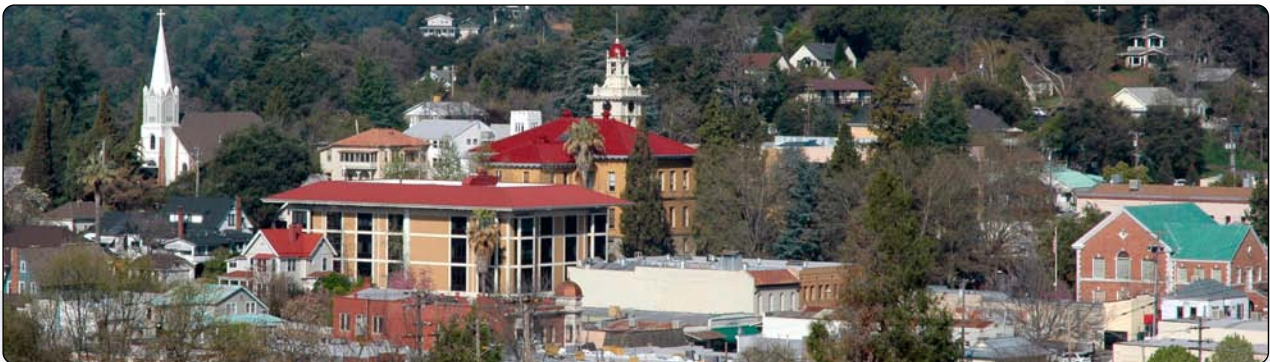


2006—2007
Tuolumne County Grand Jury
Final Report





The Cover

The region of the Sierra Nevada Mountain Range called Tuolumne County is beautiful. In abundance are mountains, canyons, rangeland, timber and vistas which delight the senses. The people, its most valuable resource, are hardy, industrious and caring. They or their ancestors came to this county through its cardinal gateways.

From the North, they crossed over the Stanislaus River, one of the two major river systems supplying water to much of the county as well as farms and people of the Central Valley.

From the South, they crossed over the Tuolumne River, the other major river system, resplendent with rugged canyons and gorgeous waterfalls.

From the East, intrepid pioneers endured the hardships of crossing the crest of these mountains.

From the West, they crossed through Table Mountain Pass, a break in the Dardanelles lava flow which filled an ancient river system of the original range of mountains now known as the Sierra Nevadas.

What a heritage these folks, past and present, have given to this county!

Captured on the cover of the Tuolumne County Grand Jury Final Report 2006-2007 are scenic images along the pathways of these cardinal gateways.

Top: Columbia Schoolhouse, built ca. 1860, now a part of Columbia State Historic Park. © 2007 O. Ryals. All rights reserved.

Center: Aspen Grove, sunset. © 2007 Dan Mitchell. All rights reserved.¹

Bottom: View of Tuolumne County Administration buildings in downtown Sonora. © 2007 O. Ryals. All rights reserved.

Inside Front Cover: Compass Rose Illustration © 2001-2003.

Rosie Hardman-Ixer. All rights reserved. <http://www.rosiespitutorials.com/>

¹California photographer G. Dan Mitchell Dan has spent many years photographing the abundant natural wonders of Tuolumne County. Many of his photographs are on display on his Web site at www.gdanmitchell.com. You may contact him via e-mail at dan@gdanmitchell.com.



2006/2007 Tuolumne County Grand Jury Report



Tuolumne County enjoys many natural wonders which people from every corner of the world enjoy. As the county has been populated, many man-made structures have added their own beauty to the landscape. Left to Right: Tuolumne County Courthouse, built ca. 1898. Lumber Dome, Tuolumne Meadows.[†] Fall view, Sonora Pass. Curtain Mansion, Sonora.

Table of Contents

GRAND JURY MEMBERS	2
MISSION STATEMENT AND DISCLAIMER	2
LETTER OF TRANSMITTAL	3
2006 — 2007 REPORTS	
SPECIAL DISTRICTS	
AMBULANCE-FIRE	5
COUNTY SERVICE AREAS (CSAs)	7
TWIN HARTE COMMUNITY SERVICES DISTRICT	9
HUMAN AND SOCIAL SERVICES	
BEHAVIORAL HEALTH	11
CRIMINAL JUSTICE	
COUNTY: TUOLUMNE COUNTY JAIL	19
STATE: SIERRA CONSERVATION CENTER	29
COUNTY: TUOLUMNE COUNTY SHERIFF	43
EDUCATION	
COUNTY LIBRARY	47
COUNTY FINANCE/AUDITING	
ENTERPRISE CONTENT MANAGEMENT	61
COUNTY AUDITING PRACTICES	63
BOARD OF SUPERVISORS	
LEADERSHIP	67
APPENDICES	
AUTHORITY FOR AGENCY RESPONSES	71
TUOLUMNE COUNTY LIBRARY TRENDS 2002-2006	72
GLOSSARY	
GLOSSARY OF TERMS	73
INDEX	
REPORT INDEX	74

[†]Lumber Dome, Tuolumne Meadows. Image courtesy of www.yosemitehikes.com © 2005 Russ Cary. All rights reserved.



2006/2007 Tuolumne County Grand Jury Report

Grand Jury Membership

The 2006-2007 Tuolumne County Grand Jury panel was comprised of the following citizens:

*Karen Barrett	Twain Harte	Cary Anne McGrew	Columbia
C.Allan Bell	Twain Harte	Susan Medeiros	Columbia
Mari Ann Bloom	Sonora	*Ralph Minzlaff	Columbia
John William "Bill" Capitanich	Twain Harte	John Nicolet	Twain Harte
Alison Daniels	Soulsbyville	Stephen "Sandy" Nies,	
Douglas DeSoto	Standard	Foreman, Pro Tem	Sonora
David W. Griffin	La Grange	Orley G. Ryals,	
Tim Haney	East Sonora	Foreman	Twain Harte
Sylvia Hender	Jamestown	Lorraine Schultz	Tuolumne
*Stefanie Jones	Sonora	Larry Sidmore	Phoenix Lake
*David Malvini	Long Barn	Yvonne Stegall	Phoenix Lake
Franklin "Frank" Martin	Twain Harte	*George "Jake" Thompson	Sonora
*Wayne McCarty	Jamestown	Diana White	Groveland

*Denotes members unable to complete the full term

TUOLUMNE COUNTY GRAND JURY MISSION STATEMENT

The Tuolumne County Grand Jury is an investigative body composed of citizens of Tuolumne County. The Grand Jury's mission is to make a careful examination of county government, city government, special districts, and properly presented complaints submitted to the Grand Jury. A report of findings and recommendations will be submitted to the Supervising Judge, the Honorable Eleanor Provost, Superior Court of California, County of Tuolumne, at the conclusion of the 2006-2007 Grand Jury term.

The grand jurors will diligently and impartially perform their duties to the best of their individual and collective abilities. The Grand Jury's function is to make independent investigations on behalf of the people of the County of Tuolumne and make recommendations for improvement. Grand Jury findings will be based on facts, not emotions nor perceptions, be clearly presented, and within the course and scope of the charter.

Local civil service is a stewardship. Recommendations for improvement of specific areas of stewardship are by the collective counsel of this panel. Exemplary individual or departmental stewardship is also recognized. The Final Report has in it a theme, as paraphrased by a statement of the late President Lincoln, "government of the people, by the people and for the people". In Tuolumne County, this theme will endure.

DISCLAIMER

This Grand Jury sought to preclude any conflict of interest in which a grand juror may have a personal involvement, a material, economic or financial interest, or could not be an impartial third party. Each juror brought to the attention of the full Grand Jury any relationship that could be, or even give the appearance of, a conflict of interest and agreed not to participate in any investigation involving that relationship including interviews or acceptance of any report involving any such relationship. The Grand Jury is composed of 19 jurors, and at least 12 jurors must approve each individual report. The printed Final Report is composed of the approved individual reports, which are based on information obtained from outside sources with none of the information being obtained from any excluded Grand Juror.

June 28, 2007

The Honorable Eleanor Provost
Superior Court of California, County of Tuolumne
60 North Washington Street
Sonora, California 95370



Dear Judge Provost,

The Tuolumne County Grand Jury 2006-2007 is pleased to submit its final report to you, the Tuolumne County Board of Supervisors, and the citizens of Tuolumne County.

The Grand Jury wishes to thank you and the District Attorney, Donald I. Segerstrom, Jr., for your enthusiasm, support and advice. Also, a very special thanks is given to your Jury Coordinator, Laurie Wyman, for her patience and help.

This report is the result of dedicated, hard-working jurors volunteering myriad hours of their time and energies investigating and reviewing county government. Citizen complaints were meticulously researched and included in the investigations. Some county departments or agencies not observed recently by previous grand juries were included in the investigations. The final report presents a balanced focus of the large spectrum of local government.

The presence of a grand jury encourages self-improvement by those being observed. An illustration is the Grand Jury's concern regarding leadership shortfalls by the Board of Supervisors. The Grand Jury took time to listen to each supervisor and other county leaders in order to better understand their governance processes. External to this examination of the county governance processes by the Grand Jury, a flurry of public rhetoric about county leadership issues surfaced. These verbal and written statements culminated at the May 8, 2007 Board of Supervisors' meeting during which was posted a table of strategic and tactical goals. Movement in a positive direction had begun even before publication of the grand jury's findings and recommendations.

The Tuolumne County Grand Jury Web site has a wealth of information available. The Web site is the repository of current and past final reports and their respective responses. Instead of waiting a year to have affected agencies' responses available, they are posted on the Web site shortly after publication of the final reports. It is recommended Web-use training be included in future grand jury training.

It is the Grand Jury's expectation that the findings and recommendations will be reviewed in the positive and constructive manner in which they are intended.

Serving on the Grand Jury has been a special experience for each of the jurors. Collectively and individually, we have gained knowledge and a better understanding of county operations. It has been my unique privilege to work with these loyal and dedicated grand jurors.

Very respectfully submitted,

Orley G. Ryals, Foreman
Tuolumne County Grand Jury 2006-2007

BLANK



2006/2007 Tuolumne County Grand Jury Report

Tuolumne County Ambulance and Fire Operations Center

SUMMARY

Tuolumne County Ambulance and Tuolumne County Fire Department (TCFD) have joined forces to build a new operations center that will allow close cooperation between two of Tuolumne County's primary public safety agencies.

INTRODUCTION/BACKGROUND

Members of the Grand Jury expressed an interest in visiting the newly completed Tuolumne County Ambulance and Fire Department administration building on Striker Court off Tuolumne Road. Deputy County Administrative Officer Maureen Frank was contacted and graciously arranged two guided tours of the facility.

METHODOLOGY

Two tours were arranged for the Grand Jury—one at 10:00 a.m. on Monday, December 4, 2006 and the second at 4:00 p.m. on Wednesday, December 6, 2006. The tours were conducted by Bill Caldera, Ambulance Operations Manager, and Tuolumne County Fire Marshal, Kary Hubbard.

