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## **MONROE DETENTION AND LEINBERGER MEMORIAL CENTERS: ADAPTING THROUGHOUT POLITICAL AND PHYSICAL CHANGE**

### **SUMMARY**

The Monroe Detention Center and Leinberger Memorial Center, together commonly referred to as “the County jail”, are aging facilities that are about to receive some much needed attention. After obtaining a grant of approximately \$36 million, the facility is ready to embark on several upgrades. The officers and staff have over three years experience working under the provisions of Assembly Bill 109 (AB109) and have adjusted well to meeting the challenges brought about by more criminally sophisticated inmates. Voter approval of Proposition 47 in November 2014 reduced some felonies to misdemeanors, thus decreasing inmate population. Officers and staff show a strong commitment to the welfare of the inmates.

### **BACKGROUND**

Penal Code section 919(b) states that “the Grand Jury shall inquire into the condition and management of the public prisons within the county.” The grand jury chose to visit the Monroe Detention and Leinberger Memorial Centers to fulfill the statutory obligation.

### **METHODOLOGY**

On September 10, 2014, members of the Yolo County Grand Jury toured Monroe Detention Center and Leinberger Memorial Center in Woodland escorted by members of the command staff. The grand jury conducted interviews with staff, inmates, and members of other county departments. The grand jury reviewed the 2014 Biennial Inspection Report of the facilities by the Board of State and Community Corrections for California and its meeting minutes from Thursday, January 16, 2014. The grand jury also reviewed fire and health inspection reports for both facilities.

The grand jury visited the websites of the following agencies:

- Yolo County Sheriff’s Office
- California Department of Corrections and Rehabilitation
- Board of State and Community Corrections for California

### **DISCUSSION**

#### **Overview**

The Monroe Detention and Leinberger Memorial Centers are divisions of the Yolo County Sheriff’s Department. On the day of its visit, the grand jury observed that the facilities are generally clean and well-maintained. The Monroe Detention Center is a medium/maximum security facility and is rated to house prisoners with several different security classifications.

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It has 313 available beds, 251 beds for male inmates and 62 beds in a separate area for female inmates.

While the Leinberger Memorial Center can be used as an overflow facility for Monroe, it is primarily used to house lower level sentenced inmates who are approved to work at various state and local agencies to reduce their jail time. A sentenced inmate can be transferred to Leinberger after undergoing a careful screening process to determine if they meet the necessary criteria to ensure public safety. Leinberger has 142 beds bringing the total available beds for both facilities to 455.

However, under a Superior Court consent decree, adopted in 1990 then amended in 2002, to limit the inmate population to 90% of the total beds in the facility, the jail's maximum capacity is 409. In some cases, detainees brought in for a minor offense are processed and released on the same day to prevent overcrowding. In-home custody is encouraged for those inmates who are considered low level offenders. Typically, between 60 and 80 inmates are living at home with ankle monitors.

#### **Effects of Assembly Bill 109 and Proposition 47**

Going into effect in October 2011, AB109 attempts to reduce over-crowding and recidivism rates in state prisons by transferring inmates to county detention facilities. These inmates can be parole violators sent to the county of their last residence, violators of mandatory supervision, or inmates convicted of non-violent, non-sexual or non-serious offenses. The jail facilities were designed to house un-sentenced inmates preparing for court dates and inmates sentenced up to one year for minor crimes. The officers and staff must now work with inmates serving sentences up to several years, who are more criminally sophisticated than traditional county inmates. These inmates tend to have a better understanding of prison politics and are more demanding resulting in an increase in acts of non-compliance. In response to these challenges, officers and staff have used training and experience to improve the inmate classification process helping to enhance inmate and officer safety. The kitchen has adjusted to a larger variety in dietary needs including kosher, vegetarian, and halal, to name a few. Using programs, such as GED classes and drug education, as well as work details, an effort is made to keep the inmates engaged and invested in their own betterment. As of February 2015, there were 105 AB109 Yolo County inmates, of which, 34 were out on electronic monitoring.

