter. Adopters can take the animal to their private veterinarian or choose to utilize the services of the veterinarians employed by the shelter. This information is tracked in the Chameleon system.

The average cost for each animal coming through DAS is $100. The shelter is proud of their financial management. Much of the shelter's food is donated.

The 2013-2014 annual budget for DAS was $2,461,587. Operational Costs from the County were budgeted at $1,518,587, with the difference of $943,000 received as revenue. Animal Care and Control (ACC) serves the unincorporated areas of the County, including Big Bear Lake, Highland and Yucaipa. There are three animal shelters included in the annual budget.

DAS established a non-profit 501(c)(3) organization to supplement operational costs of the shelter. In 2013 the shelter received cash and in-kind donations totaling more than $77,000.00. The organization called "Animals aRe First Fund" (ARFF) was federally recognized as a 501(c)(3) organization in 2004. ARFF's purpose is to provide support to San Bernardino County ACC by promoting spaying and neutering of animals, shelter adoptions and responsible pet ownership. In addition, ARFF conducts charitable activities such as fundraisers and obtaining

grants to increase important services associated with animal control. Donations can be made directly to ARFF through the DAS website. One hundred percent of the contributions are used for animal care.

On January 6, 2015, an agenda item was submitted to the County Board of Supervisors meeting to consider, and they approved a donation of 5,000 microchips valued at $27,062.50 from ARFF. The donation augments the Department of Public Health Animal Care and Control Program. Fundraising events include:

- Annual Putts 4 Mutts Golf Tournament held in February
- Be Kind to Animals Week Classic Car Show and Carnival held in May
- Annual Donation Drive held in November
- Home 4 the Holiday Photo Opportunity held in November and December

FINDINGS

1. The staff of the Devore Animal Shelter complies with the Hayden Law and all applicable procedures:
   - The Chameleon database system maintains adequate record keeping
   - Animals are reunited with the owners when address information is current
2. The staff of the Devore Animal Shelter does not utilize Trap Neuter Release as it is not a mandate when feral cats are found, and funding is not available for TNR (Food and Agricultural Code §31752.5c).
3. The Devore Animal Shelter utilizes donations and contributions in an effective manner.

COMMENDATION

The Devore Animal Shelter staff is commended for encouraging the assistance of outside groups and organizations in locating permanent homes for their animals and for utilizing ARFF, as a means to enhance revenue.

REGISTERED SEX OFFENDER WEBSITES

BACKGROUND

The State of California has required local registration of sex offenders since 1947. Megan's Law was signed by California Governor Schwarzenegger on September 24, 2004. The legislation was designed not to punish registered sex offenders but to inform the public of the presence of known registered sex offenders. Seven year old Megan Kanka, a New Jersey girl, was killed by a neighbor living across the street from her family. He was known by law enforcement as a registered sex offender, but that information had not been disclosed to the public.

The Department of Justice (DOJ) Megan's Law website provides facts in 13 languages to members of the public who are seeking information to learn about potential predators close to their home, church, park, or school. Information on the site is updated daily and comes from a statewide database that is used only by law enforcement. For that reason, the Department of Justice cannot vouch for the accuracy of information found on alternate sex offender websites.

METHODOLOGY

Fontana Police Department (FPD) and San Bernardino Police Department were visited to compare the features of *OffenderWatch*® with the Department of Justice (DOJ) California Megan's Law website (www.meganslaw.ca.gov).

The Grand Jury investigated Penal Code (PC) §290-294 and especially focused on PC §§290-290.024 which is known as the Sex Offender Registration Act (the Act) to learn about expectations in the registration process.

FACTS

The DOJ Megan's Law website provides information about a variety of topics including but not limited to offender categories, facts about sex offenders, and public access to the database. Grand Jurors accessed both the DOJ Megan's Law website and the *OffenderWatch*® database which is used by a number of cities in San Bernardino County to compare information regarding registered sex offenders. *OffenderWatch*® is a private national organization. It is not regulated by the FBI or the State of California.

Information from the DOJ Megan's Law website and the *OffenderWatch*® website was discussed with law enforcement personnel at both Fontana Police Department and San Bernardino Police Department. Personnel interviewed were very knowledgeable about the topic and thorough in their descriptions of the registration of sex offenders at their stations. Two interviews were held with each law enforcement agency so general information could be obtained with a follow-up for more specific information. Jurors witnessed Sex Offender Registration Act data being entered into the Department of Justice California Sex and Arson Registry (CSAR) and verified its inclusion on the DOJ Megan's Law website and on *OffenderWatch*® within an hour.