NARRATIVE/FACTS

Dedication of the new Tuolumne County Ambulance/TCFD facility by the Board of Supervisors was held on October 10, 2006.

The 12,000 square foot building will house the ambulance administrative personnel and a 24-hour staffed ambulance along with the administrative staff of TCFD.

The Striker Court facility is one of four stations operated by Tuolumne County Ambulance. Each facility houses one staffed ambulance. The other stations are Station 10 on Sanguinetti Road in Sonora, Station 20 in Mono Vista, and Station 41 in Groveland.

Advanced Life Support (ALS) was established in Tuolumne County in 1975. ALS certification means that Tuolumne County's ambulances and crews can provide emergency medical care for



The recently completed 12,000 sq. ft. ambulance facility houses both the ambulance and TCFD administrative personnel and the 24-hour ambulance crew. The training room (far right) will be made available to county departments. It will serve as an emergency command center during large scale incidents.

sustaining life, including defibrillation, airway management, and drugs/medications. Tuolumne County Ambulance (TC Ambulance), as it exists now, was formed when the county contracted with Manteca Ambulance Service for personnel and administration in 1987. Manteca Ambulance covers personnel costs and is reimbursed by Tuolumne County.

Funding for the headquarters facility has been an issue. The original construction estimate was placed at \$2.5 million, however, the lowest bid came in at \$3.6 million. In order to maintain the budget, three offices, a deck, a library, two sleeping quarters and one ambulance bay were cut from the design. The re-bid came back at \$2.8 million, with the final price tag rising to \$3.1 million mostly because of increases in material costs due to Hurricane Katrina.

Most of the funding for the facility has come from monies set aside by TC Ambulance over the past twenty years. The remainder was contributed by TCFD along with Homeland Security funds and support from Cal Fire (California Department of Forestry and Fire Protection).

Insurance pays for most emergency ambulance services and/or activities although some calls generate no revenue. Tuolumne County Ambulance is required by law to provide service in all cases regardless of whether people can pay.

In addition to offices and ambulance bays, the building also contains a large training room complete with projection screen, multiple video monitors, and Internet access. The training room will be available for county departments to use, along with functioning as an emergency command center during large scale incidents. The room, which seats approximately 100 people, will also be available for rental by the public, along with the adjoining kitchen.

FINDINGS

The Grand Jury members were impressed with the organization, dedication, and enthusiasm of the personnel working at the new Ambulance and County Fire building. The taxpayers of Tuolumne County should be proud of the cooperation displayed by these two agencies. With the addition of a Cal Fire Sonora station next door, citizens will have a public safety center capable of meeting the needs of their growing county.

RECOMMENDATIONS

NONE

BIBLIOGRAPHY

NONE



2006/2007 Tuolumne County Grand Jury Report

County Service Areas (CSAs)

SUMMARY

The Grand Jury found that a County Service Area (CSA) can be a financially efficient way to maintain a non-county maintained road.

INTRODUCTION/BACKGROUND

Members of the Grand Jury expressed an interest in the operation of County Service Areas.

METHODOLOGY

Members of the Tuolumne County Grand Jury Special District Committee met with Peter Rei, the Tuolumne County Director of Public Works, on December 8, 2006 in order to discuss the County Service Area process.

NARRATIVE/FACTS

County Service Areas are special districts created through the Local Agency Formation Commission (LAFCo) to support a perceived need in a particular geographic area. There are currently around 50 CSAs in Tuolumne County. CSAs can fund the maintenance of privately owned roads, essentially turning over care to Tuolumne County. Other examples of CSA funding could include fire protection, snow removal, or ambulance service.

CSA funds are collected with county property taxes and are noted separately on the tax bill.

Currently, the only CSAs established are for road maintenance. A majority of the residents along the road must vote every year to continue paying the assessment. If the assessment is voted down two years in a row, the CSA becomes "dormant". All money in that CSA's fund is left in its own interest-bearing account. No money is transferred between accounts. To reactivate the CSA assessment, only one written request from a member of a CSA is required. Each CSA funds such items as ditch and culvert cleaning, brush and vegetation control, patching and crack sealing, and a 21-year overlay plan. Snow removal is not included in a CSA maintenance.

Included with the yearly ballot is an explanation of the function of the CSA and the details of the assessment. The amount of the assessment for each parcel is determined by the “usage” of each parcel. For instance, a parcel at the beginning of a road under CSA maintenance will be charged less than a parcel at the end of said road. This formula is used because of the passage of Proposition 218 which sets assessment fees based upon usage.

In previous ballot mailings, a projected description of work to be performed each fiscal year was included. This was discontinued by Public Works because of complaints by taxpayers about why work listed in the maintenance record was not performed on a particular year. The published maintenance record was a projected plan and was not a guarantee of service. The Public Works department felt that it was easier not to include a projected work schedule than to explain to taxpayers why the work was not performed.

Tuolumne County is researching the idea of changing from CSAs to Permanent Road Divisions (PRD). The main advantage of a PRD is that the election would only need to be held once every twenty years; thus, saving the county the cost of yearly elections.

FINDINGS

The formation of a County Service Area can be an efficient way for a group of homeowners to maintain a private road. An assessment is made based on the amount of use a parcel creates. Then the assessment is added to a property owner’s county taxes, and the county takes over the maintenance of the CSA road. As mentioned, other services could be funded by a CSA.

RECOMMENDATIONS

NONE

BIBLIOGRAPHY

NONE



2006/2007 Tuolumne County Grand Jury Report

Twain Harte Community Services District: Investigation into Legalities of THCSD Elections

SUMMARY

This report deals with a complaint filed with the Tuolumne County Grand Jury questioning the legality of the benefit assessment election held June 20, 2006 to raise monies for park funding. The Grand Jury researched the legalities and concluded no laws were violated.

INTRODUCTION/BACKGROUND

The investigation was initiated by a complaint alleging election wrongdoing by the Twain Harte Community Services District (THCSD). The purpose of the election was to approve/deny an assessment for parks and recreation. The complaint contained the following allegations:

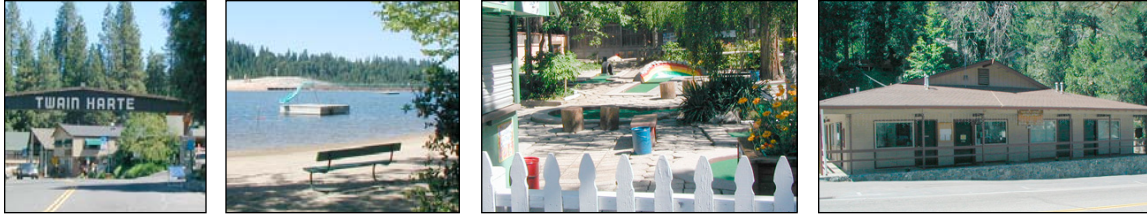
- a. The assessment was not administered equally.
- b. The assessment would benefit all County residents, not just the THCSD voters.
- c. The vote was not secret, creating an aura of intimidation.
- d. The agency conducting the election counted its own ballots.

METHODOLOGY

Members of the Grand Jury conferred with Tuolumne County election officials, the Tuolumne County Clerk/Auditor, and the Tuolumne County District Attorney. Documents relating to California Law Elections Code were also reviewed.

NARRATIVE/FACTS

The complaint received by the Grand Jury was also sent to the Tuolumne County Elections Office. The Elections Office shared with the Grand Jury a report from SCI Consulting Group, in which each issue was addressed. The Elections Office was kind enough to supply the Grand Jury committee with a copy of the SCI report.



The Twain Harte Community Services District is authorized by California Government Code Section 61600 to a wide variety of services, including public parks. Right to Left: Entry arch to Twain Harte. Twain Harte Lake. Twain Harte Mini-golf park. Twain Harte Community Service District Office.

FINDINGS

1. The assessments were made according to Proposition 218 requirements. (i.e. assessments were made according to the benefit to the assessed property.)
2. The courts have concluded that if there is benefit to the assessed property, benefit to others is not illegal.
3. Government Code Section 53753(e) stipulates that benefit assessment ballots are a disclosable public record.
4. The election process was monitored by the Tuolumne County Elections Office at the request of THCSD.

RECOMMENDATIONS

The Grand Jury recommends that all concerned citizens within the jurisdiction area of the Twain Harte Community Services District participate in the District's business. For instance, citizens can:

1. Visit with the THCSD staff to stay up to date on projects, issues, budget adoption, rates, status of services, water quality, or any other THCSD issue.
2. Sign up for the THCSD e-mail service to receive newsletters electronically.
3. Attend THCSD committee and Board of Directors meetings.
4. Visit the THCSD Web site for newsletters, meeting minutes, and reports. (The current url is <http://www.twainhartecsd.us/>)

BIBLIOGRAPHY

NONE



2006/2007 Tuolumne County Grand Jury Report

Behavioral Health

SUMMARY

In its investigation of the Tuolumne County Behavioral Health Department (TCBHD), the Grand Jury conducted interviews and site visits. Information was gathered on the TCBHD mission, organizational structure, budget, services, and patient rights. Other key concerns such as housing facilities, self-help programs, and court-ordered services were reviewed. The key observation was, although Tuolumne County is lacking in affordable housing, the *Mental Health Services Act* has had a positive effect through the creation of the *Mental Health Services Act Leadership Council*.

INTRODUCTION/BACKGROUND

Tuolumne County Behavioral Health was selected for investigation by the Grand Jury as it was due for review. The investigation encompassed services, both currently offered and planned for the future.

METHODOLOGY

The Grand Jury Committee interviewed the Executive Director of Tuolumne County Behavioral Health and the Senior Staff Services Assistant. Staff members of Kings View were also interviewed. Various site inspections were conducted at both the TCBHD administrative office and Kings View TCBHS Walk-in and Crisis Services Center.

NARRATIVE/FACTS

1. Behavioral Health Department Mission Statement

*"The mission of the Behavioral Health Department is to provide services to citizens of Tuolumne County that ameliorate the effects of mental health and alcohol/drug use disorders. These services will address the entire person. Program planning includes for intervention through education, early identification and treatment, environmental interventions and the effects of stigma on the life of the citizens so affected."*¹

2. Behavioral Health Department Organizational Structure

Tuolumne County Behavioral Health Department is headed by Director Bea Readell. There is an Assistant Behavioral Health Director, three Staff Services Assistants and a Patient Rights Advocate. The

¹ Tuolumne County Behavioral Health. Mission Statement. http://portal.co.tuolumne.ca.us/ps/ps/TUP_BEHAV_HEALTH/

NARRATIVE/FACTS continued

Director reports directly to the Tuolumne County Board of Supervisors. The Director submits reports to the state Department of Mental Health.

3. Budget

There are separate funding streams for services and revenue:

- a. Mental Health Administration
- b. Mental Health Services
- c. Mental Health Drug and Alcohol
- d. Mental Health Perinatal

The Director emphasized many clients receive combined services, so the funding does not necessarily reflect the nature of services. One of the challenges in balancing the budget is, when MediCal is billed for services, payment may take up to two years.

