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## Yolo County Sheriff: Leadership Practices from the Wild, Wild West

**Accusation:** A written statement presented by the Grand Jury, charging an elected or appointed county public official with willful or corrupt misconduct in office.

**Malfesance:** The doing of an act that is positively unlawful or wrong; or the performance of a wrongful act that the person has no legal right to do.

**Misfesance:** The improper doing of an act that a person might lawfully do; or the performance of a duty or act that one ought or has a right to do, but in a manner so as to infringe upon the rights of others.

**Nonfesance:** The failure to act where duty requires an act; or neglect or refusal, without sufficient cause or excuse, to do that which is the officer's legal duty to do, whether willfully or through malice; or willful neglect of duty.

**Provisional Employee:** An employee fills a position where no eligible list exists. Position will be for no more than 6 months. Employee hired as a provisional appointment must meet the employment standards for the classification.

**360 degree evaluation:** An evaluation process where employees receive confidential, anonymous feedback from the people who work around them. Typically includes feedback from managers, peers and direct reports.

### REASON FOR INVESTIGATION

The Grand Jury received a complaint regarding the Yolo County Sheriff asking the Grand Jury to investigate:

- Whether the Sheriff has shown undue favoritism towards those with whom he has friendships or with whom he is related;
- Whether the Sheriff has intimidated or attempted to influence witnesses in Grand Jury or litigation proceedings, or in County investigations regarding alleged harassment;
- Whether the Sheriff hired a personal friend as a temporary employee;
- Whether the Sheriff has inappropriately retaliated with adverse employment actions against employees who made complaints against him, disagreed with him, or otherwise displeased him;
- Whether the actions of the Sheriff warrant an accusation by the Grand Jury pursuant to Government Code § 3060 to remove the Sheriff from office.

California Government Code § 3060 provides, that in order to present an accusation to remove an appointed or elected official from office, the Grand Jury must find willful or corrupt misconduct in office; more specifically, acts of malfesance, misfesance, or

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nonfeasance. The misconduct justifying an accusation for removal from office does not have to be criminal; it need only be willful.

Examples of such acts would include: neglect of duty due to intoxication, embezzlement, receiving bribes or kickbacks, failure to keep required records, failure to perform duties of the office, or exercise of official power in a corrupt, malicious, arbitrary, or oppressive manner.

The Grand Jury did not find such acts of willful or corrupt misconduct that rose to the level that warranted an accusation. However, in addition to findings regarding the remaining elements of the complaint, the Grand Jury found other problematic issues including nepotism, management by intimidation and poor morale within the Sheriff's Department.

California Penal Code Section 925 provides: "The grand jury shall investigate and report on the operations, accounts, and records of the officers, departments, or functions of the county including those operations, accounts, and records of any special legislative district or other district in the county created pursuant to state law for which the officers of the county are serving in their ex-officio capacity as officers and districts."

## **METHODOLOGY**

During the investigation, the Grand Jury interviewed a member of the Yolo County Board of Supervisors (BOS), current and retired staff and managers from the Sheriff's Department, representatives from Human Resources (HR) Department, County Counsel's Office, Yolo County Public Agency Risk Management Insurance Authority (YCPARMIA) and an independent contractor.

In addition to the 25 interviews of 21 witnesses, the Grand Jury reviewed the following documents:

- County of Yolo Administrative Policies and Procedures Manual: Equal Employment Opportunity, September 14, 2010; Workplace Security and Safety Policy, March 3, 1998; Code of Ethics – Standards of Ethical Conduct, June 2013; Workplace Civility, August 4, 2009;
- Yolo County Code, Chapter 6, Personnel Merit System;
- Yolo County Code Section 2-6.44, Nepotism Policy April 24, 2003, Amending Ordinance No. 1928;
- Yolo County Board of Supervisors Ordinance No. 1248, July 24, 2000. An Ordinance Amending Yolo County Code Section 2-6.44 pertaining to nepotism;
- Government Code Section 53235 Ethics Training under Assembly Bill 1234;
- Sheriff's Office General Orders Manual, Revised April 2003;

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- Yolo County Board of Supervisors' Minutes & supporting materials: March 4, 2003; March 18, 2003; March 25, 2003; April 22, 2003;
- Yolo County Code Section 2-6.07. Competitive examinations: Eligible list;
- Yolo County Code Section 2-6.26. Appointments: Procedure;
- Personnel Files; April 7, 2002 to November 17, 2013;
- Deputy Sheriffs' Association Memorandum of Understanding (MOU) July 1, 2012 - June 30, 2014;

*The last interview was conducted on April 21, 2014.*

All Grand Jury members are sworn to secrecy to assure that all complaints will be handled in a confidential manner, and they are admonished to never reveal confidential information outside the jury. For this investigation, most witnesses were subpoenaed, thereby not giving them the choice to testify.

In this year's Grand Jury investigations, all witnesses signed an admonishment not to reveal to any person, except as directed by the court, any matters regarding the nature and subject of the Grand Jury's investigation which they learned, during their appearance before the Grand Jury, until a final report is made public. A violation of this admonition is punishable as contempt of court.

This report is issued by the 2013-14 Yolo County Grand Jury, with the recusal of two jurors. They did not participate in any part of the investigation, which included interviews, deliberations, and the making and acceptance of this report.

In consideration of conflicts of interest between the County Counsel's Office and the Sheriff, as well as the District Attorney's Office and the Sheriff, the Grand Jury obtained the legal advisory services of the State of California, Office of the Attorney General.

## **DISCUSSION**

During the investigation, the Grand Jury identified several areas of concern with the Sheriff's management practices. The effects of these practices and the areas of concern are described below:

### **Favoritism, Nepotism and Preferential Treatment**

On December 10, 2001 the Sheriff hired an immediate family member for the Civil Section as a provisional employee. A provisional employee appointment may be made when no certified list of qualified candidates exists. A person employed under a provisional appointment shall serve at the pleasure of the appointing authority. The appointing authority in this case was the Sheriff.

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Four months later, in April 2002, the Sheriff was notified by the County Administrative Officer (CAO) that the family member's employment within his Department was in violation of the County Nepotism Policy Section 2-6.44, dated July 24, 2000, and that he was required to terminate his relative. On April 7, 2002, the relative resigned from the Sheriff's Department. On that same day, the CAO reassigned that same relative to the Probation Department, again as a provisional employee.

The Sheriff contacted several members of the Board of Supervisors, County Counsel and CAO to protest the Nepotism Policy. On March 25, 2003, the Board of Supervisors (BOS) approved an amended Nepotism Policy. The amended policy, Ordinance No. 1928, now allowed relatives to work in the same department as long as there are at least two levels of supervision between the two related parties.

On April 28, 2003, four days after the BOS amended action became effective, the immediate family member was rehired to the original position in the Sheriff's Department and the Sheriff authorized a ten percent salary increase.

The Grand Jury also learned that in July 2004, the Sheriff's Department had a certified eligibility list for a clerical position. A departmental supervisor was directed by the Sheriff to close the list without offering interviews to any of the qualified candidates. Once that recruitment's certified list was exhausted and closed, another immediate family member was then hired as a provisional employee in a clerical position.

Since the revision of the Nepotism Policy in 2003, the Grand Jury learned of instances where there were not at least two levels of separation between the Sheriff and immediate family members. The instances include:

- Personnel Action Form (PAF) determining the family member's salary was authorized by the Sheriff;
- Performance Evaluations and disciplinary actions for the family members were reviewed and approved by the Sheriff;
- December 2005, a family member received a Notice of Intent to Discipline, for insubordination and unauthorized use of department property, proposing a suspension of 16 hours; the Sheriff reduced this discipline to 8 hours. Three weeks later, in January 2006, the family member was promoted; and,
- From 2006 through 2013, the same family member received desirable assignments.

The current County nepotism policy, updated in 2003, permits employment of family members so long as neither family member is responsible for or influences any employment action. Typical actions not permitted would include: hiring, promoting, reclassifying,

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evaluating, making salary recommendation, assigning work resources, approving leave requests, disciplining or terminating employment.