There are six specific categories of registered sex offenders:

- Home Address Category
- Conditional Home Address Category
- Zip Code Category
- Undisclosed Category
- Excluded Category
- Sexually Violent Predator

The Summary of California Law on Sex Offenders found on the DOJ Megan's Law website lists sex offender registration requirements:

- Initial Registration – PC §290 occurs in person within five working days after release from custody or on probation, or after coming into, or changing one's residence within any city or county
- Transient Registration - occurs every 30 days with the local law enforcement having jurisdiction over one's physical location on the 30th day (PC §290.001)
- Campus Registration - occurs with campus police in addition to local law enforcement (PC §290.01)
- Sex Offenders Who Come to School or Work in California- occurs even though they reside out of state but are employed for more than 14 days or for a period exceeding 30 days in a calendar year within California (PC §290.002)
- Moves - the last registering agency is notified within 5 days of movement and the new address or transient location is provided within 5 working days of moving into the new residence (PC §290.013)
- Updates- all registrants update their registration annually within five working days of their birthday (PC §290.12)
- Out of State Sex Offenses
- Registration at More Than One Residence
- Juvenile Sex Offender Registration
- Name Changes
- Penalties for Violation of Registration Law
- Dismissal of Offense after Completion of Probation
- Relief from the Lifetime Duty to Register

Offenders may be required to register every 30 days (Transient), every 90 days (Sexually Violent Predators), every year within 5 days of their birthday, or as changes occur as listed in the Summary of California Law.

Information provided on the Sex Offender Registration CJIS 8102S is very comprehensive including information on residence, related addresses for mailing or for next of kin, occupation,

employer's address, vehicle identification number, license plate, year/month of car tag expiration, probation/parole officer, and identifying scars, marks, or tattoos. A photograph is taken each time there is a contact with the offender.

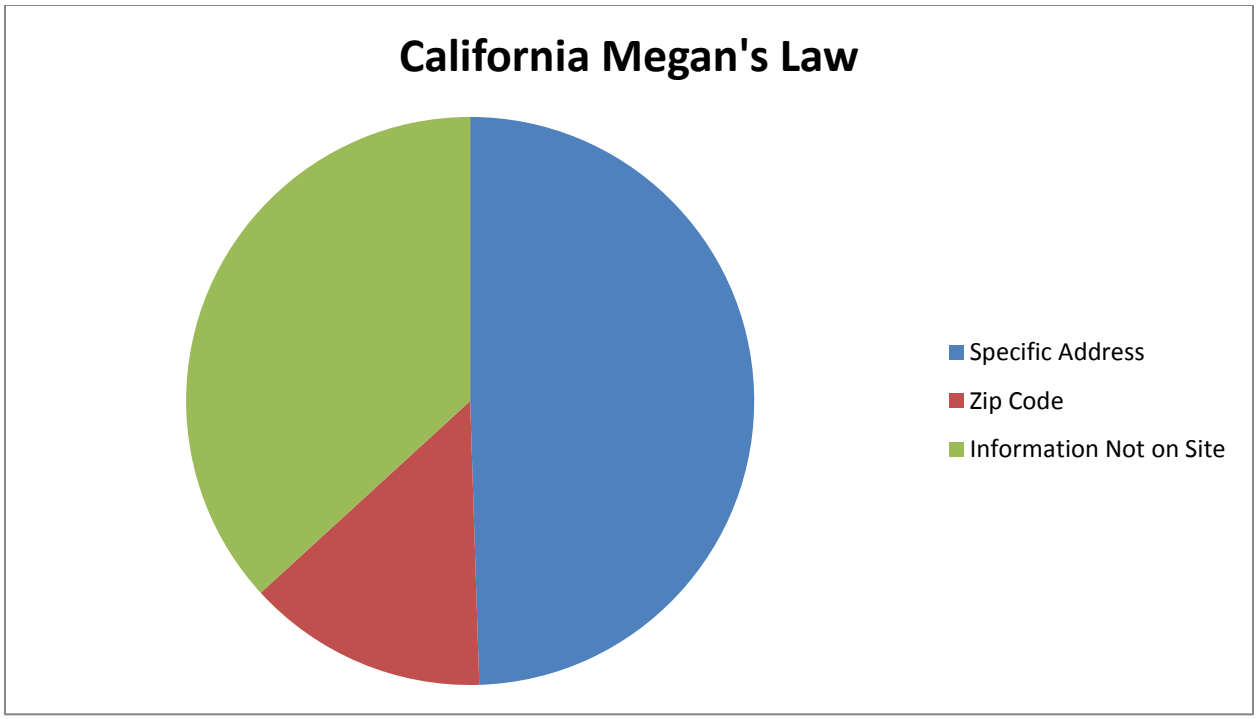
A portion of the information gathered on CJIS 8102S is available to the public on the DOJ Megan's Law website:

- full name - first, middle, and last; alias if used
- personal characteristics- sex, ethnicity, hair color, eye color, height, weight, date of birth
- offenses- code, description, year of last conviction, year of last release
- risk assessment- STATIC 99R (since January 1, 2007)
- physical attributes- scars, marks, tattoos
- photograph

With the exception of the risk assessment information, *OffenderWatch®* contains identical information for the public. In addition, *OffenderWatch®* contains a category for Incarceration Information.