4. Patients' Rights

The Patients' Rights Advocates encourage patients to speak out with their concerns. There is a grievance process in place. Efforts are made to resolve grievances at the local level, but they can be taken to the State of California.

There are two local review entities: *Quality Improvement Council* and *Behavioral Health Advisory Board*. The *Quality Improvement Council* examines the managed care system to ensure it is in compliance with federal regulations; the *Behavioral Health Advisory Board* investigates any and all issues related to behavioral health services in the county.

5. Contractor

Tuolumne County solicits bids from mental health service contractors every five years. Kings View is the current contractor. Audits are conducted every year. There are written policies and procedures available for review concerning the county and the contractor.

6. Kings View

I Kings View is primarily clinic-based. In 1951, Kings View became a 501(c)(3)² non-profit organization. Kings View does the direct services and the billing as the county contractor of Behavioral Health Services.

II 80% of clients suffering from mental illness also have drug and/or alcohol issues.

III Kings View has a program called HOST (Homeless Outreach and Stabilization Team)—a program to serve the needs of the homeless in Tuolumne County.

IV The Director of Behavioral Health explained that the case management approach is very important to serve the variety of needs of the clients.

² 501c is a provision of the U.S. Internal Revenue Code (26 U.S.C. § 501(c)). It lists non-profit organizations which are exempt from some Federal taxes. Many states reference Section 501(c) for definitions of organizations exempt from state taxation as well.

NARRATIVE/FACTS continued

6. Kings View *(con't from previous page.)*

V Services offered to the public by Kings View include:

- a. Day and Peer Program
- b. Adult Med services
- c. I:I (One-on-One) Group counseling
- d. CalWORKs (California's *Welfare to Work* program)
- e. HOST (Homeless Outreach and Stabilization Team) AB 2034 Homeless project
- f. Dependency Drug Court
- g. Adult Felony Drug Court
- h. Proposition 36/SAPCA (Substance Abuse Crime Prevention Act)
- i. DEJ - Deferred Entry of Judgment
- j. Perinatal
- k. Voluntary Drug and Alcohol I:I (One-on-One) and Group counseling
- l. MIOCR (Mentally Ill Offender Crime Reduction) Project Start UP
- m. Women's 52 Week Domestic Violence Program
- n. Men's Impulse Control Program

VI Kings View has clinical staff with the following licenses, certification and training:

- a. Psychiatrist
- b. RN (Registered Nurse) and RNC (Registered Nurse Certified)
- c. MFT (Marital and Family Therapy) and MFT Interns
- d. LCSW (Licensed Clinical Social Worker) and ASW (Associate Social Worker)
- e. Certified Substance Abuse Counselors
- f. Certified Domestic Violence Counselors
- g. Case Managers

VII Most of the programs provided to adults by Kings View are collaborative in nature. Clients benefit by having systems working cooperatively to help them reach their goals for recovery. Some of the TCBHD/Kings View partners are:

- a. Department of Social Services - Public Guardian and Adult Protective Services
- b. Department of Social Services - Child Welfare Systems
- c. Department of Social Services - CalWORKs (California's *Welfare to Work* Program)
- d. Public Health
- e. Sheriff's Department
- f. Sonora Police Department
- g. Probation Department
- h. Superior Court
- i. ATCAA (Amador Tuolumne Community Action Agency) Shelter, Food Bank, Literacy, Housing
- j. NAMI (National Alliance on Mental Illness)

NARRATIVE/FACTS continued

7. Clients: Income

Kings View, under the auspices of the County, does not accept clients who do not qualify for MediCal. Referrals are made to other mental health service providers. The County is the only provider that accepts MediCal. A list of private practitioners is maintained. Background checks are conducted. Practitioners are asked if they wish to be included on the list.

Kings View operates Mountain View Counseling Center, which accepts insurance and then bills clients on a sliding scale. Mountain View Counseling Center is not a part of the Tuolumne County Behavioral Health Department. It was created to help fill the needs of those who do not qualify for MediCal.

8. Housing Facilities

The County's Behavioral Health housing facilities for Residential Care, Board and Care, and Independent Living are regularly investigated. Most Independent Living situations, however, are located out of the county due to the shortage of housing in Tuolumne County.

9. Self-help Programs

The community has various self-help groups as support for drug and alcohol issues.

10. Tracking Trends via Data

The Tuolumne County Behavioral Health Department, through data collection, identifies and evaluates trends in order to aid in service/program improvements. An example given was that seniors tended to not come in for services, but were agreeable to receiving services in the home.

11. Court Ordered Services

Court-ordered services are provided to criminal offenders through diversion* counseling.

12. Mental Health Services Act

In November 2004, California voters passed Proposition 63, the *Mental Health Services Act* (MHSA). The new law calls for the establishment of the Mental Health Services Oversight and Accountability Commission (MHSOAC). Section 5845(a) of the Welfare and Institutions Code defines the creation and composition of the Commission.

* Diversion: A legal method by which a defendant, initially charged with an offense, is diverted from further criminal prosecution in exchange for his/her completion of a counseling program.

NARRATIVE/FACTS continued

13. Mental Health Services Act Leadership Council

*"The MHSA Leadership Council and subcommittees are made up of clients, family members, agency representatives, county government and community members. The role of the Leadership Council is to oversee and direct the activities of the Work Group. The council oversees the process of developing the plan and ensures that there is client and community involvement. The Council makes the initial decisions on what should be in the CSS [Community Services and Support] plan based on demographics and the community input. They also make final recommendations on how to spend the money. The nine subcommittees under the Leadership Council review demographic material and input from the community. They recommend the populations and issues to be addressed. They also make broad recommendations on the kinds of services and supports that should be funded with special emphasis on family and client needs and cultural diversity. The Work Group is made up of Community Consultants, the MHSA Consultant, Behavioral Health Department Staff, and Provider representatives. Its role is to carry out the community input process and develop the data for the subcommittees and assist in the development of the plan. The Work Group provides staff support to the Leadership Council."*³

As a result of the Mental Health Services Act, mandated by the federal government, Tuolumne County Behavioral Health conducted a community-based needs assessment. The comprehensive report identified countywide services and presented a *Program and Expenditure Plan* for 2006-2007 and 2007-2008.

The *Mental Health Services Act of 2004* funded a planning group to do a community needs assessment, community health services, prevention/intervention, education & training for mental health workers and clients, capital improvement, and housing. Kings View now hires people with former drug and alcohol problems (from within the community) to sit on the advisory group community committees. These committees cover a wide range of issues: homelessness, isolation, incarceration/institutionalization, and co-occurring disorders. Tuolumne County Behavioral Health has had a positive affect in increasing state funding for schools servicing emotionally challenged students.

14. State Department of Mental Health

The California Department of Mental Health, located in Sacramento, has oversight of a public mental health budget of more than \$4 billion, to include local assistance funding. Its responsibilities include:

- a. Providing leadership for local county mental health departments.
- b. Evaluation and monitoring of public mental health programs.
- c. Administration of federal funds for mental health programs and services.
- d. The care and treatment of the severely mentally ill at the five state mental hospitals (Atascadero, Metropolitan, Napa, Coalinga and Patton) and at the Acute Psychiatric Programs located at the California Medical Facilities in Vacaville and Salinas Valley.

³ Tuolumne County Behavioral Health. *Mental Health Services Act* (brochure). August 2006

NARRATIVE/FACTS continued

- e. Implementation of the *Mental Health Services Act* (Proposition 63) which provides state tax dollars for specific county mental health programs and services.
- f. Quality Assurance—State Department of Mental Health, Department of Review, Licensing Requirements, Independent Living accreditation progress, most done through Advisory Council.

FINDINGS

1. The Tuolumne County Behavioral Health staff and the staff of Kings View are demonstrating that all persons deserve to be treated with respect and dignity.
 - a. There is a need for more community involvement—both public and private collaborative projects.
 - b. Overall, there has been little change in attitude by the public concerning mental illness. Although public awareness is slowly changing, there is still a stigma which prevents people from seeking help, even though it is available. This stigma also prevents people from continuing to receive services once they are in a program.
 - c. In recent years, therapeutic drugs have made it possible for clients receiving behavioral health service to participate more fully in the community rather than being isolated and stigmatized.
 - d. These therapeutic medications, along with the current philosophy of making clients part of the mainstream, has improved quality of life.
2. Both housing and transportation are great needs in our county.
 - a. There is a lack of adequate, affordable housing for those who need behavioral health services. There is a need for more *Board and Care* facilities as well as more *Independent Living* facilities for both adults and children. In particular, affordable housing will relieve a major stress point on those with behavioral health issues. A comprehensive, implementable affordable housing plan by the County will also attract, as well as retain, employees.
 - b. People can't get to the behavioral health services they need. The typical person in need of services is already on the lowest end of the financial spectrum. Access to public transportation is often a necessity in order for them to receive help.
3. By contracting for behavioral health services, Tuolumne County has access to a much wider range of programs than could be offered by the county alone. Kings View does the direct services and the billing as the county contractor of Behavioral Health Services.

FINDINGS continued

- a. At this time, the Director feels that this is done well, but there is an ongoing need for direct communication between the contractor and the County.
- 4. Staffing is basic and adequate, but certainly not ample. There has been a recent hiring of an Assistant Behavioral Health Director. There are three Staff Services Assistants and a Patient's Rights Advocate. However, the need for more private practicing psychiatrists is not being met.

RECOMMENDATIONS

- 1. Tuolumne County strongly continue the campaign to increase public awareness of mental health issues and the valuable and necessary services offered by Behavioral Health.
 - a. The Behavioral Health Department suggest to the Board of Supervisors that they encourage local businesses to provide more employment opportunities for those who have mental health challenges.
 - b. TCBHD provide information via local cable television, newspapers, forums, surveys, and focus groups.
- 2. Tuolumne County housing and transportation:
 - a. Tuolumne County as a whole needs to adopt a plan to encourage affordable housing.
 - b. Tuolumne County needs to improve public transportation.
- 3. Contracted Services:

The Grand Jury recommends more extensive communication and feedback between Kings View and Tuolumne County Behavioral Health.
- 4. As a final observation, it was discovered there was a non-existence of private practice psychiatrists in Tuolumne County. Although the Grand Jury has no specific recommendation to rectify this, perhaps the County could explore financial incentives such as student loan assistance and/or providing reduced rentals on appropriate office spaces to help attract practitioners to our county, thereby remedying the situation for the welfare of all residents.

BIBLIOGRAPHY

Tuolumne County Behavioral Health. *Mental Health Services Act* (brochure). August 2006
California. State Department of Mental Health Web site <http://www.dmh.cahwnet.gov/default.asp>

BLANK



2006/2007 Tuolumne County Grand Jury Report

Tuolumne County Jail: I Know it Looks Like a Closet, But Please Don't Hang Your Hat in My Office

SUMMARY

The Grand Jury, as mandated, inspected the Tuolumne County Jail. This is an old, outdated building which houses, for the most part, people (prisoners) who don't want to be there. As a consequence, they fail to treat the facility and its furnishings as their own. Because of its age and the damage caused by its occupants, it is in constant need of repair. In addition, it lacks space—space for staff, space for prisoners, and space for equipment and storage.