The Grand Jury discovered multiple examples where the Sheriff's family members – known within the Department as “SD” – received preferential treatment for either themselves or their division, the “SD” had the Sheriff's ear and some employees believed they could influence his decisions to benefit areas which included early time off during the holidays, or other organizational and administrative matters. This preferential treatment was described that some co-workers would voice their wish to a “SD” in their division so they could get some desired equipment, staffing or technology.

The Grand Jury learned that in addition to family members, several friends and acquaintances of the Sheriff were hired into the Department as extra help or temporary employees. The Sheriff's practice of hiring friends and acquaintances as provisional, extra help or temporary employees avoids a competitive recruitment process and circumvents fair hiring policies and procedures of HR. It was reported that these special recruitment and hiring practices gave friends and acquaintances an inside advantage by providing knowledge and familiarity with the position, increasing the likelihood they could be eventually hired into full-time employment.

While these recruitment and hiring processes are not illegal, they clearly draw attention to the lack of 1) policies and procedures and 2) oversight to recognize and avoid conflicts of interest, and issues of fairness and ethics of the hiring process in the Sheriff's Department and Yolo County. Employees reported these acts of favoritism and nepotism as discriminatory, prejudicial and biased and that such preferential treatment has affected morale throughout the Department.

During a Grand Jury interview with the Sheriff, he learned that being in the same chain of command with his family members presents an inherent conflict of interest and he immediately issued a memo to the Undersheriff and captains, dated March 7, 2014, directing any future personnel actions regarding either of his immediate family members to the Undersheriff. This action was acknowledged by the Grand Jury as a start to Grand Jury recommendations.

The Grand Jury also found that through 2010 the Yolo County job application did not ask for family relationships for disclosure of nepotism. The current online Yolo County job application has corrected this issue.

### **Management by Intimidation**

The Yolo County Workplace Civility Policy defines the expectations for civil behavior in

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the workplace. The policy states, “The Board of Supervisors encourages county employees to disclose any incidents of workplace incivility and assures employees reporting such activities shall be protected from threats, harassment, retaliation or any adverse employment action as a result of their reporting.”

The Grand Jury learned that on multiple occasions employees were threatened, intimidated and had experienced adverse employment actions as a result of challenging the Sheriff’s agenda. Examples of the workplace incivility are:

- During manager and supervisory meetings the Sheriff openly discussed employees who had made alleged claims of sexual harassment against him. He would ridicule, accuse the employees of lying and berate them in large group meetings. Those attending would then be threatened with “whatever is said in this meeting stays in the meeting.”
- Employees reported, to the Grand Jury, acts of retribution for following County policy that the Sheriff opposed. Those employees challenging the Sheriff’s command led to re-assignment within the Department, Internal Affairs investigations, informal corrective actions and minor disciplinary actions.
- The Sheriff, upon hearing of this Grand Jury investigation, made contact with other employees and associates to obtain information regarding activities of this Grand Jury. These actions left employees intimidated that their confidentiality as Grand Jury witnesses was compromised, putting them and other employees at risk of retaliation. Witnesses indicated that the Grand Jury’s assurances of confidentiality could not assure them that other witnesses would have the same integrity.
- There were attempts by the Sheriff to influence the selection of representatives of the Deputy Sheriffs’ Association (DSA) and of acts of retribution against elected DSA representatives who disagreed with the Sheriff’s agenda. The effect of these acts on the morale of the DSA discouraged deputy participation in representation and left DSA members less than confident in the role of the DSA to act effectively for its membership.
- Employees reported that although one’s classification may include management or supervisory duties, the Sheriff always has the final say. Proposed actions, including assignments, scheduling, evaluations, discipline and awards have been micromanaged by the Sheriff and often changed or revised from staff recommendations.

### **Poor Morale**

Over the last two years, in an attempt to address issues of poor morale, HR conducted three separate investigations<sup>1</sup> regarding alleged intimidation, harassment, favoritism and

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<sup>1</sup> Written investigative reports were not completed or were not available to the Grand Jury.

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other acts unbecoming an officer. Two of these investigations were not conducted in an impartial manner. Interviews were conducted onsite at the Sheriff's Offices and/or interviewees were selected by department leadership. Because of the manner in which these interviews were conducted, employees reported they felt their confidentiality was not protected and feared intimidation and retribution by the Sheriff. Employees explained that they chose loyalty to the Department by remaining silent rather than confront the concerns and issues of those investigations by the County Administration and HR. This lack of confidentiality continues to affect employee morale.

The Grand Jury also learned that deputies within the Department are held to "unwritten work standards" affecting employees' monthly and annual performance evaluations. The standards include items such as the number of monthly reports written, patrol miles driven, and types of arrests, with a higher degree of arrests earning more value and prestige. It was also learned that these standards are applied differently among supervisors, allowing employees to be treated inconsistently in evaluations, making it impossible to confront or address the evaluation criteria.

The Sheriff's Department Field Operations Division uses baseball metaphors for internal performance evaluations; a felony arrest is a "homerun" while a misdemeanor is a "double" and a citation is only a "single." Described as "playing a sports game," deputies would be expected to reach an above average score in order to avoid a negative performance evaluation. This statistical ranking competition, or "the game," while potentially motivational, is considered by deputies and supervisors as punitive and demoralizing. Employees reported that along with negatively affecting morale, this also has the potential of placing the public at risk of unfair targeting for the chase of the "homerun."

The Grand Jury learned that some employees were less inclined to distinguish themselves for promotion, and have less incentive to improve skills and education, when they do not believe they have a fair chance at earning a promotion. Employees who joined the Department intending to protect, serve and help the community reported that they question the Department's current values and belief system.

### **HR Practices**

Yolo County Human Resources Department functions to recruit, develop and retain a high quality workforce. Its responsibilities include: labor and employee relations; recruitment, classification and compensation; risk management; and training and development.

The Sheriff's Department operates, with a staff of more than 250 employees assigned to one of three areas: Field Operations (78), Detention Center (159), and Administrative

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Services (16). Law enforcement staff described the department as a paramilitary organization having a clearly organized chain of command, and operating with minimal external administrative support or oversight from the County Human Resources Department.

While the mission of the Yolo County HR Department is, “To provide collaborative human resource services and to preserve the integrity of the personnel system consistent with county values...” the Grand Jury found this mission to be inconsistent with the current HR practices with the Sheriff’s Department.

The Grand Jury discovered that HR does not provide proactive oversight of County policies and procedures for personnel actions for the Sheriff’s Department; acting instead primarily in an advisory role or on an “as requested” basis. Often, HR does not get involved with hiring, promotions, evaluations or disciplinary actions until after being notified by the Sheriff’s Department of its decision and action. These employment actions are often decided unilaterally by the Sheriff’s leadership.

In addition to personnel practices, HR is responsible for countywide organizational and staff training programs. The Grand Jury learned that all harassment and ethics training related to State law and compliance are online courses. These courses have not been revised or updated in over 10 years and do not allow for employee input or feedback. As such, these old and repetitious online trainings, mandated bi-annually, are timed to be completed within two hours; and witnesses stated that these courses do not demonstrate skill or knowledge attainment and require only minimum effort or reflection.

The Grand Jury further learned that Assembly Bill 1234 (AB 1234) requires local officials to periodically receive training on public service ethics laws and principles. This training was mandated in January 2006 by the State of California, Office of the Attorney General, directed by the Fair Political Practice Commission and is required for all appointed and elected officials every two years. The law requires that upon completing the training, a Proof of Participation Certificate be signed and maintained on file. The Grand Jury found only one certificate, for October 2011, signed by the Sheriff stating that he understood that the: “Laws relating to fair processes including but not limited to... disqualification from participating in decisions affecting family members.” The extent of training received by the Sheriff from 2006 to 2011 could not be determined from the existing HR records.