At the bottom of each registrant's personal data on the Department of Justice (DOJ) Megan's Law website is a statement in bold red letters: "Registrant may have subsequently relocated."

The Department of Justice (DOJ) Megan's Law website accessed on April 24, 2015 stated that specific addresses are available for 41,077 registered sex offenders, 11,379 have their Zip Code posted, and 30,545 cannot have their information posted on the site due to Penal Code §290.46 restrictions but are known to law enforcement.



Police departments in San Bernardino County choose to use *OffenderWatch*® because a former San Bernardino County Sheriff/Coroner negotiated an agreement with *OffenderWatch*® that enabled his Department to purchase the program for every law enforcement agency within the County.

Fontana Police Department website provides access to *OffenderWatch*® by selecting Police under the Department menu heading, selecting Public Information, selecting Sex Offenders, and then selecting *OffenderWatch*®. Information for the entire city can be obtained by selecting "click here to list all published offender registrations" from the Other Search Option menu.

An alternate approach allows the user to click on Quick Links - *OffenderWatch*® on the right side of the Fontana Police Department webpage and access *OffenderWatch*® in one step.

With either approach, the only required fields to access *OffenderWatch*® by members of the public are address, city, zip, and state.

Other Search Options are available on the Fontana Police Department *OffenderWatch*® site, but not on the San Bernardino Police Department website. One of the search options states: "Click here to list all published offenders registered with this agency". The second search option states: "Click here to search by name or other options".

San Bernardino Police Department website has the *OffenderWatch*® logo prominently displayed on the initial screen as the first of four ⇒ icons located under the Navigation display. When accessed, the Other Search Option menu will not provide a complete list of published offender registrations in San Bernardino.

Jurors researched the STATIC-99 R tool used to assess risk factors and calculate the risk of future violence. Beginning January 1, 2007, the STATIC-99 risk assessment scale was administered to adult males who were required to register as sex offenders. The STATIC-99 is considered to be the State-Authorized Risk Assessment Tool for Sex Offenders (SARATSO) as part of PC §290.04. Scores range from -3 to +6 indicating a range of risk factors from low to high.

FONTANA POLICE DEPARTMENT (FPD)

One Detective is solely responsible for oversight of the *OffenderWatch*® website as well as personally monitoring the registered sex offenders living within Fontana city limits. Sex offenders can register with FPD every Tuesday and Wednesday by appointment. Currently there are no Sexually Violent Predators living in Fontana. The Detective confirms, through personal visits, the transients listed "home" addresses most often defined as general locations frequented by the offender which may be noted as the intersection of two streets. Updated information from the registration process is provided to the CSAR maintained by the Department of Justice within seventy-two hours of its receipt at the FPD. The same information is entered into the *OffenderWatch*® website within the same seventy-two hour time period by the detective or the detective's secretary and is available for public viewing on *OffenderWatch*®.

Fontana P.D. upgraded their contract with *OffenderWatch*® (at a cost of $2,000-$3,000) to allow them to communicate directly with *OffenderWatch*® rather than having to go through the Sheriff's Department to update their registry. This eliminates any chance of information entry delay for Fontana. The update also allows the public to receive email alerts of any sex offenders moving into their neighborhoods if members of the public have registered online for the service. Despite the Fontana Police Department's selection of *OffenderWatch*® as their offender tracking system, they routinely refer members of the public to DOJ Megan's Law website as a resource for out-of-county offender information. Communication with other law enforcement agencies is facilitated through the Cop Link network. This network consists of a software program in which all law enforcement reports are entered every twenty-four hours. The reports may be viewed by any agency that is a member of the network and membership includes all San Bernardino County agencies, most agencies within Southern California and some agencies within other states such as Arizona and Nevada.

The Fontana Police Department representative states that he has a very good working relationship with representatives of the Parole and Probation Departments. Compliance checks are often completed by a group representing the police department, parole, and probation. Although there is no legal requirement for compliance checks, they are conducted of their own volition. There exists an open line of communication among the agencies regarding changes of offender status such as address changes or arrest/release status. The primary oversight responsibility rests with the police departments and the communication is often achieved through a phone call from one jurisdiction to another.