In November 2014, California voters approved Proposition 47 which reduced many non-violent, non-serious, and drug crimes from felonies to misdemeanors. It also allowed inmates serving sentences based on a conviction of one of these reclassified crimes to be re-sentenced. As a result, some inmates who had felony convictions reduced to misdemeanors

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were released for time served. While the effects of Prop 47 on the community have raised debate and concern, the most prominent effect on the jail has been more open beds. The resulting space allowed the command staff to adjust the inmate population. Prior to the implementation of Prop 47, Leinberger, a dormitory setting with several beds per room, was too full to house female inmates. After Prop 47 went into effect, space was cleared to allow female inmates into Leinberger, giving them more access to programs. An additional outcome of Prop 47 opened up space at both facilities allowing Monroe to detain persons with misdemeanor bench warrants. Before, a person who was issued a bench warrant for skipping a court date might only be cited and released, creating a cycle in which a case could be delayed for years. Now, that same person can be held until their court date, helping to adjudicate cases in a timely manner.

### **Facilities and Renovation**

On the day of the visit, the grand jury observed that the facilities were well lit with no obstructions in the hallways. All doors are controlled at a central hub by officers who monitor the hall cameras. The pods (cell blocks) are monitored by officers and security cameras. During the tour, interviewees informed the grand jury of deficiencies in the camera surveillance of the pods. There are no rotary, pan-and-tilt cameras in the pods which might aid in security. Emergency drills are run quarterly and vary as to type of potential emergency that could be faced. The fire department inspects the facility annually to make sure it is up to code. Potentially dangerous chemicals are stored away from inmate areas.

The facilities are aging (Monroe opened in 1988 and Leinberger in 1991) and while security is unaffected, the grand jury noticed visible water stains on floors and ceilings, and some floors looked in need of resurfacing. The Environmental Health Report issued, in January 2015, noted water leaks from the ceilings in Pod A and the Kitchen Facility. The report also noted a number of needed corrections mostly involving damaged bedding and plugged ventilation.

In March of 2014, Yolo County was awarded a grant of \$36,295,000 from California Board of State and Community Corrections to help renovate the facility. Officers questioned were optimistic, some even excited, about the upcoming renovations. There are plans to upgrade laundry, kitchen and intake areas as well as to expand the medical and mental health areas. A new building will be built to house the kitchen and laundry areas. The larger space will double the amount of laundry that can be processed. Plans for the new kitchen include a classroom that can be used to add a culinary program for inmates. The areas vacated by existing kitchen and laundry will house an expanded medical and mental health unit. Currently, there are only three beds available in the medical area. The renovated medical and mental health unit will contain approximately 24 beds, divided into a dormitory area, 4-bed cells, and single-bed cells. A larger in-custody area will be added with four classrooms,

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allowing for more program space. The intake area will be renovated to facilitate a smoother custodial transition between outside agencies and the jail and lessen contact between incoming and out-going inmates. Out-of-custody day reporting will also be moved from an area near probation to the Monroe Center. Although the work has yet to be contracted, ground breaking is scheduled for the middle of 2016 with a planned completion by late fall of 2018.

#### **Staffing and Inmates**

The staff at the time of the visit was 102, including officers and support staff. Command staff believes that an ideal number would be closer to 152.

The grand jury found the officers to be knowledgeable, professional and courteous to inmates. They complete 24 hours of training per year including CPR and a gang identification program. Attrition levels remain low. Interviewed officers reported a positive work experience and feel confident that they are making a difference.

A nurse practitioner is available on site. The grand jury learned that there is a system in place to facilitate the nurse practitioner addressing all non-emergency requests by inmates, usually within one day. A psychiatrist and dentist visit one day per week to address the respective needs of the inmates. The detention centers offer mental health services and anger management programs to those inmates who need or request them. Some mental health screening is done via video interviews. Clergy is available. Community volunteers run group programs such as reading and bible study. Inmates can get help to earn their GED, and parenting classes are available. There is a drug and alcohol program, as well as meeting times for Alcohol Anonymous and Narcotics Anonymous. The general consensus among both staff and inmates is that more space for these programs would be helpful.