### **Accountable Only to the Voters**

The Grand Jury learned that every Yolo County employee is evaluated for performance with the exception of elected officials. Currently, there are 11 elected officials within the County who are not evaluated. The Sheriff, as department head, performs his duties as an elected official.

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Within the last two years, the County Administrative Officer (CAO) initiated a 360 degree evaluation for all appointed Department Heads, which excludes elected officials. Such an evaluation would encourage input and feedback from peers, constituents and members of the Board of Supervisors which would formally establish a mechanism to assist in setting goals, and would provide a useful means for improving quality of work and self-correction.

The Grand Jury learned that an elected official is only held accountable by registered voters residing within the elected official's jurisdiction.

### **FINDINGS**

- F1.** Favoritism, nepotism and preferential treatment of employees have adversely affected employee morale of the Sheriff's Department. These practices by the Sheriff involve hiring, promotion, assignments and discipline.
- F2.** The Sheriff uses or creates provisional or extra help positions to employ personal friends and relatives.
- F3.** The Sheriff has engaged in hiring immediate family, authorizing their assignments, determining their promotions and salary, and using final authority to determine disciplinary actions.
- F4.** The HR Department conducted three ineffective investigations related to allegations of harassment and poor morale at the Sheriff's Department.
- F5.** The Sheriff's Department, a military-like structure, with a clear and rigid chain of command operates with minimal external administrative resources, particularly the County HR Department and labor organizations.
- F6.** The Sheriff's micromanagement reduces Department supervisors' and managers' authority to lead and evaluate staff.
- F7.** The Sheriff's Department operates with unwritten work standards for deputies who are evaluated by these standards on a monthly and annual basis. These standards are inconsistently applied by supervising staff.
- F8.** The Sheriff failed to observe County Code Section 2-6.44 Nepotism Policy by hiring immediate family members and determining their salaries, promotions, assignments, performance evaluations and discipline.

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- F9.** The Sheriff was unaware of the contents and intent of the State of California Public Service Ethics AB 1234.
- F10.** The Grand Jury was unable to determine the County's compliance with the State of California Public Service Ethics AB 1234 mandated training for 2006-2011 for the Sheriff.
- F11.** HR manages harassment and ethics online training courses for all employees to comply with state and federal laws. These outdated and repetitious trainings are found to be inadequate and ineffective.
- F12.** The HR Department serves in an advisory role and lacks appropriate oversight and accountability of personnel matters at the Sheriff's Department.
- F13.** The CAO and HR have insufficiently monitored and audited the Sheriff's Department compliance with County Codes and Policies and Procedures.
- F14.** The CAO conducts a 360 degree evaluation for all appointed Department Heads. This evaluation process currently excludes elected officials.

**RECOMMENDATIONS**

- R1.** By September 30, 2014, the HR Department shall review and revise the County nepotism policies and existing practices including prevention, monitoring and reporting of conflicts of interest.
- R2.** The HR department will annually review nepotism practices in the Sheriff's Department. Such a review shall ensure ethical standards are established and a procedural firewall exists between related employees. This annual review will be presented to the Board of Supervisors with findings and recommendations by December 1, 2014 and each following year.
- R3.** By September 30, 2014, the CAO shall review and revise the County's mandated training requirements and compliance with the State of California Public Service Ethics as directed by AB 1234.
- R4.** By November 30, 2014, the Sheriff's Department in collaboration with HR shall review and revise the evaluation standards (written and unwritten) used for all department job classifications to establish a fair and objective set of written guidelines.
- R5.** By September 30, 2014, the Sheriff's Department in collaboration with HR shall develop a plan to reinforce the authority of the command staff. This plan shall define

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the level of authority of supervisors and managers for supervising, evaluating and effectively recommending personnel actions for the staff they oversee.

- R6.** By June 30, 2015, the leadership of the Sheriff’s Department, in collaboration with HR, shall develop and implement an internal training program to promote and encourage upward mobility within the department up to and including the elected official’s position. Such a training program will serve as a blueprint for department succession planning.
- R7.** By December 1, 2014, HR shall review and update Harassment and Ethics online training programs and implement a training program that includes classroom (in-person) training.
- R8.** By November 1, 2014, the CAO shall revise and extend the current 360 degree evaluation process to include an opportunity for all elected department heads to participate.
- R9.** The Grand Jury recommends that elected public officials submit themselves to the 360 degree evaluation process used by all other department heads in the County.

**REQUEST FOR RESPONSES**

Pursuant to Penal Code § 933.05, the Grand Jury requests responses as follows:

From the following individuals:

- Yolo County Deputy CAO/HR Director: Recommendation R1, R2, R4, R5, R6 and R7
- Yolo County CAO: Recommendation R3 and R8

**INVITED RESPONSES**

- Yolo County Sheriff: Recommendation R4, R5, R6 and R9
- Yolo County District Attorney: Recommendation R9
- Yolo County Assessor: Recommendation R9
- Yolo County Clerk-Recorder: Recommendation R9
- Yolo County Public Guardian: Recommendation R9

**Yolo County Sheriff: Leadership Practices from the Wild, Wild West**

**DISCLAIMER**

This report is issued by the 2013-14 Yolo County Grand Jury with the exception of two jurors who were recused. These grand jurors did not participate in any part of the investigation, which included interviews, deliberations, and the making and acceptance of this report.

Reports issued by the Grand Jury do not identify individuals interviewed. Penal Code section 929 requires that reports of the Grand Jury not contain the name of any person or facts leading to the identity of any person who provides information to the Grand Jury.

APPENDIX RESPONSES TO THE 2013-2014 FINAL REPORT

**APPENDIX**

**RESPONSES TO THE  
2013-2014  
YOLO COUNTY GRAND JURY  
FINAL REPORT**



Includes those responses received by June 10, 2014. Responses to the 2013-14 Grand Jury report received after June 10, 2014 will be posted as they are received at [www.yolocounty.org/grand-jury](http://www.yolocounty.org/grand-jury) and will be printed in the 2014-2015 Consolidated Final Report.

**YOLO COUNTY PROMOTION PRACTICES: NEED FOR STANDARDS AND OVERSIGHT  
YOLO COUNTY DEPARTMENT OF PLANNING AND PUBLIC WORKS RESPONSE**

**Subject:** Fw: Yolo County report regarding Planning and Public Works

**From:** Grand Jury (grand-jury@sbcglobal.net)

**To:**

**Date:** Friday, May 30, 2014 8:52 AM

On Wednesday, May 28, 2014 1:03 PM, Ed Smith <Ed.Smith@yolocounty.org> wrote:

Dear Foreperson:

The Yolo County Department of Planning and Public Works has reviewed your report dated April 17, 2014 regarding Yolo County Promotion Practices. The Department concurs with your findings #F6 and F7. The department Agrees with recommendation #R3. Because of the comprehensive nature of the needed response the department will work with the Yolo County Department of Human Resources to implement this recommendation prior to October 15, 2014.

A hard copy of this response is being sent to the Honorable Daniel Maguire, of the Yolo County Superior Court with a copy to you.

Sincerely yours,

Edmund C. Smith  
Interim Director

MENTAL HEALTH CRISIS SERVICES IN YOLO COUNTY: WEST SACRAMENTO POLICE DEPARTMENT

AGENCY'S RESPONSE PROCEDURE

RESPONSE TO GRAND JURY REPORT

The governance of responses to the Grand Jury Final Report is contained in Penal Code §933 and §933.05. Responses must be submitted within 60 or 90 days. Elected officials must respond within sixty (60) days, governing bodies (for example, the Board of Supervisors) must respond within ninety (90) days. Please submit all responses in writing and digital format to the Presiding Judge and the Grand Jury Foreperson.

Report Title: MENTAL HEALTH CRISIS SERVICES IN YOLO COUNTY Report Date: MAY 13, 2014

Response by: THOMAS McDONALD Title: WEST SACRAMENTO POLICE DEPT CHIEF OF POLICE

FINDINGS

I (we) agree with the findings numbered:

F1, F2, F3, F4, F6, F7

I (we) disagree wholly or partially with the findings numbered:

RECOMMENDATIONS

Recommendations numbered: R1, R2 have been implemented (attach a summary describing the implemented actions).