Sex offenders have the lowest rehabilitation rates according to the Fontana Police Department representatives and approximately 90% of sex offenders will continue to re-offend. The AB109 realignment bill often shifted the offender supervision responsibility from the California Department of Corrections (CDC) to the local county and police agencies. By CDC reclassifying released violent sexual offenders to a less serious status, they relieve themselves of the supervision responsibility. Another problem exists in that, until recently, many courts would not

impose post release supervision terms on offenders. It is illegal for local agencies responsible for supervision to impose any terms after the offender's release.

The STATIC 99R tool is administered by CDC, Parole, and/or Probation and the score is tabulated prior to the offender's release. Law enforcement agencies have access to the individual scores and they are posted on the Department of Justice (DOJ) Megan's Law website.

SAN BERNARDINO POLICE DEPARTMENT

Members of the public can log on the San Bernardino Police Department website and can click on the posted *OffenderWatch®* icon to gain immediate access to the website. However, access to a list of all registered sex offenders in San Bernardino is not available to the public as it is on the Fontana Police Department website and DOJ Megan's Law website.

Jurors used several queries to access information. In the zip code of 92404, six names of registered sex offenders appeared on *OffenderWatch®* but only two of them resided within the 92404 zip code and the other four were within five miles. DOJ Megan's Law website showed 106 registered sex offenders residing in 92404 on the same day of April 24, 2015.

On May 19, 2015 in 92407 Zip Code, 160 sex offenders appeared on DOJ Megan's Law website but only 35 registered sex offenders were listed on *OffenderWatch®*.

Submitting an email address allows members of the public accessing *OffenderWatch®* to receive updates when new registered sex offenders move within 1, 3, or 5 miles similar to the DOJ Megan's Law website.

The San Bernardino police representative believes *OffenderWatch®* is especially good for police department queries. He says he can put a person's description in for a locale and can obtain names of known sexual offenders in that area which can help in an investigation.

FINDINGS

Fontana Police Department

1. The Fontana Police Department maintains for public use an updated *OffenderWatch*® website for registered sex offenders. 238 offenders were on *OffenderWatch*® on May 19, 2015 and 249 offenders on Department of Justice (DOJ) Megan's Law website on May 19, 2015.

2. Access to *OffenderWatch*® could be challenging to inexperienced computer users if they fail to use the Quick Search feature. The longer process involves a minimum of four steps on the website.

4. A collaborative teamwork approach is evident among sworn and staff members of the Fontana Police Department.

San Bernardino Police Department

4. San Bernardino Police Department maintains the *OffenderWatch*® website for police department use while providing limited information to the public regarding registered sex offenders.

5. Access to San Bernardino *OffenderWatch*® is easy for computer users as it involves just one computer click from the San Bernardino Police Department home page; however, information is limited for users.

6. The number of registered sex offenders provided on Department of Justice (DOJ) Megan's Law website for the city of San Bernardino is a more complete list (640 on May 19, 2015) than the number of sex offenders on the San Bernardino Police Department *OffenderWatch*® website (6 on May 19, 2015).

RECOMMENDATION

San Bernardino Police Department

15-14 Modify the San Bernardino Police Department website so the public can click on a large icon similar in font and size to the Offender Watch icon so a more thorough access to records of registered sex offenders can be easily obtained. Also, the website should provide a warning to the public to check both databases as the Department of Justice (DOJ) Megan's Law website has a more complete listing.

COMMENDATION

Fontana Police Department

Commendation to Fontana Police Department for providing personnel and financial resources to maintain the Offender Watch program to ensure that the information is current and accessible to the public.

Responding Agency	Recommendation	Due Date
San Bernardino Police Department	15-14	10/01/2015

SAN BERNARDINO CITY ANIMAL SHELTER

BACKGROUND

The 2014-2015 Grand Jury investigated the City of San Bernardino Animal Shelter.

Within the State of California, animal shelters are required to adhere to Senate Bill 1785 that was introduced in 1988 by Senator Hayden and became the Hayden Law. A provision of the Hayden Law that pertains to this investigation is Section 1(c)(2) "the shelter consolidate and list clear guidelines for all animals held in the shelter."

METHODOLOGY

The Grand Jury scheduled an interview with the staff of the City of San Bernardino Animal Shelter hereafter called the Shelter. The visitation allowed the Grand Jury to observe the operation of the facility. The scope of the investigation was whether the Shelter followed its policies and procedures, as well as those policies covered by the Hayden Law. The Grand Jury requested a copy of the Shelter's policies and procedures.