Despite the structure's shortcomings, the Grand Jury was tremendously impressed with the professionalism and exuberance of the jail's staff. It appears to be a well run and organized division of the Sheriff's Department.

Nearly all of the Grand Jury's concerns can be resolved with the construction of a new county jail. Jail administrators are doing their best to keep this leaky boat afloat, but it is evident this boat is on its way down.

INTRODUCTION/BACKGROUND

California Penal Code Sections 919(a) and (919(b) mandate annual Grand Jury inspections of any and all jail or prison facilities located within the county. Pursuant to these sections the Grand Jury inspected the Tuolumne County jail during the latter part of 2006.

METHODOLOGY

The Grand Jury, prior to the actual inspection of the county jail, reviewed applicable sections of Title 15 of the California Administrative Code to ascertain what laws for the proper care, safety, and security of prisoners were mandated. In addition, the Grand Jury reviewed a number of previous inspection reports. These included the 2006 report prepared by the State of California Department of Corrections and Standards Authority, the 2005 Annual Inspection Report prepared by the Tuolumne County Health Department, the 2006 Tuolumne County *Fire and Safety Inspection* report, as well as the findings of three previous Grand Jury inspections. The review of these documents allowed the Grand Jury to draft a comprehensive list of questions and note areas worthy of inspection.

At a pre-inspection meeting with jail administrative staff, the Grand Jury requested copies of certain sections of the department's *Policy and Procedure Manual*, specifically: "Table of Organization", "Policy on Use of Force", "Policy on Use of Restraints", "Emergency Procedures", "Suicide Prevention", and "Inmate Grievance Policy". Not only did the jail administrator graciously provide such documents, the Grand Jury was given an abundance of additional materials and records that assisted in the finalization of an inspection plan.

The actual inspection of the Tuolumne County Jail was conducted in December 2006. The Grand Jury made a concerted effort to tour and view as much of the facility as time allowed. Observations and assessments were made of all holding, detention and housing areas, the control room, kitchen, laundry, nursing station, store rooms, counseling area, exercise yard, and staff offices. The Grand Jury also spoke with a number of inmates and correctional staff.

A post inspection meeting with jail administrative staff was held at the conclusion of the Grand Jury inspection.

NARRATIVE/FACTS

Introduction

The primary purpose of a county jail is two-fold: to detain defendants, as ordered by the court, pending disposition of their criminal cases, as well as to house prisoners during the service of their ordered jail sentences. Criminal offenders, depending on their conviction, may be ordered to serve up to one year in a county jail. They may be held in custody longer if two or more sentences are ordered to be served consecutively.

History/Background of the Tuolumne County Jail

The current Tuolumne County Jail was constructed in 1959. The last addition was built in 1992. The facility has bed space for 153 prisoners (149 rated capacity by State Corrections and Standards Authority). The Sheriff, for safety, security, and staffing reasons, has imposed a restriction ("cap") of 140 prisoners at any given time. To maintain this "cap", the jail must at times release a number of qualified prisoners before the completion of their court ordered sentences.

Staffing

One lieutenant, with the help of an administrative sergeant, administers the facility. Five additional sergeants supervise 28 custodial staff (one vacancy at the time of Grand Jury inspection). Two of the custodial positions are assigned transportation duties, responsible for delivering prisoners to court, transporting prisoners for medical appointments, returning prisoners to

NARRATIVE/FACTS continued

Tuolumne County from other jurisdictions, and transporting sentenced prisoners to prison. There are five booking clerks with a vacant position for a sixth.

Jail records revealed that during the month of November 2006 a total of 360 adults were booked into the county jail, for an average of 12 bookings a day. The daily jail population for the first 11 months of 2006 averaged close to 138, with a mixture of approximately 100 felons and 38 misdemeanants. A record of prisoner incidents listed 266 events of misbehavior in the county jail between July and December 2006 that required the attention of custodial staff.

One of the concerns mentioned in the most recent State of California (Department of Corrections and Standards) inspection report involved the jail's lack of sufficient personnel and correlated use of overtime. The State inspection team noted that the jail, because of a shortage of personnel, was out of compliance with certain state regulations requiring hourly safety checks of prisoners. Subsequent to that report the Sheriff's Department added eight new deputies to the jail. According to jail administration, it has been difficult to retain qualified personnel because of a lack of competitive salaries. The Grand Jury was informed that on many occasions new hires received their core training at the expense of Tuolumne County, and then as quickly as possible, sought a law enforcement career with another agency for better pay and benefits.

Facilities

The 2006 Department of Corrections and Standards Authority report also noted that the jail, due to the mixture of single and double bunks in dormitories, was out of compliance with the regulations requiring a minimum amount of floor space per bed. The jail has since reduced the number of single bunks to meet the requirements.

The last inspection report prepared by the Tuolumne County Health Department (dated September 25, 2005) noted a number of problems. Among the most notable were:

- a. Areas of rust, mold, and peeling paint.
- b. A dislodged light fixture.
- c. A refrigerator incapable of maintaining the required minimum temperature.
- d. A lack of proper protocol in dealing with particular medical treatment of prisoners.
- e. The absence of a registered dietician for approval and evaluation of meals.

All of these problems have since been corrected.

The 2006 *Fire and Safety Inspection* report, though noting that the majority of requirements

NARRATIVE/FACTS continued

were met, listed a number of concerns and shortcomings. Among those were:

- a. Loose beds, tables, sinks, and tile.
- b. Dirty vents.
- c. Leaking toilet.
- d. Gaps and holes in walls.

Though the majority of these faults appear to have been rectified, the Grand Jury did observe a clogged/dirty cold air intake vent in the shower of the segregation unit, as well as a clogged toilet in one of the cells. In addition, jail staff mentioned that frequent plumbing problems continue to cause leaks in certain areas of the facility.

Jail administration advised the Grand Jury that a significant portion of the structural repair and maintenance of the facility must be conducted by County Facilities Management personnel. Due to a large number of work orders throughout the county, needed repairs are sometimes delayed.

Staff Compliance with Title 15

The Grand Jury specifically made inquiries of a variety of jail staff as to their knowledge of proper procedures for the safety, conduct, and care of prisoners. The Grand Jury, having already reviewed the legal requirements listed in *Title 15*, wanted to know if Tuolumne County Jail staff were adhering to such requirements, e.g. how often must direct observation be conducted on prisoners held in sobering cells? In each and every instance jail personnel provided the correct answer.

Jail Services and Departments

The control room of the county jail is the main hub of the entire facility. Here all bookings and prisoner activities are recorded, and the security of the facility is monitored. The size of the room (considering the volume of equipment and number of personnel required to be present) concerned the Grand Jury as being extremely crowded. Staff told the Grand Jury the machinery (computers, monitors, etc.) created an uncomfortable temperature for those working inside the control room. In addition, it appeared that little of the equipment was ergonomically set up for proper working conditions.

The jail kitchen, staffed by three cooks, impressed the Grand Jury as being clean and well organized. All vents, drains, equipment, and sinks appeared clean. There is an established policy for the procurement, use, and return of kitchen knives and utensils by prisoner kitchen staff. The lead cook informed the Grand Jury that a new tilt skillet is on order as the current one is beyond repair. The Grand Jury inspected both the kitchen freezer and food storage area. Both compartments, though organized, appeared inadequate in size. The Grand Jury was told that

NARRATIVE/FACTS continued

larger freezer and food storage space would allow for larger bulk purchase of food items at a reduced cost.

The medical unit of the County jail is staffed 20 hours each day by two nurses. A physician visits the county jail twice each week, and one is always on call. Pharmaceutical cabinets were properly secured. Staff present was aware of the proper procedure for the identification of prisoners requiring medication and the proper procedure for dispensing such medication. Space provided for the medical unit within the county jail, crowded with tables, desks, cabinets and equipment, seemed tight and confined.

The jail laundry, manned by a trusty*, is located in a small alcove adjacent to a hallway. Prisoner clothing is cleaned and exchanged twice each week. All equipment appeared operational, though a lack of space would certainly prohibit any additional equipment or expansion of the laundry.

Programs designed for offender rehabilitation, such as alcohol and substance abuse counseling, religious study, and GED preparation, all use the same exceedingly small room. This room is also used for screening prisoner mail as well as for closed-circuit televised arraignment (first court appearance) of prisoners in custody.

The Grand Jury toured each of the staff offices within the county jail and found the space provided for the offices was inadequate to the point of being nonexistent. Several staff members have been forced to convert a cramped closet into an operating office.

In addition to speaking with and questioning jail custodians, the Grand Jury also spoke with and questioned a number of prisoners currently held in custody. None expressed any major complaints. In fact, several prisoners said they felt more comfortable and safer in the Tuolumne County jail than in other facilities where they had been held. The most common indisposition voiced by the female prisoners interviewed concerned the lack of cleaning supplies provided for each cell. Several said they were only given buckets of water to clean and sterilize their living quarters. However, staff informed us that the buckets of water did in fact contain a decontaminant solution.

The outdoor, enclosed recreation/exercise area for prisoners is located on the roof of the jail. It appeared secure and ample in size to accommodate the outdoor activities of prisoners in shifts. To reach this area, prisoners must climb several flights of stairs through a narrow hallway.

The jail administrator, when questioned, told the Grand Jury that there have been no inci-

* Trusty: A convict regarded as worthy of trust and therefore granted special privileges.

NARRATIVE/FACTS continued

dents of jail staff misconduct that warranted investigation by the Sheriff's Department of Internal Affairs during at least the past eighteen months.

Security Software

Jail administration informed the Grand Jury that to enhance security and safety of the jail they had procured a modernized computer system that would allow images from each of the jail's security cameras to be seen on each of the computer screens throughout the jail. This would allow any staff member seated in front of a computer to observe activities throughout the entire facility. Unfortunately, this newly acquired system has yet to be installed. Jail administration said that a work order for the installation had been submitted to the county's Informational Service Department but nothing yet had been done. *[NOTE: In March, 2007 the Grand Jury was informed by the Tuolumne County Information Technology manager that the software was installed and functional.]*

Community Contributions

Jail staff advised the Grand Jury that contributions of paperback books (used or new) would be greatly appreciated by prisoners.

FINDINGS

I. Facilities

- a. The Tuolumne County Jail is quickly approaching 50 years of age. In institution terms, this facility can almost be considered antique. Since its construction, the metal doors of the jail have swung open and closed thousands of times. Millions of gallons of water have flowed through its decaying pipes and innumerable watts of electricity have passed along its old electrical lines. Layer upon layer of paint has been applied to its peeling walls and patch after patch has been applied in an effort to stop leaking pipes. Simply put: this facility is worn out.
- b. The County and the Sheriff's Department (especially its jail staff) have done an exemplary job in attempting to keep this leaky boat afloat. However, a leaky boat is exactly what the county jail is. It is in constant need of repair. Unfortunately the volume of repair work needed at present exceeds the time and manpower available.
- c. Because of the age of the jail and its entire mechanical infrastructure, the county, and thus its citizens, are losing the battle and may well be "pouring good money after bad".