Recommendations numbered: \_\_\_\_\_ require further analysis (attach an explanation of the analysis or study, and the time frame for the matter to be prepared by the officer or director of the agency or department being investigated or reviewed; including the governing body where applicable. The time frame shall not exceed six (6) months from the date of the Grand Jury Report).

Recommendations numbered: \_\_\_\_\_ will not be implemented because they are not warranted and/or are not reasonable (attach an explanation).

Date: 5.28.14 Signed: \_\_\_\_\_

Total number of pages attached 3

MENTAL HEALTH CRISIS SERVICES IN YOLO COUNTY: WEST SACRAMENTO POLICE DEPARTMENT

WEST SACRAMENTO POLICE DEPARTMENT

MEMORANDUM

May 23, 2014

**TO: HONORABLE DANIEL MAGUIRE,  
SUPERIOR COURT OF CALIFORNIA  
724 COURT STREET WOODLAND, CA 95695**

**FROM: THOMAS MCDONALD, CHIEF OF POLICE  
WEST SACRAMENTO POLICE DEPARTMENT  
550 JEFFERSON BLVD. WEST SACRAMENTO, CA 95605**

**SUBJECT: RESPONSE TO GRAND JURY REPORT-  
MENTAL HEALTH CRISIS SERVICES IN YOLO COUNTY**

The West Sacramento Police Department has received the Grand Jury Report, findings and recommendations on the above subject matter dated May 13, 2014. This memorandum is being submitted in direct response to:

- R1. *Given the increase in 5150 calls in Yolo County, law enforcement agencies should develop a plan by October 1, 2014, to provide more officers with Crisis Intervention Training or departmental in-service training to help them respond to calls involving mental health issues.***

The West Sacramento Police Department currently has 64 sworn police officers. Of those, 41 officers have attended the Crisis Intervention Training (CIT). The department recognizes the need for all employees who deal with the public to further their education and training in the area of mental health awareness. As such, it was determined that all police personnel (sworn and non-sworn staff) are to attend CIT by February 2015.

The current CIT course of instruction that is department approved is hosted by the Sacramento County Regional Intervention Team, in conjunction with the Sacramento County Sheriff's Department. This course of instruction is a California POST certified, Plan IV course. They have earned this certification by meeting the exceptionally stringent standards as set forth by the Peace Officers Standards and Training Commission of California. This CIT course is taught by a physician, who specializes in this same field. This class is a one day course designed to assist first responders with identifying and assisting individuals with mental illness. CIT is designed to promote community solutions to assist individuals with a mental illness.

MENTAL HEALTH CRISIS SERVICES IN YOLO COUNTY: WEST SACRAMENTO POLICE DEPARTMENT

The training is expected to increase the safety of patrol officers, consumers, family members, and other citizens within our community. CIT reduces both the stigma and the need for further contact within the criminal justice system. Students are provided with an overview of the basic symptomology of mental illnesses, tactics for communication with the sufferers of mental illness and an awareness of the community resources available. All training and attendance is being carefully tracked and monitored within the department's training division.

Recognizing the importance of this specialized training, this CIT course through the West Sacramento Police Department, was offered to other city employees who are expected to deal with the public. Their attendance is voluntary.

- R2. *By October 1, 2014, Yolo County law enforcement agencies should develop an integrated response plan so certified Crisis Intervention Training officers are the first responders on calls involving individuals in mental health crisis.***

All West Sacramento Police sworn and non-sworn personnel will have completed this CIT by February 2015.

The City of West Sacramento and the police department is currently collaborating with the Mental Health Services Oversight and Accountability Commission (MHSOAC) in their efforts with the SB82 Grant Program, Community Based Crisis Response (CBCR). This program is expected to be on-line by the end of 2014.

Two CBCR clinicians will be housed at the West Sacramento Police Department and will provide a joint response and clinical support to police personnel responding to those experiencing mental health issues or who are in crisis. They will offer therapeutic intervention in order to avoid less effective and more costly alternatives such as hospitalization or jail. The peer counseling component provides follow-up support after a crisis event has passed. This is in support of facilitating access to and engaging in services that will prevent future crisis events; and promote recovery and wellness.

It is anticipated that this program will be offered during evening hours and days of week with the highest crisis call volume.



APPENDIX RESPONSES TO THE 2012-2013 FINAL REPORT

**RESPONSES TO THE  
2012-2013  
YOLO COUNTY GRAND JURY  
FINAL REPORT**

**YOLO COUNTY PROBATION DEPARTMENT: EVALUATING THE RISKS OF RECIDIVISM**



Community Corrections

# County of Yolo

## PROBATION DEPARTMENT

PROBATION OFFICES  
2780 East Gibson Road  
Woodland CA 95776  
(530) 406-5320  
FAX (530) 661-1211

JUVENILE DETENTION  
2880 East Gibson Road  
Woodland CA 95776  
(530) 406-5300  
FAX (530) 669-5802

Email: [probation@yolocounty.org](mailto:probation@yolocounty.org)



**Marlon Yarber**  
Interim Chief Probation  
Officer

To: Honorable Judge Daniel P. Maguire  
Superior Court of California, County of Yolo  
725 Court Street, Department 16  
Woodland, CA 95695

To: Yolo County Grand Jury  
P.O. Box 2142  
Woodland, CA 95776

via e-mail: [grand-jury@sbcglobal.net](mailto:grand-jury@sbcglobal.net)

RE: Yolo County Grand Jury Report – Yolo County Probation Department: Evaluating the Risks of Recidivism

Honorably Judge Maguire:

The following is the response to the 2012-2013 Yolo County Grand Jury Report entitled “Yolo County Probation Department: Evaluating the Risks of Recidivism” from the Yolo County Probation Department and the Community Corrections Partnership executive committee. For purposes of readability, we have included the Grand Jury’s findings recommendations in **bold**.

**R1 The YCPD should continue to coordinate its cooperation with local law enforcement agencies to assess its policies in supervising probationers and in establishing standards for sending those who violate the terms of their release back to prison or jail.**

Interim Chief Probation Officer response:

The Interim Chief Probation Officer agrees with the recommendation and notes that as of the issuance of the grand jury report, the Probation Department had already established and implemented agreements with partner agencies regarding responses to violation behaviors. The Probation Department convened two meetings with law enforcement and court partners (April 10, 2012 and September 5, 2012) to address concerns about violation policies and practices related to adult offender supervision. The resultant agreements remain in effect, and include but are not limited to: description of when Violations of Probation would be filed; examples of situations that warrant Probation placing a hold on an offender; and instances where law enforcement discretion will be utilized in arrest, booking and VOP decisions.

**YOLO COUNTY PROBATION DEPARTMENT: EVALUATING THE RISKS OF RECIDIVISM**

- R2 The effectiveness of risk assessment in assigning probationers to programs and aiding their successful reentry into the community should be validated. The YCPD should develop a proposal by December 31, 2013 to fund an outside consultant specifically for this purpose.**

Interim Chief Probation Officer response:

The Probation Department has partially implemented this recommendation. Through support from an existing grant project, validation of the Positive Achievement Change Tool is underway within Juvenile Probation Services. As funding is obtained and required data are collected, the YCPD will proceed with validation studies of assessment tools in other operational areas (Adult Probation, Pre-Trial, and Detention). Given that the YCPD will transition to new assessment tools, it is noted that 2-3 years of data are often required to initiate validation studies of this type.