FACTS

At the time of the Grand Jury's visit to the Shelter and based on its interview with Shelter staff, there were two position vacancies: a veterinarian and registered veterinarian technician. The Shelter utilizes a program where a veterinarian visits two hours a week. The Shelter has contracts with other veterinarians who provide emergency medical services to the animals if needed. The Shelter can provide minor medical services. The Shelter is under contract with a hospital where the animals are taken when more extensive medical attention is needed.

The Shelter has hired a registered veterinarian technician (Animal Control Manager). The contracted Drug Enforcement Agency certified veterinarian can direct the staff on administering medications. The staff of the Shelter can receive on-the-job training to administer medications.

Cleaning and disinfecting of kennels and cages were observed during a tour of the Shelter. Food dishes are sanitized daily in a large industrial cleaner. Very hot water is used to kill germs and bacteria. Steam was visible to the Grand Jury during the cleaning process. Some of the cats bedding was being changed in the presence of the Grand Jurors during their visit. Multiple washers and dryers assist the staff in maintaining cleanliness.

Animal food is kept in a separate secure metal container. Bags of food were closed and neatly piled. Food is frequently donated from local companies and individuals. There was no evidence of loose food or rodents.

The general grounds are hosed down and neatly kept.

Staff communicates when moving animals from their kennels/cages to adjacent holding areas while the sanitizing is occurring. Identification tags mention the animal's temperament including feral, aggressive, or timid to assist the staff if any special handling was needed. Injuries are also noted on the tags.

The Chameleon System is a database utilized to enhance communication. The database provides a detailed history for animals from the time they arrive to final disposition. All medical records are posted in the system and reviewed by staff. The Chameleon System tracks reported animal placement, medication, payments, and receipts. The system also includes pictures of the animals.

The Shelter has published Policies and Procedures that relate to the operation of the facility and humane treatment of animals. Standard Operating Procedures include the beginning of shift, radio/cellphone use, and end of shift procedures. The most important policies deal with the health and welfare of the animals while in the Shelter's custody. For example, all animals are weighed upon intake. Healthy appearing animals are given physicals while animals that do not appear healthy or appear to be abused are given more comprehensive physicals. The staff looks for symptoms of infectious diseases such as canine distemper. Another policy deals with serious bites that may result in mandatory quarantine at the shelter or an authorized veterinary clinic. In addition, there are many other policies and procedures.

FINDINGS

1. Investigation of the San Bernardino City Animal Shelter indicates the facility is clean, operating efficiently, and according to provisions of Hayden Law.

SAN BERNARDINO COUNTY SHERIFF'S DEPARTMENT
AVIATION AND TOWING INVESTIGATIONS

BACKGROUND

Aviation Division

The Aviation Division (Division) of San Bernardino County Sheriff's Department (SBCSD) provides general law enforcement, narcotics surveillance, personnel/cargo transport, airborne photography, search and rescue, pursuit coordination, fire suppression and medical services transport with helicopters as well as fixed wing aircraft. Division aircraft are also used to assist other county employees in the performance of their duties, and civilians are often allowed to Ride-Along with SBCSD employees. The Division consists of pilots, Tactical Flight Officers (TFO), mechanics and support staff.

Vehicle Towing

During SBCSD investigations, vehicles may be towed and/or impounded for various law enforcement purposes. The SBCSD enters into Tow Service Agreements (TSA) with private towing companies to assist in the towing and impoundment of vehicles. These TSAs with the towing companies are renewed annually. According to these agreements, towing companies called to provide towing services are rotated after each service call to ensure fairness in towing service assignments.

Aero Squadron

The Aero Squadron, formerly known as the Civil Air Patrol, conducts air search, rescue, evacuation, damage assessment and assists in Emergency Disaster activities and other assigned duties as may be directed by the Sheriff of San Bernardino County. They are an organization consisting of civilian volunteers and reserve Deputy Sheriffs.

METHODOLOGY

Aviation Division

The Grand Jury reviewed SBCSD Aviation Division and Patrol Station policies and procedures provided by the SBCSD. These manuals contain rules and regulations for which SBCSD employees must adhere. The Grand Jury also interviewed numerous SBCSD employees for information regarding compliance with Standard Operating Procedures (SOP). Both the Aviation Division SOP Manual (June 30, 2013) and the Aviation Unit Policy Manual (May 9, 2014) were reviewed. An in-depth review of the Aviation Division Flight Logs and helicopter Ride-Along waivers were reviewed to discover any inconsistencies in policy and/or procedures.