During the tour of the Monroe and Leinberger facilities, the grand jury observed suitable living conditions for the inmates. The pods are well lit (permitting easy reading by individuals with normal vision) and kept at a comfortable temperature. Inmates have access to clean, potable water, toilets and showers, as well as a recreation yard and equipment. A commissary is available for inmates to purchase personal items.

Upon arrival, officers conduct a thorough search and medical screening before an inmate is admitted. Incoming inmates receive an orientation manual. A list of rules and grievance procedures are posted in the pods and the inmates, to whom the grand jury spoke, understood them. None of the inmates interviewed by the grand jury felt that they were mistreated or abused and observations of the interactions between officers and inmates were neither confrontational nor inappropriate.

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Inmates are issued reasonably fitted, durable and easily laundered and repaired clothing, which includes: clean socks and footwear, clean outer garments, and clean undergarments, including shorts and tee shirts for males; or, bra and two pairs of panties for females. Inmates are provided special clothing for work in the kitchen or outside. Under normal conditions, outerwear, except footwear, is exchanged once per week and undergarments are exchanged twice per week. Under certain circumstances, such as illness or climatic conditions, the garments can be exchanged more frequently. Inmates to be held over 24-hours are provided personal care items if needed.

### **Discharge Planning**

Before release, inmates have the option to go through a discharge planning process. When AB 109 went into effect, the command staff recognized a need to help inmates reintegrate back into the community to try to decrease the likelihood of a return to criminal activities. Needs vary depending on the inmate, and include, but are not limited to, housing, continuing education, vocational training, and drug education. Interns from the Public Defender's office perform an informal assessment of inmates who are nearing their release dates to determine their potential needs. Recently, the county received a grant to fund a Treatment Coordinator who focuses on inmates to be released in the next six months to one year. The Treatment Coordinator assesses what can be done to help inmates prepare themselves before their release dates, such as enrolling them in GED classes. One of the bigger problems, however, is convincing an inmate to admit when they need help and ask for it.

Originally, command staff held a monthly meeting to discuss inmates who were to be released in the next 90 days. As the release program has been refined, staff now meets based on need. Along with their own in-house medical and mental health staff, command staff invites representatives from departments such as Sheriff's office, Probation, Public Defender's office, State Parole, Veterans Affairs, and Employment and Social Services. Representatives from community and church groups are also invited as well as organizations like Cache Creek Lodge, 4<sup>th</sup> and Hope, and Delancey Street to help the inmates transition. Inmates can also submit an interest card to include a group that they think will be beneficial to their success in the community. Although anecdotal evidence suggests that some inmates have benefitted from this planning, there is no system in place to track its effectiveness.

### **FINDINGS**

- F1. Officers and staff continue to adjust to AB 109, working with inmates with longer sentences who have more of a prison mentality. Through training and experience, officers have honed the classification system used to house inmates and continue to use programs and work details to keep the inmates engaged.

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- F2. Officers are optimistic as the Monroe Detention Center is preparing to undergo a \$36 million renovation which will make inmate conditions and staff working environment better.
- F3. Officers and support staff are knowledgeable and well-trained in their areas of expertise, but continue to work with less than ideal staffing numbers.
- F4. Staff and inmates meet with outside agencies and organizations to help inmates transition back into the community. There is no system in place to track the effectiveness of this program.
- F5. More space is needed for the programs used to keep inmates engaged in their personal growth and to help inmates transition back into the community.
- F6. Deficiencies exist in camera surveillance of the pods.

**RECOMMENDATIONS**

- R1. By January 1, 2016, the Board of Supervisors, as the governing entity of the Detention Center, shall tour the facility to view the areas to be renovated and observe the workload of the staff. As funds become available, strong consideration shall be made to increase the current staff to strengthen the safety of staff and inmates.
- R2. By June 1, 2016, the Detention Commander, in conjunction with the Chief Probation Officer, shall develop and implement a plan to track the effectiveness of discharge planning and in-house programs as they apply to inmates who successfully complete probation.
- R3. The County Administrator, in conjunction with the Detention Commander, shall meet prior to the start of renovations to ensure that all areas originally planned to be in-house program space shall remain as such.
- R4. By January 1, 2016, the Detention Commander shall identify any deficiencies in the surveillance systems and, in conjunction with the Board of Supervisors, take the necessary steps to remedy the deficiencies.