- R3 The YCPD needs to invest increased funding to upgrade its computerized systems to provide “local validation” of its risk and need assessment tools. As part of this effort, it must provide the public with statistics updated quarterly showing the impacts of AB 109 and SB 678, including county-wide crime statistics.**

Interim Chief Probation Officer response:

The Probation Department has partially implemented this recommendation through development of a data dashboard in response to system needs of the Community Corrections Partnership (CCP) and Board of Supervisors. On June 10, 2013, the CCP unanimously approved public access to the Yolo County Adult Community Corrections Data Dashboard, which provides a snapshot of current statistics relative to the adult offender population and current strategies implemented in response to Public Safety Realignment. Measuring the impacts of this and other legislation (such as SB 678) extends beyond the scope and resources currently afforded to the YCPD. The California Board of State and Community Corrections and the Administrative Office of the Courts have taken responsibility for data collection as it relates to system impacts. Moving forward, the YCPD must balance pursuit of its mission with the emerging leadership role it has assumed since the inception of Realignment.

As resources become available, the YCPD will seek alternatives for automated system improvements. In addition to developing the Data Dashboard, the YCPD has already initiated development of “gap analysis” at the suggestion of Yolo County Information Technology and Telecommunication. This analysis included line staff input and an assessment of the current case management system functionality compared to “off-the-shelf”, vendor-developed systems.

- R4 The YCPD’s Community Corrections Partnership website should be regularly updated to include agendas, meeting minutes and backup materials so that interested public can gain an understanding of the issues facing the probation department and law enforcement community.**

Community Corrections Partnership executive committee and Interim Chief Probation Officer response:

The Community Corrections Partnership (CCP) agrees with the recommendation and notes that as of the issuance of the grand jury report, the CCP had already implemented a process for posting its meeting materials to the Yolo County website. Additionally, on June 10, 2013, the CCP unanimously approved

**YOLO COUNTY PROBATION DEPARTMENT: EVALUATING THE RISKS OF RECIDIVISM**

public access to the Yolo County Adult Community Corrections Data Dashboard, which provides a snapshot of current statistics relative to the adult offender population and current strategies implemented in response to Public Safety Realignment. The Data Dashboard will likewise be accessible through the Yolo County website. We hope the website enhancement will prove advantageous to public access of relevant materials.

YOLO COUNTY PROBATION DEPARTMENT: SLOW RESPONSE TO NEEDED CHANGE



# COUNTY OF YOLO

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725 Court Street, Department 16  
Woodland, CA 95695

June 25, 2013

To: Yolo County Grand Jury  
P.O. Box 2142  
Woodland, CA 95776

via e-mail: grand-jury@sbcglobal.net

RE: Yolo County Grand Jury Report – Yolo County Probation Department: Slow Response to Needed Change

Honorably Judge Maguire:

The following is the response to the 2012-2013 Yolo County Grand Jury Report entitled “Yolo County Probation Department: Slow Response to Needed Change” from the Yolo County Board of Supervisors, County Administrator, Chief Probation Officer and Human Resources. For purposes of readability, we have included the Grand Jury’s findings recommendations in **bold**.

**R1 HR should include in its Policies and Procedures Manual provisions to ensure the hiring department can articulate justification for hiring and promotional selections. This would allow the hiring department to communicate the basis for its selections to staff and management in a reasoned and transparent manner.**

Human Resources response: This recommendation has been implemented.

**R2 Within 30 days of this report, YCPD should develop a specific plan for the completion of its Policies and Procedures Manual revision. This plan should include project milestones and staff assignments for completing and distributing the revision no later than December 31, 2013.**

Chief Probation Officer response: This recommendation has already been implemented. The Probation Department’s plan for implementation of new Policies and Procedures has proceeded faster than expected. Draft policies were completed mid-April and meet-and-

**YOLO COUNTY PROBATION DEPARTMENT: SLOW RESPONSE TO NEEDED CHANGE**

confer with the Probation bargaining unit began April 29, 2013. The YCPD released the final draft of policies to staff on June 6, 2013.

- R3 As the Policies and Procedures Manual is revised, YCPD managers should continue to receive training on internal affairs investigations and performance evaluations to ensure all employees and managers understand what is expected of them and what conduct is prohibited.**

Human Resources & Chief Probation Officer response: This recommendation has already been implemented. Internal Affairs/Peace Officer Bill of Rights Training was delivered department-wide to all Supervisors and Managers on February 20, 2013. Makeup training (2 staff) is tentatively scheduled for July 2013. Human Resources provided performance evaluation training to all employees on January 15, 2013, January 16, 2013 and January 24, 2013.

- R4 YC administration, YCPD management and HR should meet regularly to fully develop and implement a plan to address the staff morale issues raised in the 2010 HR report, 2012 independent consultant's report and prior reports from the Grand Jury pertaining to YCPD. The plan should include actions required to address each recommendation, timeline for completion, resources required and responsible departments. These results should be reported to the Board of Supervisors 30 days following the issuance of this report.**

County Administrator, Human Resources & Chief Probation Officer response: This recommendation has already been implemented. Yolo County Administration, Probation Department management and Human Resources representatives have been meeting on a regular basis to review a series of recommendations and actions related to the reports referenced. This staff workgroup uses a project management table to track all recommendations and their status. Action items and associated updates will continue to be provided to the Board of Supervisors on a regular basis.

- R5 The Board of Supervisors should ensure the plan developed pursuant to R4 is implemented.**

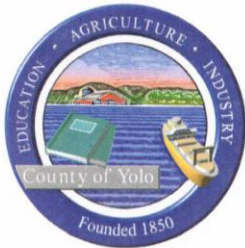
Board of Supervisors response: This recommendation has already been implemented (see response to R4).

- R6 By September 1, 2013, the Board of Supervisors should finalize and adopt a Code of Ethics as a part of its Administrative Policies and Procedures Manual. The Code should address general ethical conduct for all levels of YC employees and managers and include provisions defining dual relationships.**

**YOLO COUNTY PROBATION DEPARTMENT: SLOW RESPONSE TO NEEDED CHANGE**

Board of Supervisors response: This recommendation will be substantially implemented by September 1, 2013, however it is subject to the meet-and-confer process with labor representatives which could extend beyond this date.

YOLO COUNTY FINANCE: TRACKING CHANGES



# COUNTY OF YOLO

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June 25, 2013

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via e-mail: [grand-jury@sbcglobal.net](mailto:grand-jury@sbcglobal.net)

RE: Yolo County Grand Jury Report – Yolo County Finance: Tracking Changes

Honorably Judge Maguire:

The following is the response to the 2012-2013 Yolo County Grand Jury Report entitled “Yolo County Finance: Tracking Changes” from the Yolo County Board of Supervisors, County Administrator, Human Resources and the Board of Supervisors on behalf of the Board Audit Committee. The Yolo County Auditor-Controller response came under separate cover on May 31, 2013. For purposes of readability, we have included the Grand Jury’s findings and recommendations in **bold**.

**F1 Department staff preparing payroll can pick up and distribute checks in violation of Yolo County internal controls.**

County Administrator and Human Resources response: The respondents agree with this finding. In theory, it is possible for anyone to violate any rule, policy or law.

**F2 The Finance Manager will replace the Auditor-Controller, but it is not yet clear what the job description for the new position will be.**

Human Resources response: The respondent disagrees partially with this finding. The Auditor-Controller’s term does not end until December 31, 2014. Still, a job description (class specification) for Director of Finance will be developed by October 31, 2013 as part of the countywide fiscal class study.

**YOLO COUNTY FINANCE: TRACKING CHANGES**

Auditor-Controller response sent under separate cover: We agree that the job description for the new Director of Finance is not yet available. However, this position will not become effective until my term ends on December 31, 2014. A team of finance managers is currently designing the new financial management structure and will make a recommendation to the Board of Supervisors in September 2013. Once the Board approves the structure, the job description for the head of finance will be developed.

**F3 Requisite financial reporting is late and bank reconciliations have been from three to six months late because finance operations are understaffed.**

Human Resources response: The respondent agrees with this finding and has recommended to the Auditor-Controller that an additional position be requested as part of the 2013-14 budget development process.

Auditor-Controller response sent under separate cover: We agree that the issuance of the county annual financial report has taken more than six months from the end of the fiscal year and that bank reconciliations were also performed late. It should be noted that all financial reports complied with statutes and that there were other compensating controls that mitigate the late bank reconciliations. We have reorganized resources where possible and requested additional resources to improve timeliness in the future.