Vehicle Towing

The Grand Jury reviewed the current SBCSD Manual revised in 2014, and the SBCSD Tow Service Agreement (TSA) revised in February 2015. The Grand Jury also reviewed policies and agreements in effect at the time of the investigation. The SBCSD Manual contains the rules and regulations for all employees of the SBCSD. The TSA contains the rules and regulations that a tow company agrees to comply with in order to receive a towing rotation list, a tow list used in a rotating manner with the SBCSD. The Grand Jury also reviewed the California Department of Motor Vehicle regulations regarding how to conduct a lien sale for a vehicle. Towing logs and contracts with private towing companies from various patrol stations were reviewed for accuracy of and adherence to the towing rotation lists.

Aero Squadron

Information from fuel logs, refueling dates, and staff/unit meetings from the Aero Squadron Roster was reviewed. The following information was provided by the SBCSD:

- San Bernardino County Sheriff's Department 2014 Aero Squadron Roster
- San Bernardino County Sheriff's Aviation Division Maintenance Fuel Logs, 2012 thru 2014
- Aero (Civil Air Patrol) meeting agendas from 7/1/12 thru 6/30/14 with attendance rosters

FACTS

Aviation Division Investigation

The Grand Jury investigated the use of SBCSD Aviation helicopters for civilian Ride-Alongs. According to SBCSD interviews, civilian Ride-Alongs are frequently used for public relations purposes. The Grand Jury reviewed the Aviation Division's SOP Manual and located three policies governing civilian Ride-Alongs.

Section 1.17.3 states, "All requests for a Ride-Along should be handled through Operations or Watch Commander. It is suggested that riders not request more than one ride per calendar year..."

Section 2.1.0- Patrol Flight Logs. "All Tactical Flight Officers (TFO) assigned to a patrol shift shall complete a daily flight log during the course of each shift. The patrol log should be inputted at the end of each shift. Each TFO should include the following information: Ride-Along: Item #4 of the above section includes: The name(s) of the authorized guest rider(s) after the proper waiver(s) has/have been signed." Aviation Division SOP Policy Manual
#14 - Passengers states: "Except when required to accomplish the mission, all passengers aboard a Department aircraft shall have the approval of Aviation Unit staff personnel or above."

SBCSD Manual has policies for civilian Ride-Alongs in patrol vehicles. Section 1.818 - Department Ride-Along Program, outlines the procedure for a civilian to Ride-Along with a patrol officer in a patrol vehicle. The policy outlines the following requirements for approval:

- Submitting a completed application/waiver to the division at least five days prior to the requested Ride-Along date
- A criminal background check by accessing available criminal databases
- The applicant's name shall also be queried through the Tiburon "Special Flags" section to determine the extent to which the applicant has participated in the program in the past

- The division commander or his designee shall review the application and supporting documentation, and determine whether to approve or deny the request. In no case shall the commander's designee be below the rank of sergeant
- The division commander or his designee shall, upon approval of the Ride-Along application, schedule the Ride-Along with the applicant. He shall enter, or cause to be entered, the Ride-Along application information into the "Special Flags" section of the Tiburon database
- At the time of the scheduled Ride-Along, prior to allowing the participant to go into the field, the shift watch commander shall review the application packet to ensure it has been properly completed, the background check has been completed, the application has been approved, and entry has been made into the "Special Flags" system
- The shift watch commander shall also ensure that the Ride-Along time is documented in the shift log, and the paperwork is properly stored in division files

Information was provided by SBCSD personnel regarding the number of civilian Ride-Along flights ranging from five to seven per week. The Grand Jury attempted to determine the actual number of civilian Ride-Along flights and whether the department was complying with departmental SOPs.

The Grand Jury reviewed Aviation flight logs from September 2012 to September 2014. Aviation Division SOP appears to use the terms flight log and patrol log interchangeably. The flight log includes the following information: date, time, pilot, TFO, call (minutes spent on dispatched call), total time activity, shift, location and disposition. In addition, the Hobbs flight time indicator in the cockpit shows start and finish time which is recorded on the flight log. All of this information is then recorded on a computerized log. The flight log provides a description of the flight in the "activity" and "disposition" columns. Examples of activities recorded in the "activity" column included general patrol activities such as robbery, failure to yield-pursuit, man with a handgun, foot pursuit- suspect running from officer, and suspicious character- subject appears to be casing residences. Also included in the column were non-patrol activities such as Ride-Alongs, training flights, administration flights and event flybys.

The Grand Jury requested Aviation Division waivers for flight Ride-Alongs for a period of three years and was provided waivers from January 2013 through February 2015. The Grand Jury also reviewed flights listed on a SBCSD employee personal flight log. The Grand Jury investigation revealed that not all helicopter flights were recorded on the Aviation flight logs. The Grand Jury randomly selected for study two individual time periods of two months each for a total of four months. Twenty-eight civilian Ride-Along waivers fell within the four month time frame. The Grand Jury found that the flights with the twenty-eight civilian guest riders were not recorded on the Aviation flight logs.