**REQUEST FOR RESPONSES**

Pursuant to Penal Code section 933.05, the grand jury requests responses as follows:

From the following governing bodies:

- Yolo County Board of Supervisors – R1 and R4

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**INVITED RESPONSES**

- Yolo County Administrator – R3
- Detention Commander, Monroe Detention Center – R2, R3, and R4.
- Yolo County Chief Probation Officer – R2.

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- Board of State and Community Corrections for California website: [http://www.bscc.ca.gov/s\\_thebsccboard.php](http://www.bscc.ca.gov/s_thebsccboard.php)

## **COLLECTIONS AND PROBATION: THE SYSTEM IS BROKEN**

### **SUMMARY**

The Yolo County Collection Services (YCCS or Collection Services) collects a variety of fees for the court and other County Departments. The YCCS is charged with collecting probation fees, except victim restitution. However, YCCS is not able to collect all the fees that are due from persons on probation. A significant number of monthly billing statements mailed to probationers are undelivered because of incorrect mailing addresses. This is due to insufficient staff, lack of pertinent staff training, and limited communications between the YCCS and the Probation Department.

The manual of procedures for processing and recording payments is not updated to the accounting and collection system currently being used. YCCS uses accounting and collection software that is not fully integrated with the Probation Department. The billing statements are not clear and often contain confusing, incomplete, or incorrect, information as to how much probationers owe and what the amounts represent.

### **BACKGROUND**

People on probation pay fees to the County for services. The Yolo County Grand Jury (YCGJ) received a citizen's complaint expressing confusion about probation billing statements, and particularly the types of fees and amounts owed. The grand jury became aware of underlying problems contributing to confusion and potential loss of revenue in the current Yolo County process for collection of probation fees. YCGJ decided to investigate the collection procedures of YCCS and the Probation Department. California Penal Code Section 925 authorizes the grand jury to investigate and report upon the operations, accounts and departments of Yolo County.

### **METHODOLOGY**

During the grand jury's investigation, department heads, supervisors, clerical staff and past and present employees of both departments were interviewed. Existing procedures, policies and other county documents added background on how YCCS and the Probation Department are intended to work together to ensure fees are explained to the probationer, collected, and recorded in a timely manner. In addition to Yolo County administrative documents, YCGJ utilized both public information web pages and County intranet sites limited to official business access. The YCGJ focused the investigation on the accounting and collection processes involving the Probation Department.

### **DISCUSSION**

The Yolo County Collection Services and the Probation Department have separate roles in dealing with probation matters. The YCCS role is primarily fiscal, dealing with probationer payments and account records. Conversely, Probation Department focuses on probationer

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supervision and conduct obligations. This role disparity leads to incongruent practices in collecting and processing probation fee payments, and consequently, contributes to a loss in County revenues.

When the Yolo County Superior Court admits a defendant to formal probation a document is provided that describes the standard terms and conditions of probation. Among those terms and conditions a probationer is required to:

- report to the Probation Officer at the times directed,
- advise the Probation Officer, YCCS, and the Yolo Superior Court Payment Center (YSCPC) within 48 hours of any change of residence, and
- pay all ordered financial obligations to YCCS, YSCPC or the Probation Department.

The Probation Department has periodic face to face interaction with the probationers who are required to inform them of any change of residence. However, the Probation Department does not have a routine practice of updating the probationers' addresses for use by YCCS in collection efforts.