**F4 The County uses multiple systems to collect "hours worked."**

Human Resources response: The respondent agrees with the findings

Auditor-Controller Response sent under separate cover: We agree. Of the 20 county departments, 16 use the countywide E-Schedule to track absences and 4 use their own systems. In addition, some departments use time sheets to certify time worked. The County realizes the need for a more uniform and robust timekeeping system and is preparing request for proposals for a payroll/HR system that includes automated timekeeping.

**F5 Some finance personnel lack requisite accounting, finance or software backgrounds.**

Human Resources response: The respondent disagrees wholly with this finding. Every employee in the County is hired into a classification that sets forth the essential functions performed by the incumbent as well as the minimum education, experience, knowledge and abilities required for the job. Before an individual is hired, Human Resources certifies that the person possesses the minimum education and experience required in the class specification.

**YOLO COUNTY FINANCE: TRACKING CHANGES**

Auditor-Controller Response sent under separate cover: We disagree partially. Most finance and accounting personnel in the County possess the basic skills and abilities required by their respective job classifications. What has gradually happened over time is that the nature of the work has evolved while the skill sets contained in the job classifications have not been updated. The Human Resources Division is presently engaged in the tasks of reviewing fiscal classifications countywide, as well as enhancing the training program for fiscal skills.

**F6 Departments in Yolo County tend to function autonomously, which could lead to lack of management accountability.**

County Administrator response: The respondent disagrees partially with this finding. While departments are provided leadership autonomy to achieve their goals, management accountability is a strong component of the County's leadership structure. As one example, all appointed department heads participate in an annual 360 evaluation process which provides an opportunity for feedback from both internal and external sources.

**F7 The external auditor has found repeated, uncorrected conditions of non-compliance in grant reporting.**

Human Resources and Board of Supervisors response: The respondents disagree partially for the same reasons expressed below by the Auditor-Controller.

Auditor-Controller response sent under separate cover: We disagree partially. The independent auditors found uncorrected conditions related to the untimely verification of eligibility in the In Home Support Services program, not related to grant reporting. It should be noted that although the findings represent a non-compliance issue, they were within the exception rate allowed by the California Department of Social Services.

**F8 A Request for Proposal (RFP) for a new external auditor has not been issued in a timely manner.**

Board of Supervisors response: The respondents disagree wholly for the same reasons expressed below by the Auditor-Controller.

Auditor-Controller response sent under separate cover: We disagree. The contract with the current audit firm does not expire until 6/30/13. A request for proposal for audit services was issued on 3/7/13 and an independent audit firm was approved by the Board of Supervisors on 5/7/13. The new audit firm will begin fieldwork on 6/18/13.

**YOLO COUNTY FINANCE: TRACKING CHANGES**

- F9 Internal audits need to be performed regularly in all departments. The last internal audit was two years ago.**

Board of Supervisors response: The respondents disagree partially for the same reasons expressed below by the Auditor- Controller. In addition, the Board Audit Committee notes that the County uses a risk-based approach to prioritize internal audits within available resources. This approach schedules departments or programs with higher risk for more intensive internal audits.

Auditor-Controller response sent under separate cover: We agree partially. The Internal Audit staff have been conducting small audit projects in various departments (such as cash and equipment audits) while also being pulled away to help out in other understaffed areas in the Auditor-Controller department. The last major audit project was a countywide payroll audit that was completed two years ago. The Internal Audit division does not have a manager who can regularly lead the charge on these large countywide projects. We have requested additional resources to remedy this gap.

- F10 Financial off-line adjustments are made without formal supervisory sign-off, as required by good business practice.**

Auditor-Controller response sent under separate cover: We disagree partially. Although we agree with the nature of the finding it should be noted that this deficiency was corrected in the FY 2011-12 financial audit.

- F11 Yolo County management has taken steps to assure fiscal staff competency.**

Thank you.

- F12 The Board Audit Committee does not initiate financial review or internal audits in Yolo County departments as recommended by the AICPA.**

Board of Supervisors response: The respondent disagree with this finding. The Board Audit Committee does in fact initiate financial reviews and internal audits.

- F13 Employees report favoritism and disparate treatment from managers and supervisors, some of whom have made unprofessional remarks regarding staff deficiencies.**

County Administrator and Human Resources response: The respondents partially agree with this finding. The County takes seriously any reports of favoritism or disparate treatment. Incidents reported to County Administration are investigated. That said, the

**YOLO COUNTY FINANCE: TRACKING CHANGES**

aforementioned statement does not reference any specific allegation or survey response. Absent specific supporting evidence, the respondents are unable to support this finding.

**R1 Internal controls for payroll should be reviewed and regulated.**

Human Resources response: This recommendation has not yet been implemented. Human Resources is in the process of composing standard procedures for scanning payroll transactions and will train all payroll clerks by June 30, 2013. Internal controls for payroll will also be reviewed and evaluated during configuration and implementation of the new human resources and payroll management information system in 2014.

Auditor-Controller response sent under separate cover: This recommendation has been implemented. We have scheduled audits of payroll timekeeping at various departments in 2013-14.

**R2 Human Resources and Finance should review the multiple systems currently used by departments to collect "hours worked" related to task, funding source and/or project to determine if a single or integrated system may be more efficient to collect payroll and cost accounting data.**

Human Resources response: This recommendation is in the process of being implemented. Current Human Resources information software does not allow common tracking of hours worked. The complete implementation will occur with the County's selection and use of a new financial, human resources and payroll management information system(s), estimated to begin in January 2014. The RFP will be issued this summer, and selection of a vendor will occur in the fall.

Auditor-Controller response sent under separate cover: This recommendation is being implemented. County staff is developing the specifications for a new payroll/HR system that includes uniform timekeeping component. We expect the request for proposal to be issued in the summer of 2013.

**R3 Deadlines for closing bank reconciliations and financial statements should be established and met.**

Auditor-Controller response sent under separate cover: This recommendation has been implemented. The deadline for the monthly bank reconciliations has been set as the end of the following month; and the deadline for issuing financial statements has been set as December 31.

**YOLO COUNTY FINANCE: TRACKING CHANGES**

- R4 A job description for the new Finance Manager position should be written and approved by September 30, 2013.**

Human Resources response: This recommendation will not be implemented because it is not warranted. The Director of Finance position will not be hired until January 2015. It is premature to develop a job description prior to the complete analysis of the full functions to be assigned to the department of finance. None-the-less, a draft job description (class specification) for Director of Finance will be developed by October 31, 2013 as part of the countywide fiscal class study.

- R5 As a priority, financial staff should be strengthened through recruitment, training, career path planning and motivation.**

Human Resources response: The recommendation has been partially implemented. Financial staff competency has been a priority for the last 18 months and a plan to ensure appropriate skill sets in recruitment and training is scheduled for implementation by October 31, 2013.

Auditor-Controller response sent under separate cover: This recommendation is being implemented. The Human Resources Division is working with our office on a countywide fiscal staff upgrade project that includes analyses of classifications, career path and training standards. We are confident that the results of this project will increase staff motivation.

- R6 The finance department should assign a staff member to assist departmental finance employees with training, coaching and motivation.**

Auditor-Controller response sent under separate cover: This recommendation has been implemented. It has been standard practice for the three managers of the Auditor-Controller's office to stay in touch with finance staff at the departments to answer their questions and provide necessary training. Increased workload had caused us to temporarily discontinue this practice. However, we have requested additional resources to allow us to resume this activity. Furthermore, the change management activity that is taking place with regard to the transition to a new financial system will have a positive effect on staff motivation.

YOLO COUNTY FINANCE: TRACKING CHANGES

- R7 Financial off-line adjustments should be approved and signed by the Auditor-Controller.**

Auditor-Controller response sent under separate cover: This recommendation has been implemented. All off-line adjustments to the financial statements are being approved by the Auditor-Controller or his designee, depending on the nature of the adjustments.