SBCSD Aviation pilots also maintain a personal flight log. The Grand Jury reviewed a personal flight log of a person authorized to pilot a SBCSD helicopter. The Grand Jury compared the first eight flights recorded on the personal flight log with the Aviation flight logs. One of the eight flights included a known civilian Ride-Along flight involving four individuals. Seven of the eight flights which included the civilian Ride-Along flight were not recorded on the Aviation flight logs. The Grand Jury verified through interviews with SBCSD personnel that no policies existed that required "unscheduled flights" to be recorded.

A review of the waiver forms completed by civilian passengers revealed that of the 200 waivers received, only 39 waivers were complete and approved per department policy. The remaining 161 waivers (80% of the total provided) were incomplete with no background check verification, no authorized signature, and in some cases, missed required information.

Vehicle Towing Investigation

The Grand Jury investigated the SBCSD agency's policies and procedures related to employees purchasing vehicles at lien sales after a vehicle has been impounded by a tow company or after a vehicle had been seized during an investigation.

The Grand Jury reviewed the Tow Service Agreements (TSA) between SBCSD sub-stations and tow companies. The TSAs specify the rotation for approved tow yards to be utilized. However,

the TSAs also specifically state "that a station commander, his designee, a supervisor or a scene manager may request tow service outside the normal rotation". Also, it was discovered that an addendum (page 68-69) had been added to the prior TSA, revised February 2013. Only one Sheriff's Station TSA added an addendum (page 69(a)) to this addendum. This additional addendum stated:

"All companies participating in the TSA will no longer be allowed or permitted to sell and or give vehicles, motorcycles, motorized vehicles and or any other property directly related to the towing businesses that are currently enrolled in the TSA to a Sheriff's department employee and or their immediate family."

The terms of the addendum that were a part of all the prior TSA have been incorporated in the revised TSA. The additional addendum, which was included in only the one station's TSAs, has been deleted.

Vehicle Towing Departmental Policy Addition/Revision was proposed for Section 1.636 Rewards and Gratuities of the SBCSD Manual, in March 2014. The proposed revision was added to the current SBCSD Manual and stated as follows:

> "In the performance of his duty, Deputy Sheriffs frequently seize the personal property of citizens. The act of seizing another's property is one of the most invasive and litigated activities by law enforcement. In order to avoid any appearance that a seizure was for personal gain, employees shall not possess property that has been seized by the Department. This includes the purchase of seized property by a third party for an employee's use."

The California Department of Motor Vehicles (DMV) has specific rules to be followed and forms to be completed for the lien sale of a vehicle, a process which is outlined in the California Civil Code (CCC), §3071 and 3072. As long as the process is followed, there is nothing preventing a tow yard from lien selling a vehicle to whomever they choose.

Aero Squadron

The Grand Jury tabulated information from the fuel logs on a spreadsheet cross referencing the refueling dates, the Aero Squadron pilots with their personal aircraft identification numbers, and the amount of fuel obtained.

The meeting agendas for the Staff meetings, Unit Meetings (full membership) and the scheduled training dates were reviewed and compared with the refueling dates. The results of the review from July 2012 through June 2014 are as follows:

- Aero Squadron Staff Meetings were scheduled every month on the second Wednesday. There were a total of 22 meetings with the exceptions of no agendas provided for October 2012, December 2012, and December 2013. However, two meeting agendas were provided for the month of September for the dates of Monday 9/10/2012 and Wednesday 9/12/2012.
- No fuel was recorded to have been dispensed on most of these meeting dates except 8/12/12, 3/13/13, 4/9/14 and 6/11/14 to a total of only four aircraft.
- Aero Squadron Unit Meetings (full membership) were scheduled every month on the third Wednesday. There were agendas for 21 meetings. No agendas were provided for November 2012, December 2012 and December 2013.
- No fuel was recorded to have been dispensed on all of these meeting dates except one, 1/16/13 to only one aircraft.
- The only information on training dates was that they were scheduled for every fourth Saturday of the month. From July 2012 through June 2014 there were twenty-four potential training dates. The fuel records show only fourteen training dates in which fuel was dispensed.
- Thirty-seven aircraft were fueled on non-scheduled meeting dates from July 2012 through June 2014. Numerous fuelings were made within days before and after the various scheduled and training dates.
- Fifty-six aircraft were fueled on the 14 recorded training dates. This averages to 4 aircraft per training session. If the thirty-seven aircraft that were fueled on the non-

scheduled dates were averaged over the remaining unscheduled ten training dates, this would result in an average of 3.7 aircraft per session. This calculation accounts for all the fuel on the ten unscheduled dates that were rescheduled.