FINDINGS continued

- d. Space in the county jail is at a premium. Extra or unoccupied space is nonexistent. Closets have been converted into offices and every little nook and cranny is being utilized for storage or placement of equipment. The one small room used for all prisoner counseling and rehabilitative programs, mail screening, and closed-circuit monitored televised arraignments is entirely inadequate.
- f. Though the Grand Jury is at a loss as to what can be done, it is concerned about the confined hallway and flights of stairs that prisoners must negotiate in order to reach the outdoor exercise area atop the jail. It is the Grand Jury's fear that, because of the lack of complete visibility due to the twists and turns made climbing the stairs, this is an area where there may be a delay in response to a prisoner disturbance.
- g. Despite the decaying, crowded conditions of the county jail, the Grand Jury was favorably impressed with the organization and operation of the facility. Administration appeared to be making a sincere effort to comply with a large number of State and County requirements, and staff present at the time exhibited an enthusiastic and professional approach to their duties. Even the inmates interviewed voiced few complaints.

2. Staffing

The county jail, like all correctional facilities, is a 24-hour operation. It must be staffed 24 hours a day. State regulations require a sufficient number of staff to be present at all times to perform certain mandated functions. Thus, if a correctional officer becomes ill, injured, or for other reasons cannot report to work, his/her position cannot simply go vacant. Another officer must either work an additional shift or someone else must be called in to fill the vacancy.

In the past the jail has had difficulty acquiring and retaining sufficient personnel to fulfill its mandated requirements and has been forced to require officers to work a significant amount of overtime. This is a hardship for both jail personnel and the county budget. Though the county jail has now nearly filled its allotted, budgeted positions, the Grand Jury is concerned about the jail's ability to retain its current staff and suspects the lack of competitive salary and benefits is a reason qualified personnel eventually go elsewhere.

FINDINGS continued

3. Overcrowding

- a. As mentioned, some prisoners are released early. During periods of overcrowding, the jail administration, for safety and security reasons, is required to release enough prisoners to maintain the 140-prisoner "cap". A convicted offender ordered to serve a six-month jail sentence, receiving credits for good time and work time, normally will only serve four months, 20 days in custody. Such an offender, during a period of overcrowding, and after proper screening, may well serve even less time. In the mind of the Grand Jury this significantly dilutes the intent of our criminal law.
- b. The State of California is currently experiencing an extraordinary overcrowding problem within its correctional system. All of its prisons are filled far beyond their capacity. As a consequence, State administrators are researching alternatives to reduce prison populations. Some consideration may be given to altering current sentencing laws and requirements, allowing or mandating offenders sentenced to three years or less to be incarcerated in local county jails. If such a possibility became a reality, the Tuolumne County Jail and its entire infrastructure would have to be expanded to accommodate a significant increase in prisoners.

RECOMMENDATIONS

The 2006-07 Tuolumne County Grand Jury, as well as previous Grand Juries, recommends:

I. Facilities The Grand Jury strongly recommends:

- a. Construction of a new criminal justice center to include the county jail, juvenile detention facility, courts, Sheriff's patrol and administrative divisions, and the Probation Department.
- b. The Grand Jury, realizing the majority of repairs and maintenance needs for the county jail are dependent on the County Facilities Management Department, encourages jail administration to complete the repair work needed as listed in the most recent *Fire and Safety Inspection Report*.

RECOMMENDATIONS continued

2. Other Facility Issues Additionally, the Grand Jury recommends:

- a. All air vents within the jail be inspected and cleaned.
- b. Prisoners be informed that liquids provided for the cleaning of their cells do in fact contain decontaminant solutions.

3. Staffing

The Grand Jury recommends that Sheriff administration develop a plan for relief personnel to reduce the need for correctional officer overtime.

4. Inmate Services

Solicit book donations from the community.

BIBLIOGRAPHY

NONE

BLANK



2006/2007 Tuolumne County Grand Jury Report

Sierra Conservation Center

(A California Department of Corrections and Rehabilitation Facility)

Going for the Guinness Book of World Records:TM How Many Inmates Can You Cram Into a Gymnasium?

SUMMARY

The Sierra Conservation Center, a California Department of Corrections and Rehabilitation penal institution located in Tuolumne County, is a massive operation. It houses and provides the daily care for an inmate population of 6,100.

The Grand Jury reviewed a number of previous inspection reports concerning the Sierra Conservation Center and on its own spent three full days touring the facility.

The Grand Jury found the Sierra Conservation Center to be a well-organized and well-managed operation. The vast number of shortcomings and disturbing observations noted during inspection are directly related to the overcrowded conditions and allied shortage of space. This institution is simply "bursting at the seams."

Though a significant number of the Grand Jury's concerns extend beyond the capability and control of the Sierra Conservation Center itself (instead falling under the jurisdiction of the State), the Jury did note, from a layperson's perspective, a number of conditions warranting attention by the Center's administration.

INTRODUCTION/BACKGROUND

California State Penal Code sections 919(a) and 919(b) mandates the Grand Jury to annually inspect any jail or prison within the county. The Sierra Conservation Center (a California Department of Corrections and Rehabilitation facility and further referred to in this report as SCC) is located in Tuolumne County and thus fell under the purview of this Grand Jury for inspection.

METHODOLOGY

The Grand Jury, prior to inspection of the SCC, reviewed pertinent sections of *Title 15* of the *California Code of Regulations*, applicable sections of the *California Uniform Retail Food Facilities Law*, the most recent Office of Inspector General *Management Review Audit* of the

METHODOLOGY continued

Sierra Conservation Center, as well as the findings noted in the seven previous Tuolumne County Grand Jury reports. In addition, the Grand Jury read the California Department of Corrections and Rehabilitation *Food Facility Inspection Report* of the Sierra Conservation Center for 2006 and the State Fire Marshal's *Fire Safety Correction Notice* dated the same year. A comprehensive list of questions and noted areas for close inspection was drafted, in part, from the review of these documents.

The Grand Jury requested and received a report from the Office of Internal Affairs (a division of the California Department of Corrections and Rehabilitation) concerning the number and types of investigations that had been conducted for alleged staff misconduct at the SCC during the last 18 months.

The Grand Jury spoke with representatives of the Sierra Conservation Center's Citizens Advisory Committee.

A pre-inspection meeting with representatives of the SCC enabled the Grand Jury to finalize an inspection plan.

The actual inspection of the Sierra Conservation Center was conducted in three full days over a period of four weeks. During this period the Grand Jury toured and inspected as much of the facility as time allowed.

Observations and assessments were made of the SCC records room, medical and dental facilities, dining halls, mailroom, laundry, and a variety of housing units and cells. In addition the Grand Jury viewed the SCC inmate libraries, schools and occupational training facilities, as well as their fire fighting camp known as Baseline. A variety of staff and inmates were questioned concerning working and living conditions, safety, and overall management of the prison.

A post-inspection meeting with the warden and his assistants was conducted following the last day of inspection.

NARRATIVE/FACTS:

Introduction

The primary mission of the Sierra Conservation Center is to provide housing, programs and services for minimum and medium security level inmates (Levels I, II, and III). The SCC is one of only two prisons in the state responsible for the training and placement of male inmates in the

NARRATIVE/FACTS continued

Conservation Camp Program. The SCC administers 19 male camps located from central California to the Mexican border. It functions as the center for training staff and inmates in fire-fighting techniques.

History/Background of Sierra Conservation Center

The Sierra Conservation Center was opened in 1965. It is located on 420 acres. The original design consisted of housing units for 1,240 men and included two gymnasiums. In 1987 a 1,000-bed medium security (Level III) unit was constructed. As of September 2006 there were nearly 4,100 inmates housed at the SCC, with an additional 2,129 living at camps. Both of the SCC gymnasiums, due to overcrowding, have been converted into housing units where more than 400 inmates sleep on double- and triple-stacked bunks.

Staffing

The Sierra Conservation Center employs over 1,100 workers (close to 700 custody staff and 400 support services staff) and has an operating budget of approximately \$139,000,000.

A number of inmates at the SCC have qualified for and have been assigned jobs within the facility to support its operation. Other inmates participate in the SCC academic and vocational training programs. Libraries for inmate use are located in each of the SCC housing units. There are also inmate canteens for the purchase of personal items and snack foods.

Facilities

The Sierra Conservation Center is nearly a self-sufficient operation. It has its own mailroom, medical and dental facilities, and food storage and cooking capabilities. It has its own laundry, dry cleaning and material repair capability, as well as its own vehicle and building maintenance units. In addition the SCC, through its vocational training programs, builds furniture and cabinets, repairs vehicles, makes plaques, sews uniforms and provides graphic arts and printing for other governmental agencies and non-profit organizations.

Records Room

The records room at the SCC is responsible for the processing and maintenance of inmate records for the center and all of its camps. It houses nearly 6,200 hard files. At present there are approximately 50 employees working in the records room. This is a reduction (due to transfers, retirements, etc.) from the normal 60 employees. Unfortunately the most recent State of California hiring list for office assistant/typist/office technicians has expired. A new hiring list will be established soon which will enable the records room to increase its staff. However; in the interim, the present records room staff, on a voluntary basis, works overtime to

NARRATIVE/FACTS continued

maintain the standards required to process inmate records per State mandates. The constant increase and change in laws and government regulations create additional work for the records room staff. The recent effort by the Department of Corrections to transfer qualified inmates to institutions in other states (to alleviate overcrowding) has placed an additional burden of pulling and processing 1,000 SCC inmate files. Despite the nearly overwhelming challenges and stress facing the staff of the records room, the Grand Jury was impressed by the positive team spirit expressed by each of the workers interviewed.

Mailroom

The mailroom of the SCC is responsible for the processing of all incoming and outgoing mail for the entire facility. Mailroom staff process an average of 2,800–3,200 inmate letters each day. The staff is responsible for opening and reading inmate mail (to assure it does not contain any contraband or unauthorized items) and routing each piece to the appropriate location. A large number of letters missing the necessary information for delivery to inmates arrive each day. This requires staff, for each of these letters, to search through the entire inmate roster to retrieve the exact housing location of the inmate so that the letter can be delivered. In addition, the mailroom staff must inspect all incoming magazines (subscribed to by inmates) for inappropriate content. The mailroom itself is a windowless building located outside the locked portion of the prison. It lacks a bathroom, sink and drinking fountain. Despite the enormous volume of work conducted in a lackluster, warehouse setting, all of the staff present at the time of inspection were exuberant about their job.