- R8 The Board Audit Committee should review external audits and Grand Jury reports and ensure that they are addressed in a timely manner and reported to the BOS.**

Board of Supervisors response: This recommendation has already been implemented. The Board Audit Committee has fulfilled this role since its inception.

- R9 The Board Audit Committee should be responsible for recommending external auditors to the BOS.**

Board of Supervisors response: This recommendation was implemented upon formation of the Board Audit Committee on 6/7/11. The contract with the current audit firm does not expire until 6/30/13. Based upon Board Audit Committee direction, a request for proposal for audit services was issued on 3/7/13, the results of the RFP process was subsequently shared with the Board Audit Committee and an independent audit firm approved by the Board of Supervisors on 5/7/13. The new audit firm will begin fieldwork on 6/18/13.

- R10 The Board Audit Committee should request internal audits when financial problems are brought forward.**

Board of Supervisors response: This recommendation has already been implemented. The Board Audit Committee has fulfilled this role since its inception.

- R11 The Board Audit Committee should recruit an independent private financial expert to serve on that committee, which should meet at least quarterly.**

Board of Supervisors response: This recommendation was implemented upon formation of the Board Audit Committee on 6/7/11. On 9/13/11, the Board of Supervisors appointed to the Board Audit Committee a public member, with extensive public sector finance expertise, who continues to serve at this time.

- R12 Department supervisors should be trained to be sensitive to employee issues created by staff reductions and changes to organization and operating systems to avoid creating hostile work environments.**

**YOLO COUNTY FINANCE: TRACKING CHANGES**

County Administrator and Human Resources response: This recommendation has been implemented. Respondents take exception to the Grand Jury's use of the term "hostile work environment". This is a term of art used specifically in reference to complaints of harassment and discrimination. Allegations of a hostile work environment are not taken lightly and should not be made lightly.

The County provides regular, ongoing supervisory training through the Yolo Training Academy and also provides coaching and counseling to supervisors as issues are brought to the attention of Human Resources.

**R13 Employees should be allowed to voice complaints and should receive timely responses, addressed in an open and professional manner.**

County Administrator and Human Resources response: This recommendation has already been implemented. The County Administrator's Office and Human Resources maintain open office philosophies that encourage direct employee contact and sharing of concerns. In addition, the County Administrator's Office is developing a confidential whistleblower program to provide another venue for sharing concerns.

**R14 All HR recommendations for remedial action should be addressed with transparency and due diligence.**

County Administrator response: This recommendation has already been implemented.

YOLO COUNTY DETENTION CENTER: FACING CHALLENGES



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June 25, 2013

To: Yolo County Grand Jury  
P.O. Box 2142  
Woodland, CA 95776

via e-mail: [grand-jury@sbcglobal.net](mailto:grand-jury@sbcglobal.net)

RE: Yolo County Grand Jury Report – Yolo County Detention Center: Facing Challenges

Honorably Judge Maguire:

The following is the response to the 2012-2013 Yolo County Grand Jury Report entitled “Yolo County Detention Center: Facing Challenges” from the Yolo County Board of Supervisors and County Administrator. For purposes of readability, we have included the Grand Jury’s findings and recommendations in **bold**.

**R1 The plans for facility upgrades and expansion should be implemented as a first priority as funds become available. The Center should be brought into compliance with Title 24.**

Board of Supervisors response: This recommendation will be implemented. The timeline will be determined by funding availability.

**R2 As the final entity in determining the Detention Center budget, the Yolo County Board of Supervisors should tour the facility by December 1, 2013 to review the need for structural updates to meet existing code and to determine the need for additional staff to ensure the Center is fully staffed for each shift at all times.**

Board of Supervisors response: This recommendation will be partially implemented. Board members, both individually and as committee members, have already toured the facility. The Board has contracted with professional architectural and engineering firms to assess structural needs as part of preparing a renovation grant application. It is more

**YOLO COUNTY DETENTION CENTER: FACING CHALLENGES**

appropriate for architectural and engineering professionals to assess structural and code update needs as opposed to the Board members themselves. These professional recommendations will then be brought to the Board for consideration.

The Board of Supervisors recognizes that staffing shortages exist in many departments as the County workforce was decreased by approximately one-third to maintain balanced budgets during the recession. If and when additional revenue becomes available, the Board will assess program and staffing needs across the County for investment. Unfortunately, at present expenditures continue to increase faster than revenues, thus it is unlikely new positions will be added in the foreseeable future.

- R3 The Yolo County Administrator's Office should review the "single source" exception contained in its Contracting and Purchasing policy and more clearly define the standards under which a contract for services may be approved without a competitive bid.**

County Administrator response: This recommendation will be implemented by December 31, 2013.

YOLO COUNTY ADULT SERVICES: PROTECTING SENIORS AND DEPENDENT ADULTS



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RE: Yolo County Grand Jury Report – Yolo County Adult Services: Protecting Seniors and Dependent Adults

Honorable Judge Maguire:

The following is the response to the 2012-2013 Yolo County Grand Jury Report entitled “Yolo County Adult Service: Slow Response to Needed Change” from the Yolo County Interim Director of Employment & Social Services and Director of Human Resources. For purposes of readability, we have included the Grand Jury’s findings recommendations in **bold**.

The Department of Employment and Social Services agrees with the Grand Jury regarding the excellent work ethic and committed efforts by staff of the Adult Services Program to protect the senior residents of Yolo County. The Department thanks the Grand Jury for recognizing the efforts and dedication of this group of staff.

**R1 Improve lines of communication from management to line staff by establishing a newsletter or some form of regular messaging that is distributed to all DESS employees by September 1, 2013. Routine communications should provide a unifying department vision and news of staff and organization changes.**

Interim Director, Employment & Social Services response: This recommendation was previously implemented. There has been a department newsletter available since September of 2012, originally distributed as a monthly newsletter and now published quarterly. Efforts are underway to improve the content of the newsletter using staff input. In addition, the Interim Director has provided an update on department events about every three weeks since December 2012. Communication within larger organizations is

**YOLO COUNTY ADULT SERVICES: PROTECTING SENIORS AND DEPENDENT ADULTS**

often challenging, particularly when a component of staff work outside of the office much of the time.

- R2 By September 1, 2013, establish a protocol for all DESS Adult Services managers and supervisors periodically to accompany staff on routine field visits. This collaboration would serve as training both for field staff and management and encourage dialogue between both parties.**

Interim Director, Employment & Social Services response: This recommendation was previously implemented. The Division Manager, as well as Supervisors, do accompany staff on field visits, most often when the case is complex or has some element of concern. Additionally, communication between individual staff and supervisors/manager occur daily regarding cases and issues of program efforts.

- R3 By September 1, 2013, review qualifications of and training regimens for all management to ensure that individuals with necessary experience and expertise are overseeing all programs.**

Interim Director, Employment & Social Services and Director, Human Resources response: This recommendation was previously implemented. Yolo County Human Resources Department establishes class specifications for every position in the County that set forth the essential functions, knowledge, skills and ability, as well as the minimum education, experience, training and licensure required to be possessed by incumbents. Before every appointment to a management position, Human Resources ensures that only the names of individuals with the required education and experience are forwarded to the hiring department for consideration.

- R4 Revise DESS organizational charts to establish clear lines of authority by September 1, 2013. These should be available and accessible to all employees and the public.**

Interim Director, Employment & Social Services response: This recommendation was previously implemented. Organizational Charts have been available to all employees on the departmental intranet ("Green Tree") for some years. Organizational charts are also updated annually and made available to the public via the Recommended Budget.

- R5 Maintain copies of all current and archived organization charts.**

Interim Director, Employment & Social Services and Director, Human Resources response: This recommendation was previously implemented. Organization charts for County departments are maintained in the Recommended Budget books published annually. For organizational charts that depict supervisory relationships in departments, it is possible this functionality will be included in the new human resources information

**YOLO COUNTY ADULT SERVICES: PROTECTING SENIORS AND DEPENDENT ADULTS**

management system (HRIS) expected to be implemented by January 1, 2015. If so, Human Resources intends to utilize the new HRIS system to track and maintain supervisory relationships in County departments.