Some of the probation fees are listed in the document provided by the Probation Department when a person begins formal probation. These and other fees are itemized and billed by YCCS on a monthly statement. The statement advises the probationer to contact YCCS to make payment arrangements if they are unable to pay in full. Probationers can obtain current information about fees they owe from the YCCS monthly statement by visiting or phoning YCCS or the Probation Department. YCCS staff is available to explain the individual fees and payments schedule. YCCS collects fees from probationers ordered by the court for the Public Defender, Sheriff's Department and the Probation Department. YCCS also collects delinquent accounts turned over to them by other county departments as a last resort for collection.

Following are some examples of typical fee amounts and other charges that might be billed to probationers:

- Restitution fine; felony case \$300, misdemeanor case \$150
- Probation revocation; felony case \$300, misdemeanor case \$150
- Criminal laboratory analysis \$50, penalty assessment \$155
- Drug Program Fee \$150, penalty assessment \$465
- Restitution determined by the court covering losses found against the probationer plus 10% per annum
- Battery \$500 pursuant to Penal Code 1203.097, processing fee \$20, \$250 pursuant to Penal Code 1463.27
- Sex offender \$300, penalty assessment \$930, processing fee \$20
- DUI \$700, penalty assessment \$2,100, processing fee \$35, Alcohol Education \$50
- Criminal Conviction Assessment, felony/misdemeanor \$30
- Probation, fine \$500, penalty \$1,550, processing fee \$35
- Public Defender, felony \$350, misdemeanor \$275
- Sentencing fee, determined by the court

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Probationers may be responsible for a wide variety of fees which vary by degree of offense, misdemeanor versus felony. There are scores of fee types. Types include, but are not limited to, restitution fines, probation revocation, criminal laboratory analysis, drug program fees, penalty assessments for specific types of offenses (e.g. DUI, domestic violence, sex offenses, etc.). All probationers are assessed a processing fee, fine or penalty depending on circumstances, and a sentencing fee determined by the court. They may be responsible for public defender fees, if required. Fees may amount to considerable totals varying from a few hundred dollars to thousands of dollars depending on the circumstances of each case (Exhibit 1).

The collection of victim restitution fees was transferred to the Superior Court in 2010. This transfer represented 20% of the total YCCS collections. Based on information provided for the FY2013-14 period, YCCS billed probationers \$946 thousand and collected \$209 thousand (22%).

In 2008, YCCS installed a Windows based system called Revenue Results (RevQ). It became fully operational in 2010. The Probation Department was given full access to RevQ to use for daily information and collection work. Training was initially available to the Probation Department staff and YCCS encouraged the Probation Department staff to use RevQ. The training and the use of RevQ was not completely successful due to attrition, staff movement, and heavy workload.

The Probation Department clerical staff issue receipts for cash and check payments and turn over the payments to YCCS weekly or when the total collections exceed \$500. YCCS posts the payments into the RevQ system. Credit card payments are posted directly into the system. Since payment posting can be delayed a week, there can be uncertainty about how much is owed in real time.

When there is a problem with RevQ, or someone does not understand the system, the vendor is called and the County is charged for the assistance. These fees are expensive, discouraging YCCS staff from calling, and thus the questions are often unanswered and the problems unresolved. YCCS is considering upgrading the RevQ software from version 10.5 to version 11.0 to consolidate the payroll and financial accounts, improve reports, and integrate with software being used by other County Departments.

Collection Services and the Probation Department use different accounting and collection systems which are not fully integrated. The Probation Department uses a number of software systems such as Lawsuit, RevQ, and Reflections to enter charges and initial information. Changes to probationers' contact information made by the Probation Department are not routinely shared with YCCS. If YCCS makes changes or first time entries into RevQ the updates are inconsistently shared with the Probation Department. The Probation Department staff is not trained to access the information in RevQ. When information is needed in select

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cases they contact YCCS for help.

YCGJ learned from multiple witnesses that no regular statistical reports are generated from the current accounting and reporting systems (e.g., total charges and collections by types of fees, volume of returned mail) because of staff changes and a lack of resources. Both YCCS and the Probation Department indicated that the existing report options are inadequate.