Appeals Office

One Appeals Coordinator and one Office Technician currently staff the Inmate Appeals Office at the SCC. They are responsible for the processing of all formal, written inmate complaints. The office handles 600–800 appeals each month. Title 15 of the California *Code of Regulations* requires a first level response to inmate appeals be completed within 30 working days, second level responses within 20 working days, or 30 working days if first level is waived. Staff of the Appeals Office admitted they are behind in meeting the time requirements of *Title 15*, though they are making an effort to catch up.

Dental Office

There are the equivalent of 6.5 employees (State) to staff the Dental Office of the SCC. They perform dental work on 50–60 inmates each day. A large number of inmates have dental problems, often because of a history of drug abuse, a violent lifestyle, or a lack of preventative care. At present the Dental Office focuses most of its time on handling emergencies. They do not have the capacity to provide routine dental care. The office is scheduled to receive new digital

NARRATIVE/FACTS continued

imaging computers that will enhance their ability to perform more sophisticated procedures. However, insufficient space to strategically place the computers means the new computers will be placed in the office of the Chief Dentist. In addition, the Chief Dentist informed the Grand Jury that successful lawsuits alleging unconstitutional medical conditions in the State prison system mandate increased dental care for inmates—resulting in the SCC having to double the number of dental staff and equipment in the near future, with absolutely no place to put them in the current arrangement.

Medical Unit

The Medical Unit of the SCC consists of eight physicians and approximately ten registered nurses. They also have 17 medical assistants; however this position is being eliminated and the hope is to replace these employees with 12 licensed vocational nurses and 14 additional registered nurses. There are also 3.2 mental health positions at the facility. An Assistant Warden was recently assigned to the medical unit to act as a liaison between the inmates and their security needs and medical staff. At present this Assistant Warden is working without any clerical support. The medical records room appeared cluttered and lacked sufficient space to properly organize and store medical records. A number of file cabinets sat in the hallway, which could impede evacuation should an emergency occur.

Library

The Grand Jury visited the SCC main library as well as the small library located in the Tuolumne yard (where medium security inmates are housed). Inmates may access the main library every other day, though priority is granted to those inmates having a deadline for legal matters. Four people, including the Librarian and Senior Librarian, normally staff the main library. Recently the Senior Librarian retired. Another library position is unfilled. As a consequence the libraries at the SCC have been forced to reduce their hours of operation and availability to inmates. The materials in both libraries appear to be scant and old. Several staff told the Grand Jury that donated books would be a major asset. In addition more current *Nolo* publications (legal self help books) are needed to assist inmates researching legal matters.

Education Department

The Education Department of the SCC is located on the second floor of a building, making it inaccessible to wheelchairs or anyone incapable of climbing stairs. The school, affiliated with *Sierra Adult School*, provides instruction in a variety of programs, including Life Skills Development, Prerelease Preparation, Adult Education, English Language Development, and preparation for a General Education Diploma (GED). They also provide the ability to acquire an AA Degree via *Coastline Community College*. Approximately 800 inmates partake of these programs annually,

NARRATIVE/FACTS continued

with 120–130 successfully completing the GED program. Staff said that illiteracy is an extreme problem among inmates, with an estimated 50% incapable of reading above a ninth grade level, thus there is a lengthy waiting list for academic classes. As a result an Independent Study Program has been initiated where inmates are given assignments to be completed in their housing units. Teachers are all credentialed. The school also uses volunteers, though more are needed. The Grand Jury was advised that should resources become available the Education program could be expanded into the evening hours to accommodate additional inmates. We were also informed that it is difficult to recruit and retain qualified teachers within the prison system. The salaries and work hours are not comparable to that of teachers in local schools and the working conditions are certainly less attractive. However, the Grand Jury was extremely impressed with the dedication and sincerity to "making a difference" exhibited by the staff of the SCC Education Department. It was also noted that staff took a great deal of pride in knowing their school was applying to the State for a *Program of Excellence* award. The Grand Jury was told that inmates who participate in the educational programs typically return to prison at a rate of only 10% compared to the prison's general population recidivism rate of 60%.

Laundry

One security officer and 25 inmates staff the SCC laundry. Here they do all the washing and drying of inmate clothing (up to 1,000 pounds per hour), as well as dry cleaning of staff uniforms. It is a well-kept and organized operation, and all equipment appeared to be functioning. The laundry also developed and operates a program in which worn-out materials, instead of being discarded, are cut and sewn into useable items such as aprons and gloves. During the Grand Jury inspection it was noted that doors to the laundry's chemical room, as well as the maintenance supply room, were unlocked.

Kitchen and Dining Halls

An inspection of the SCC main kitchen and several dining halls impressed the Grand Jury with the professionalism and dedication exhibited by staff—both institutional staff and inmates. It clearly takes a massive effort to prepare and serve the volume of food necessary for the feeding of such a large number of incarcerated men. Every aspect of the kitchen appeared, to the Grand Jury, to be clean and orderly. However there appeared to be limited freezer space, which staff said precludes their ability to purchase frozen items in greater bulk, and thereby gain greater savings. The Grand Jury was also told that the heated serving lines in the dining hall were antiquated and now beyond further repair. As a consequence cooked food often becomes cold before the last inmates have passed through the serving lines. New steam lines have been requested, though this request (because of the cost) is not expected to be granted for several years. Meals are planned by a State nutritionist in Sacramento in accordance with a

NARRATIVE/FACTS continued

“Healthy Heart” diet. The cost of feeding each inmate three meals a day (two of them hot) is only \$1.51 a day per inmate.

Vocational Training

The Grand Jury toured each of the vocational program sites within the SCC, as well as the separate facilities connected with the maintenance of the prison. We were impressed with the enthusiasm of each of the vocational staff members we met, along with the quality of training that was provided inmates. Though a large variety of training programs are provided at the SCC, there is still a list of inmates awaiting entry into each of these programs. The Grand Jury was told that the acquisition of additional programs for computers would enhance the quality of teaching and provide for a greater number of inmate participants. It was noted that the fire evacuation directional signs above the doors in several of the vocational program rooms had faded almost beyond recognition. The tool room in one of the automotive maintenance shops was unoccupied and the door open. An inmate, when questioned, said the person responsible for the tool room was, “around somewhere.” A small three-room addition used for storage is inside the computer/graphic arts area of the print shop. This storage area contains a solid ceiling. Though this ceiling provides additional storage space, it is feared it provides an excellent hiding spot, as the entire area is not visible from the floor.

Housing

The Grand Jury toured a number of housing units within the SCC. They were all considerably beyond their designed capacity. A dorm in the *Mariposa* yard, originally built to house 18 inmates, now contains 36. Though its four toilets were operational on the day of the Grand Jury visit, only one of the two showers worked properly. In addition, the dorm's common area for reading and watching television has been converted into sleeping quarters for four inmates, while still being used as a TV area.

The gymnasium of the *Mariposa* yard has been converted into a housing unit (“G” dorm) where nearly 300 inmates, diagnosed with mental health issues, sleep in double-stacked bunks. Needless to say it appeared extremely crowded and noisy and might best be described as a “madhouse.” Though two bathroom facilities with toilets and showers were present inside the gymnasium, one is closed for security reasons at night, limiting the number toilets and showers available. It was noted that the netting surrounding the windowed area of the gymnasium is dust covered and extremely dirty. Furthermore a number of inmates said that periodically birds and other flying creatures gain entry to the gymnasium through the partially open doorway leading to the guard tower above the gym. A significant number of inmates also complained of staph infections and other communicable illnesses that seemed to be prevalent in this housing

NARRATIVE/FACTS continued

arrangement. A cursory inspection of several beds revealed one torn mattress.

The gymnasium of the *Tuolumne* yard has also been converted into living quarters, with nearly the entire floor area covered with double- and triple-stacked bunks. Though there were no complaints about the lack of toilets or showers, nearly every inmate interviewed in this dorm said there was insufficient hot water and a lack of heat. Staff present acknowledged that there appeared to be a problem with the heating system but appeared ambivalent about a solution. One inmate, with a bandaged wrist, said he was one of two inmates who recently slipped and fell on the slick, water-covered tile floor of the bathroom. An inspection of this area concluded that the floor was indeed slippery and it appeared the water did not properly flow to the floor drains. An inspection of the showers also revealed that the water, though not absolutely cold, was less than desirable for taking a shower. Several inmates, when asked if they had filed an appeal concerning any of their complaints, said the proper appeal forms were unavailable. We questioned staff and were told they had temporarily exhausted their supply of appeal forms.

The Grand Jury inspected the segregated housing unit of the *Tuolumne* yard. Here inmates are housed for disciplinary reasons. Though the unit was designed with individual cells, overcrowding has now necessitated the placement of double-stacked bunks throughout the main floor of this building. A broken urinal, which continually ran when flushed, was observed in this unit, as well as a bathroom entryway being screened off with a privacy curtain (rope and sheet). Several inmates with bunks on the main floor complained that sleeping at night was nearly impossible due to the unit's lights not being dimmed.

The Grand Jury was told that construction of an electric fence around a portion of the *Tuolumne* yard, at a cost of approximately \$5 million, was planned for the near future. Such a fence would eliminate the need to staff several of the surrounding guard towers.

Fire and Health Codes

The State Fire Marshal's *Fire Safety Correction Notice*, dated August 3, 2006, and the California Department of Corrections and Rehabilitation *Food Facility Inspection Checklist*, dated June 8, 2006, were reviewed by the Grand Jury. Each document contained detailed information concerning technical violations of Fire and Health Codes discovered by inspectors of each of these respective agencies during their inspection of the SCC. Observations and violations noted in these reports were made by trained professionals and beyond the normal scope and ability of the Grand Jury.

Office of Internal Affairs

The Office of Internal Affairs (OIA) advised the Grand Jury that they had approximately 48

NARRATIVE/FACTS continued

cases referred for investigation of alleged staff misconduct from July 1, 2005 to present. However 13 of these cases were returned to the Sierra Conservation Center as they did not meet criteria for investigation (i.e. supervisory issues, training issues, etc.). The majority of remaining incidents involved allegations of dishonesty, discourteous treatment, or neglect of duty. The Office of Internal Affairs did conduct investigations involving two allegations of sexual misconduct. The allegation in one incident was not sustained. The allegation ("over familiarity") in the other incident was sustained and a suspension was ordered for the employee involved. OIA also advised that in 2006 their office investigated two incidents of staff trafficking contraband at the SCC. In one incident the staff member resigned from State service, and in the other incident the employee was exonerated.

Volunteer needs

The Grand Jury noted that when representatives of the SCC and each of their departments were questioned about what was most needed to improve operations, the most common reply was: more volunteers.

Special Recognition: *Freedom of Choice*

Finally, The Grand Jury feels it appropriate to offer a note of special recognition in this report for Sierra Conservation Center's *Freedom of Choice* program. This program, developed through the ingenuity of an SCC staff member and promoted by the generosity of inmates, elicits contributions from inmates and donates their collection to foster children.