- R6    Involve supervisors and managers in the budgeting process. At a minimum, allow them to sit in on budget meetings and include them in all pertinent correspondence.**

Interim Director, Employment & Social Services response: This recommendation was previously implemented in part. Managers were fully included in the development of the 2013-14 budget. Plans are being developed to provide for budget meetings between supervisors and budget program staff to be held approximately three times each year.

- R7    By December 1, 2013, develop safety guidelines specific to Adult Services with the goal of maintaining the safety of all personnel in the field:**

- a. **Review safety guidelines recommended by the National Association of Social Workers.**
- b. **Identify what specific safety training Adult Services workers should have for field work.**
- c. **Develop protocols to document caseworkers' locations when they are in the field. This may include alerting local law enforcement when visits are made to residences with potentially volatile situations and/or carrying county provided portable radios to communicate emergency situations quickly.**
- d. **Develop protocols that routinely confirm and document the safety of caseworkers during and after onsite visits.**

Interim Director, Employment & Social Services response: This recommendation has not yet been implemented. The Department intends to meet the intent of each of the sub categories listed in R7 by December 1, 2013. The goal of the Department is to develop protocols that are sustainable and can be implemented by staff without creating significant barriers to performing needed casework, while providing significantly improved safety standards for staff. Currently, staff from affected programs are meeting regularly to develop safety protocols. Examples of other County policies have been obtained and are being reviewed along with standards from schools of Social Work and other organizations.

PUTTING STUDENTS FIRST: OVERSIGHT OF YOLO COUNTY CHARTER SCHOOLS

RESPONSE PROCEDURE

RESPONSE TO GRAND JURY REPORT

The governance of responses to the Grand Jury Final Report is contained in Penal Code §933 and §933.05. Responses must be submitted within 60 or 90 days. Elected officials must respond within sixty (60) days, governing bodies (for example, the Board of Supervisors) must respond within ninety (90) days. Please submit all responses in writing and digital format to the Advising Judge and the Grand Jury Foreperson.

Putting Students First: Oversight  
Report Title: of Yolo County Charter Schools Report Date: June 24, 2013

Response by: Dr. Jorge O. Ayala Title: Superintendent of Schools  
William L. Owens, Yolo County Board of Education President

FINDINGS

I (we) agree with the findings numbered:

F3

I (we) disagree wholly or partially with the findings numbered:

F1, F2

RECOMMENDATIONS

Recommendations numbered: R1 (see attached Response to Grand Jury Report) have been implemented (attach a summary describing the implemented actions).

Recommendations numbered: \_\_\_\_\_ require further analysis (attach an explanation of the analysis or study, and the time frame for the matter to be prepared by the officer or director of the agency or department being investigated or reviewed; including the governing body where applicable. The time frame shall not exceed six (6) months from the date of the Grand Jury Report).

Recommendations numbered: R2 (see attached Response to Grand Jury Report) will not be implemented because they are not warranted and/or are not reasonable (attach an explanation).

Date: 9-16-13 Signed: 

Total number of pages attached 3

PUTTING STUDENTS FIRST: OVERSIGHT OF YOLO COUNTY CHARTER SCHOOLS



YOLO COUNTY OFFICE OF EDUCATION  
Dr. Jorge O. Ayala, Superintendent

VIA U.S. MAIL AND EMAIL ([grand-jury@sbcglobal.net](mailto:grand-jury@sbcglobal.net))

September 5, 2013

The Honorable Daniel P. Maguire  
Yolo County Superior Court  
P.O. Box 2142  
Woodland, CA 95766

Subject: Response to Grand Jury Report  
Putting Students First: Oversight of Yolo County Charter Schools

Dear Judge Maguire:

The following is the Yolo County Office of Education's (YCOE's) response to the findings and recommendations of the 2012-13 Yolo County Grand Jury's Report entitled "Putting Students First: Oversight of Yolo County Charter Schools." For purposes of readability, we have shown the Grand Jury's findings and recommendations in **bold**.

**FINDINGS**

**F1. The Grand Jury found insufficient oversight of CCCTEC, a school authorized to serve students in West Sacramento. When the school closed abruptly, its students were left stranded.**

We disagree partially with this finding. The California State Board of Education, the agency that authorized the CCCTEC charter, was the agency responsible for oversight of CCTEC, including monitoring the fiscal condition of the charter school. The Yolo County Office of Education does not have sufficient information to determine whether the State Board of Education was providing sufficient oversight. The school closure was delayed by the charter school and the State Board of Education's due process. In addition, when the school closed, and the State Board of Education asked for assistance, the Yolo County Office of Education provided support to the students by immediately securing student records and assisting with the communication and timely distribution of student records and in directing parents/students to the district of residence for enrollment.

**F2. Charter schools started with support from local educators and districts who perceive a mutual benefit and without adversarial opposition have the easiest paths to success.**

This statement is factual in most cases when the Charter is a dependent charter and the petitioner and authorizer have a closer relationship and availability to resources, support, and clarity of direction. Independent charters, however, have fewer resources and greater autonomy in administration and direction which may lead to differences between petitioners and their authorizer. It is the authorizer's

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responsibility to monitor the fiscal position of the charter and to ensure compliance with the requirements set forth in Education Code and the charter school petition.

**F3. Good communication between any charter school and the authorizer is essential to the success of the school.**

We agree with this finding.

**RECOMMENDATIONS**

**R1. When a charter school receives independent status, the school should immediately set up a regular monthly or bi-monthly meeting with the authorizer's administration. An independent charter school's best interest will be served by fostering this interaction and mentoring. The authorizing agency should have a path to intervene with advice before circumstances become dire.**

The Yolo County Office of Education is more than willing to meet regularly with an independent charter school upon a school's request. However, we honor and preserve the core autonomies crucial to a charter school's success including governing board independence from the authorizer. Furthermore, we seek to minimize administrative and compliance burdens on a charter school and focus on holding schools accountable for outcomes, rather than processes. Notwithstanding this, when charter schools fail to meet academic or financial goals, we agree that intervention by the authorizer is appropriate. To that extent, the Yolo County Office of Education has formalized its operational relationship with charter schools it has authorized through a memorandum of understanding between the parties.

Moreover, pursuant to Education Code section 47604.4, the county superintendent of schools has discretionary authority to monitor the operations of *any* charter school within Yolo County and conduct an investigation based upon written complaints by parents or any other information that justifies an investigation.

**R2. When the state authorizes an independent charter school in Yolo County, the local County Office of Education should petition the State Board of Education to play an advisory role to help ensure that tax dollars are spent lawfully and protect the best interests of the students. In petitioning the state board, the YCOE should cite the failure of CCCTEC and this report of the Yolo County 2012-13 Grand Jury.**


While we certainly appreciate that all public schools need adequate advice, support, oversight and supervision to ensure that students' interests are protected and tax dollars are spent wisely, we do not agree that YCOE should necessarily petition to have an advisory role whenever the state authorizes an independent charter in Yolo County. Whether such an advisory role would be appropriate would depend on the circumstances, including factors such as the availability of YCOE and State resources, and the receptivity of the charter school.


As for a supervisory and oversight role, as compared to an advisory role, we note that there is a mechanism in place established by the Legislature which authorizes the State Board of Education to designate, by mutual agreement, its supervisory and oversight responsibilities for a charter school approved by the State Board to any local educational agency in the county in which the charter school is located, or to the governing board of the school district that first denied the petition. (See, Ed. Code § 47605(k)). We are not aware of instances in the state where such an authorization is the result of a request initiated by a County Office of Education, or of any Ed. Code provision that explicitly authorizes such a request.

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We appreciate the opportunity to respond to the Grand Jury Report. Please do not hesitate to contact us if you have any questions or concerns.

Sincerely,

  
Jorge O. Ayala, Ed.D.  
Yolo County Superintendent of Schools

  
William L. Owens  
Yolo County Board of Education President