YCCS creates a billing record for each probationer. This information is sent to an out-of-state vendor to create the monthly billing statements which are mailed to the probationers. There is no billing statement generated if the account has a zero balance. Any overpayment by the probationer will be refunded. A grand jury review of examples of probationers' monthly billing statements found that some information is inaccurate, confusing and difficult to understand. The previous end of month balance by type of fees is not carried forward to the current month statement and line items are not clearly defined.

There are approximately 1,000 billing statements mailed every month by the out-of-state vendor. Due to the transient nature of some probationers, a significant number are returned because of incorrect addresses. Time permitting, YCCS searches current addresses using the Accurint software. However, there are still persistent backlogs leading to less revenue collected. Prior to 2006, six revenue collection employees were assigned to the YCCS. By 2013, the staff was reduced to two.

YCCS gives the probationer repeated opportunities to pay and offers an "ability to pay" hearing. Then YCCS evaluates the financial information to determine whether a lower payment is warranted. Through continued efforts, YCCS attempts to bring delinquent accounts current. If probationers do not make a payment for 120 days, accounts are forwarded to the California Franchise Tax Board for collection through the Tax Intercept Program at a cost of 15%.

The grand jury learned that the Probation Department and the YCCS staff lack the training to operate the accounting and collection systems proficiently. Both departments had key personnel recently retire or reassigned who had extensive knowledge of the collection systems. This institutional knowledge was neither updated in the procedural manuals nor handed down to the new people in charge.

### **FINDINGS**

- F1. The monthly billing statements sent to probationers are difficult to understand.
- F2. Billing and collection procedures of YCCS in the lifecycle of probation are not thoroughly understood by its staff, the Probation Department, or probationers.

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- F3. Due to attrition of experienced staff, the present employees at YCCS and the Probation Department are less knowledgeable about collection of probation fees.
- F4. A significant issue in YCCS's collection of payments is the amount of returned mail leading to increasing backlogs. YCCS has limited resources to determine correct addresses for billing statements that are returned as undeliverable mail.
- F5. YCCS has minimal communication with the Probation Department to find the updated information on the whereabouts of the probationer.
- F6. Software programs that are not integrated aggravate the problems in fee collection. The RevQ software currently being used in YCCS is inadequately supported and needs to be upgraded or replaced.
- F7. Out of date manuals for key collection procedures make staff training difficult.

### **RECOMMENDATIONS**

- R1. By December 31, 2015, the Chief Financial Officer, in coordination with the Chief Probation Officer, shall modify the probationer monthly billing statement so that fees are identified and fully explained, including: initial fees, date, balance carried forward, new charges, adjustments, payments and current balance due by type of fees.
- R2. By September 30, 2015, the Chief Financial Officer, and the Chief Probation Officer, in coordination with the County Administrator, shall create a unified business process diagram of the probation fee generation and collection process. This diagram shall include the probationer's first contact with probation, case closure, and all processes in between. The diagram shall be designed to be used for process improvement, training and orientation of staff, and as a blueprint for new software if that becomes appropriate.
- R3. By September 30, 2015, the Chief Financial Officer and the Chief Probation Officer shall establish protocols for improved communication between YCCS and Probation. These protocols shall include regular meetings, joint training, shared and updated manuals, clearly identified responsibilities, and shared access to information including probationers' account status and current contact information.
- R4. By September 30, 2015 the Chief Financial Officer shall create and publish quarterly reports indicating fees billed, fees collected, outstanding balances (accounts receivable) and amounts in delinquency (aging reports).
- R5. By December 31, 2015, the Chief Financial Officer, in coordination with the Director of Human Resources, shall determine if additional staffing or funding is needed to efficiently process returned mail.

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- R6. By October 31, 2016, the Chief Financial Officer, in coordination with the Chief Probation Officer, shall implement a single accounting and collection software system to facilitate interdepartmental sharing of the probationer's individual financial account information and probationers' addresses updated in real time.

### **INVITED RESPONSES**

- Chief Financial Officer – R1 through R6
- Chief Probation Officer – R1 through R3 and R6
- Director of Human Resources – R5
- County Administrator – R2

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