FINDINGS

The findings of this report are divided into two sections: external and internal. The external findings, though they impact the functioning of the Sierra Conservation Center, extend beyond its jurisdiction. The internal findings, on the other hand, fall within the capability of the prison itself.

EXTERNAL FINDINGS

- I. To say that the Sierra Conservation Center is overcrowded is a gross understatement. It is clearly approaching, if not beyond, critical mass. Built to house 2,240 in the primary facility on O'Byrnes Ferry Road, it currently houses nearly 4,100 inmates, an approximate 183% increase over designed capacity. Space for inmates and the facility's infrastructure both appear to be exhausted. The fact that this prison has managed to function without any major disturbances, without a significant number of injuries and deaths, and without a high volume of escapes speaks highly

EXTERNAL FINDINGS continued

of the ability, dedication and organization of its staff. However, one has to wonder how much longer the good fortune of the SCC and the residents of Tuolumne County will last.

2. The Grand Jury, not being totally naive, realizes the SCC is a prison—a place where criminal offenders are housed as a consequence of their deviant behavior—and is not, and should not be, a country club. However, the Grand Jury also realizes that unless these offenders are offered and receive the necessary skills to alter their thinking and behavior, little in the way of change is likely to occur, and many, if not most, will reoffend.
3. The academic and vocational programs provided at the SCC appear to be an excellent start. Unfortunately they are simply overwhelmed and incapable of benefiting all inmates. As noted earlier, school programs reduce the recidivism rate from 60% to 10%, thus not only changing inmates' lives for the better, but saving huge amounts of future tax dollars.
4. The housing conditions at the SCC, because of the volume of inmates versus space available, though probably not as deplorable as conditions found in prisons in third world countries, are close to being, for safety, health and humane reasons, unacceptable.
5. The cost of incarcerating inmates in California's prison system is exorbitant. Overcrowded conditions bring additional costs. Already, certain court decisions have ruled in favor of the inmate for inadequate care and treatment. Unless overcrowding is properly addressed there are likely to be additional lawsuits with additional expenses. The sheer volume of inmates placed in a crowded setting makes for the easy spread of infectious diseases and illnesses, thus increasing the need for medical attention and its attendant costs. This is to say nothing of the amount of overtime required of staff to simply keep the operation functioning.

INTERNAL FINDINGS

1. Improvement needs to be made to the SCC mailroom. Lack of windows, washbasin, drinking fountain, and toilet not only makes this a rather drab working environment but an inconvenience for staff.
2. The Inmate Appeals Office continues to lag behind the timeliness established by *Title 15* for the processing of inmate appeals.
3. The unlocked chemical supply and maintenance rooms of the SCC laun-

dry, the absence of personnel in the vehicle maintenance tool room, and the solid ceiling of the storage area in the computer/graphic arts room all present security concerns.

4. The cluttered hallways of the medical records room, the slippery floor of the toilet and washbasin area of the *Tuolumne* yard gymnasium, the dirty, clogged netting surrounding the windows of the “G” dorm, the privacy-curtained bathroom in the *Tuolumne* yard segregated housing unit, and the faded emergency evacuation signs in the vocational program rooms are safety issues needing to be addressed.
5. Inoperative showers, lack of hot water, insufficient number of toilets, torn mattresses, and nighttime lighting too bright to allow sleep are viewed as unnecessary unpleasantness which could contribute to an increase in inmate appeals or inmate disturbances.
6. The lack of permanent clerical support for the Assistant Warden assigned to the medical unit reduces the efficiency of this position.

RECOMMENDATIONS

In conjunction with the above-noted findings, the recommendations made in this report are divided into two sections: external and internal.

EXTERNAL RECOMMENDATIONS

1. The inmate population of the Sierra Conservation Center must be reduced. Every avenue must be considered in order to reach this objective. Construction of new facilities and camps, a change in sentencing procedures, early parole releases, electronic monitoring, and halfway houses should all be considerations.
2. Academic and vocational programs at the Sierra Conservation Center need to be expanded in order to provide every eligible and qualified inmate at the facility an opportunity to increase their level of education and employment skills.
3. The request for new steam lines in the SCC dining halls needs to be expedited. The service of cooling food may be in violation of Section 113995 of the *Health and Safety Code*.
4. The job descriptions of correctional institution teachers and dental

INTERNAL RECOMMENDATIONS continued

technicians/assistants need to be reviewed and salaries adjusted to attract and retain qualified applicants.

INTERNAL RECOMMENDATIONS

1. A request for specialized equipment capable of scanning inmate mail needs to be placed. Such a device would greatly expedite the processing of inmate mail as well as better protect staff from toxic contraband hidden in the mail.
2. A window, as well as washbasin, drinking fountain and toilet should be placed in the mailroom facility. Each of these items would greatly enhance this bleak, yet vital working environment.
3. Consideration should be made to placing an additional employee in the Inmate Appeals Office. This office is still tardy in processing appeals within the prescribed time limits as established by Title 15. A faster response to inmate appeals may reduce the skepticism of the process expressed by inmates.
4. For security, consideration should be given to locking both the Laundry chemical supply room and the Maintenance supply room, when not in use.
5. The Assistant Warden assigned to the Medical Unit should be provided with permanent clerical support. Such support would allow this Assistant Warden to function in a more organized and efficient manner as well as enable the Assistant Warden to concentrate on his area of expertise, not records administration.
6. The hallways of the medical records room need to be cleared of items (file cabinets, boxes, etc.) that may impede evacuation in case of any emergency.
7. Fire/Emergency evacuation signs in the vocational training areas need to be refurbished so that they are clearly visible. At present a number have faded and the lettering is barely discernable.
8. The solid ceiling of the storage area in the computer/graphic arts room of the print shop should be replaced with a mesh screen. The present ceiling, though providing additional storage space, also provides an excellent hiding space, as the entire area is not visible from the floor.
9. Reinforce the need for compliance with the institution's policy for the staffing of the tool supply rooms in the vehicle maintenance shops, making sure that the tools are secure.

INTERNAL RECOMMENDATIONS continued

10. Make necessary repairs to ensure all showers in each housing unit are functional.
11. Consider other alternatives to closing one of the two bathrooms located in the “G” dorm during the night. One consideration, if structurally possible, would be to remove a portion of the wall to allow visibility of the entire bathroom. Even opening the second restroom one-half hour earlier in the morning to alleviate the demand for showers as inmates prepare for their day’s work would be helpful.
12. Clean the netting surrounding the upper window area of “G” dorm and establish a schedule to keep them clean.
13. Install a screen across the door leading to the guard tower above “G” dorm, thereby preventing the entry of birds or other flying creatures.
14. Replace all torn mattresses.
15. Resolve the problems concerning the lack of hot water and lack of heat in the *Tuolumne* yard gymnasium.
16. Increase the safety of the tiled floor surface in the toilet and washbasin area of the *Tuolumne* gymnasium bathroom.
17. Assure there is an ample supply of *Inmate Appeal* forms in each housing unit.
18. Ensure that all privacy curtains have been removed in the housing units and reinforce the need and reason for the abolishment of such curtains.
19. Decrease brightness of overhead lights during sleeping hours in housing units having inmates in bunks on the main floor. Brightness should be to the extent, as best possible, that it provides ample illumination for security while not inhibiting the sleep of inmates.
20. Reconsider the value of installing an electrical fence around a portion of the *Tuolumne* yard. The Grand Jury, though not cognizant of all the benefits and details concerning such a fence, feels the project cost of five million dollars (\$5,000,000.00) would be more beneficially spent on inmate programs designed for rehabilitation, especially in light of the fact there has never been an escape from the *Tuolumne* yard.
21. Assure that all violations noted in the *Fire Safety Correction Notice*, dated August 3, 2006, and those noted in the California Corrections and Rehabilitation *Food Facility Inspection Checklist*, dated June 8, 2006, are corrected and resolved.
22. Research the need for, and the methods of, recruiting additional qualified volunteers.

(Bibliography next page)

BIBLIOGRAPHY

California. *Health and Safety Code*.

California. *Code of Regulations*. Title 15, Crime Prevention and Corrections, Division 3, Department of Corrections, Chapter 1. December 31, 2004.

California. Office of Inspector General. *Management Review Audit, Sierra Conservation Center*. May 2001.

California. Department of Corrections and Rehabilitation. *Food Facility Inspection Checklist, Sierra Conservation Center*. June 8, 2006.

California. Department of Forestry and Fire Protection. Office of State Fire Marshal. *Fire Safety Notice, CDC-Sierra Conservation Center*. August 3, 2006.

Guinness World Records™ is a registered trademark of Guinness World Records Limited.

Registered in England No: 541295 Registered Office: Maple House, 149 Tottenham Court Road, London W1T 7NF United Kingdom



2006/2007 Tuolumne County Grand Jury Report

There's a New Sheriff in Town: The Grand Jury Interviews Sheriff Jim Mele

SUMMARY

The 2006/2007 Tuolumne County Grand Jury felt it prudent to meet with its newly elected Sheriff to learn more about the current state of the Sheriff's Department and the Sheriff's plans for the department's future. The meetings and interviews with the Sheriff provided the Grand Jury with the sense that the Sheriff's Department is, and will be, well managed.

INTRODUCTION/BACKGROUND

In 2006 Tuolumne County elected a new Sheriff. The Grand Jury wanted to know how the newly elected Sheriff felt about the current state of his department and his vision for its future.

METHODOLOGY

The Grand Jury developed a comprehensive list of questions related to the operation and state of affairs of the Sheriff's Department. This list of questions was forwarded to the Sheriff, and a meeting with the Sheriff was scheduled. The Sheriff met with the Grand Jury on two occasions. During those sessions, he provided answers to the Grand Jury's prepared questions as well as responded to its impromptu questions and concerns.

NARRATIVE/FACTS

The Sheriff advised the Grand Jury his department continues to operate with essentially the same number of personnel that were present in the mid-1980's, despite the fact the population of the county has nearly doubled since that time. He also said, at present, his department is operating with a total of nine dispatchers—two per shift—despite the State's recommendation that there be a minimum of three per shift. He feels this burden will significantly increase in the near future when all Tuolumne County cellular 911 (emergency) phone calls will be transferred from Merced County (where they are currently handled) to his department.

According to the Sheriff, five deputies must be employed in order to keep a single patrol vehicle patrolling the county's roadways 24 hours a day, 7 days a week, 365 days a year. At present the Sheriff's Department has a total of only 58 deputies available to work

Tuolumne County Assistant Sheriff badge worn by Richard "Jake" Jacobsen, 1979-1988.[†]



Tuolumne County Sheriff badge, circa 1920.[†]

NARRATIVE/FACTS continued

patrol—resulting in as few as four deputies to patrol the entire county during certain periods. The Sheriff feels Patrol is the one division within his department that suffers the most from the lack of personnel.

In discussing equipment, the Sheriff stated that the department's patrol vehicles, unlike those of other law enforcement agencies, lack computers. Without a computer in the vehicle, each deputy must radio requests for suspect information to a dispatcher. In addition, the lack of vehicle computers requires deputies to return to the station (or any one of the five substations) to write their reports.