- No data is available that points to any misuse of the fueling privilege.

FINDINGS

Aviation

1. Not all flights are recorded in the Aviation Flight Logs.
2. The majority of waivers for civilian Ride-Alongs, including background checks, are not properly completed and /or approved prior to the applicants' flights on SBCSD aircraft.
3. Lack of clear direction as to whether the SBCSD policies that apply to patrol vehicle civilian Ride-Alongs are also applicable to aviation civilian Ride-Alongs.
4. Staff personnel are not adhering to Division SOPs.

Towing Agreements

5. The SBCSD Policy and Procedures Manual has been updated regarding the purchase of seized vehicles by employees.
6. The SBCSD appears to be aware of issues regarding towing and sale of both towed and seized vehicles and has taken steps to resolve them.

Aero Squadron

7. Aero Squadron members are complying with SBCSD policies regarding refueling of personal aircraft.

RECOMMENDATIONS

15-15 Review and update Division SOPs for training personnel on accurate procedures.

15-16 Accurately log all flight information on an independent computer based program. Information to include, but not be limited to: crew and passenger names, date and times of flights, flight's purpose, Ride-Along waiver information, flight authorization, Hobbs numbers, and any mechanical problems noted.

15-17 Maintain consistent Sheriff Department Policy and Procedures for all division personnel.

15-18 Recognize the Aero Squadron for their dedication, volunteerism and adherence to division policy and procedures.

15-19 Continue to monitor the towing issues

15-20 Revise and update the SBCSD Manual and the TSAs.

Responding Agency	Recommendation	Due Date
San Bernardino County Sheriff's Department	15-15 through 15-20	10/01/2015

RESPONSE
ACCOUNTABILITY

RESPONSE ACCOUNTABILITY

INTRODUCTION

Each year the Grand Jury is required by California Penal Code §933(c) to submit a Final Report to the Presiding Judge of the Superior Court with appropriate recommendations and results from investigations conducted by the Grand Jury.

The Grand Jury chose to include a section of the Final Report this year to an investigation which reviewed a prior Grand Jury report, recommendations and responses. A Response Accountability Report contains follow-up interviews and information gathered to determine if the agencies and/or departments are complying with the recommendations and responses given to these prior reports.

This section of the Final Report contains an update on the Newberry Community Services District investigation that was contained in the 2012-2013 San Bernardino County Grand Jury Final Report.

NEWBERRY COMMUNITY SERVICES DISTRICT

FINAL REPORT YEAR: 2012-2013

Recommendation Number: 13-28

Stated: The Local Agency Formation Commission (LAFCO) should review suggestions made in its 2009 report and include more robust analysis of governance and reorganization options for the next Service Review of the District, scheduled for 2014.

LAFCO agreed to the recommendation, stating:

> By action taken September 18, 2013, LAFCO has directed its staff to undertake an immediate off-cycle service review for the Newberry Community Services District (CSD) as well as the Yermo and Daggett Community Services Districts to address the concerns outlined in the Grand Jury Report and Recommendation #15.[1] The Commission chose to look at all three communities on the basis that the original report addressed the regional area and outlined the concerns for future sustainability of services.

LAFCO directed its staff to undertake a detailed analysis of the various service delivery options (which include but are not limited to consolidation or transfer of service to a more regional entity.)

[1] LAFCO stated that it responded to Recommendation #15. The report for Newberry Community Services District contained three recommendations, 13-26, 13-27, and 13-28. Within each of these recommendationswere multiple sub-recommendations numbered from 1 to 15. Recommendation 13-28 was comprised of sub-recommendations 8-15.

Question: Has the recommendation been implemented?

Answer: Yes.

If so, how was it implemented/what changes were made?

In its Plan for Service in 2014, LAFCO considered options for the Newberry CSD to consider what could potentially achieve a consistent level of service and economies of scale. LAFCO found it would be preferable for Daggett CSD, Newberry CSD, and Yermo CSD to consolidate into a single district. The long-term benefit to the community would be through services which are consistent, allowing for flexibility in assigning resources, and streamlining governance and management. Community residents and CSD board members opposed consolidation into a single service district. LAFCO decided to continue to monitor the districts for compliance with the California Constitution and State law, and it directed LAFCO staff to return with biannual reports on the progress of satisfying deficiencies. If any of the governance issues worsen, LAFCO may initiate consolidation at any time or request an affected agency to do so.

Information regarding the
San Bernardino County Grand Jury
or an application to serve on the Grand Jury
can be obtained by contacting the

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Information is also provided on the website at http://cms.sbcounty.gov/grandjury/Home.aspx