The Sheriff also advised the Grand Jury he is in the process of developing a proposal for the acquisition of electronic control devices, such as TASER[®] (a non-lethal stun device). He stated that Workman's Compensation claims due to deputy injuries currently run about \$800,000 a year and he expects it to be higher in the future. It is his opinion the availability of TASER devices will reduce the volume of deputy injuries and result in a savings for the county. It would also reduce injuries to non-compliant suspects, who are now subdued with physical force. The purchase of TASER devices would be accomplished through salary savings within the department.

The Sheriff expressed content with his department's ability to recruit qualified personnel. He mentioned the most recent salary adjustment prompted several experienced deputies, who had left the department, to return. However, he said a number of his employees, like other civil servants, find it impossible to locate affordable housing in Tuolumne County. He spoke of several deputies who live as far away as Modesto and Oakdale simply because housing in the valley is more affordable.

At the time of his last meeting with the Grand Jury, the Sheriff said he has participated in three "Town Hall" meetings in various locations in the county. He has designed such meetings to allow the public to express their concerns and to ask questions about the Sheriff's Department. He feels this forum has so far proven beneficial. He mentioned that several other department managers have expressed a desire to join him at future "Town Hall" meetings. The Sheriff said it is his intent to continue having these meetings.

The Sheriff also meets with the heads of all other law enforcement agencies in the county, and he is pleased that they all work together well. These meetings give them a chance to discuss the "state of the county", and to coordinate law enforcement efforts.

The Grand Jury queried the Sheriff concerning his thoughts regarding the position of

[†]Badge image courtesy of Jim Casey, © 1996-2007. All rights reserved. Jim Casey Publishing; <http://www.policeguide.com>

NARRATIVE/FACTS continued

Undersheriff. The Sheriff said he feels it is important there be cohesiveness among his managers and that they hold the same vision and values for the benefit of the department. As such, he feels it is important that the position of Undersheriff be an “at-will” position, allowing the Sheriff to choose whom he feels is best qualified. The outgoing Undersheriff recently negotiated leaving the position and will be paid his salary plus benefits for the remainder of his term. The position will not be re-filled for at least one year beginning July 1, 2007.

The Sheriff told the Grand Jury he perceives morale within the department is good and expects it to even improve as time goes by. He said one of his primary efforts is to instill as much professionalism and pride among the department’s employees as possible.

In an effort to keep a pulse on the department, he said he visits the county jail daily. He has also initiated the development of a “Mission and Vision Statement” for the department, allowing all employees as much input as possible.

The Sheriff informed the Grand Jury that his department relies on grant money for 40% of the department’s operation. The process of reviewing, acquiring and maintaining grants requires an exorbitant amount of time. The acquisition of a grant writer (a position specifically assigned for acquiring and monitoring grant money) would be a significant benefit to his department.

The Grand Jury questioned the Sheriff about the ability of certain deputies to keep patrol vehicles at their personal residences during off-duty hours. The Sheriff explained this is a contracted benefit for certain personnel, as well as a benefit to the public since it enables additional deputies to more quickly respond to emergency situations in the more remote areas of the county. He also pointed out that there is currently a lack of sufficient parking to accommodate all vehicles assigned to the Sheriff’s Department.

The Grand Jury informed the Sheriff that the last several Grand Jury reports had recommended the department initiate random drug testing for its employees. The Sheriff said that if such testing would provide the public with a more favorable impression of the department and its staff, he would be in favor and support such testing. However, he pointed out that such a mandate is beyond his authority and would require negotiation and approval by the County and staff bargaining units.

Lastly, the Sheriff wanted the Grand Jury to know that, in his opinion, the Tuolumne County Sheriff’s Department was currently functioning at a minimum staffing level. He said that any additional lay-offs and/or reduction of budget could result in a reduction of service.

FINDINGS

1. The Grand Jury, based on recommendations contained in previous Grand Jury reports, perceives random drug testing of sheriff deputies would enhance the public's trust and confidence of the Tuolumne County Sheriff's Department.
2. The lack of affordable housing within Tuolumne County, based on statements expressed by the Sheriff, creates a burden for a number of Sheriff Department employees, as well as difficulties for the department.
3. The Grand Jury was extremely impressed with the level of enthusiasm, professionalism, and dedication expressed by Tuolumne County's newly elected Sheriff. He gave the appearance of being a very competent, responsive, and courteous individual, and one who is well suited to guide the Sheriff's Department into the future.

RECOMMENDATIONS

1. The Sheriff encourage the Board of Supervisors and the proper bargaining units to explore and establish a procedure for random drug testing of Tuolumne County sheriff deputies.
2. The Sheriff express his concern to the Board of Supervisors as to how the lack of affordable housing within Tuolumne County negatively impacts the Sheriffs Department.

BIBLIOGRAPHY

NONE

TASER® (electronic control device) is a registered trademark of TASER International, Inc.



2006/2007 Tuolumne County Grand Jury Report

Tuolumne County Library

SUMMARY

The Tuolumne County Library is a valuable resource for county residents. The Library offers a wealth of services that reaches its patrons throughout the county. Computer technology has made the Library easily accessible and provides links to global sources of information. The Library not only plays a vital role in the education of county residents of all ages, its facilities also serve as community centers. In many ways, the Library strengthens and enriches the community that it serves.

Through a system of branch libraries that includes a mobile library and a law library, the Library's services are widely accessible. Each of the branch libraries has its own character, reflecting the interests and needs of the local community that it serves. There is an evident sense of community pride in the branch libraries demonstrated by their patronage and by the valuable contributions of volunteer time and private donations. The Library staff is friendly, helpful, and knowledgeable, all qualities that encourage library use.

It is important that Tuolumne County residents recognize the value of the Library and the role it plays in the community. Efforts to increase public awareness must continue as the role of the Library and its services adapt to new technology and changing community needs. It is equally important that Tuolumne County commit to funding that is adequate and secure, so that the Library can continue to provide quality and necessary services to its community.

INTRODUCTION/BACKGROUND

The Tuolumne County Library was selected for investigation as it was due for review. The scope of the study included the main library and all branch libraries, including the mobile library and the law library. The investigation encompassed facilities, operations, and services.

METHODOLOGY

The Grand Jury met with Director of Library Services Connie Corcoran and her staff to conduct interviews and tour library facilities. Members of the Grand Jury visited the facilities and interviewed the staff at each library site. Follow-up meetings were scheduled with library



The Tuolumne County Library is an important community resource that both strengthens and enriches our community.

staff to gain additional information concerning computer technology, youth services, reference/research services, adult literacy, and volunteer services. Supporting written documentation was collected, photos taken to illustrate areas of concern, and the Library Web site was reviewed. A visit was made to the Tuolumne County Sheriff's Department to follow up on its responses to the Tuolumne branch library.

NARRATIVE/FACTS

Tuolumne County Library

The Tuolumne County Library is comprised of the Sonora main library and five branch libraries located in Groveland, Pinecrest, MiWuk, Twain Harte, and Tuolumne. It also includes the law library and a mobile library. Branch libraries are located near other public facilities such as parks, youth and senior centers, and schools. The branches are centralized in their communities. The law library in Sonora provides specialized legal reference services to the public. The mobile library regularly visits residential community sites in Crystal Falls, Willow Springs, Sonora, Columbia, Jamestown, and Don Pedro. These sites are open to the public. The mobile library also visits additional sites at senior assisted living facilities, preschools and Head Start programs. Sites are selected based on an assessment of public need for library access.

Library Organizational Structure

Tuolumne County Library Services is headed by Director Connie Corcoran. Currently there are eight full-time staff, seven part-time staff with benefits, and 12 part-time relief staff without benefits. Of these, there are two full-time librarians and one part-time librarian for all of the Library facilities. During the county budget crisis of July 2006, three staff members opted for early retirement.

The main library staff coordinates the functions of circulation, youth services, reference services, technology, and literacy services for all library facilities. The Director is in charge of public relations and grant writing in addition to other administrative duties.

The Director reports to the Tuolumne County Board of Supervisors. She provides the board with monthly written reports and an annual oral presentation. The County Administrative Officer (CAO) is responsible for the Director's performance evaluation and advises her on budgetary matters. The CAO facilitates communication between the Director and the Board of Supervisors. The Director submits California State Library reports annually and state grant reports quarterly.



There are nearly 30 full- and part-time employees working throughout the county library branches, including the Law Library and the Mobile Library.

Left: A MiWuk staff member assists a patron.

Right: Twain Harte staff members answer a patron's question.

NARRATIVE/FACTS continued

Library Funding

The library's annual budget is \$1,124,000. Funding sources are: (Amounts are approximate.)

- a. Tuolumne County: 85%, \$955,400
- b. State of California: 5%, \$56,200
- c. Donations: 4%, \$44,460
- d. City of Sonora: 4%, \$44,460
- e. Fines and fees: 2%, \$22,480

In 2006 the Library faced significant budget cuts resulting in the potential for shortened hours, staff lay-offs, and branch closures. The budget cuts leveled out at 7.5%. Most services were retained; however, library hours and staff were reduced.

Grants

The Library augments its services through grants. For example, *Live Homework Help* is an annually renewable grant, and the *Reading Plus* literacy program is partially grant-funded. The Library prefers limited term grants for specific projects such as the purchase of equipment or new collections. The county has a budget policy that stipulates once grant-funding expires, programs will be dropped rather than be county funded. An exception is *Born to Read*, an early childhood literacy outreach program. The grant ended and the Library was able to downsize the program and absorb the cost within the county budget and other local funding sources. The Sonora Area Foundation also provides some financial support.

In the five-year period from July 2001 to June 2006, grants and donations equaled \$830,000.

Volunteers

The Library currently uses an average of 200 volunteers a year under the direction of employed staff. Volunteer hours increased 32% within the last five years. Between July 2001 and June 2006, 780 people donated both monetarily and with their time—a total of 33,854 hours.

The *Friends of the Tuolumne County Library* (FOL) is a volunteer organization that supports the Library through fundraising and participation in specific work projects. For example, *Groveland Friends of the Library* raised funds to build and furnish the new Groveland Library. The FOL chapters collect and sell donated books and receive private donations for the library. They serve as



The Mobile Library serves county communities without branch libraries. In its first three years it had 21,506 visits.

"Live Homework Help" is funded through an annually renewable grant.



Books are funded through the Library's annual budget.

NARRATIVE/FACTS continued

advocacy groups to promote library services and to alert the public in times of budgetary crisis. They publish a newsletter three times a year, and function as a community advisory group to the library. FOL sponsored the Library long-range planning workshop in November 2006.

The FOL chapters are the *High Country Friends* (MiWuk, Pinecrest, and Twain Harte), *Friends of the Groveland Library*, and *Tuolumne Friends*.

Affiliations

The Library is a member of the *49-99 Regional Cooperative Library System* which is funded by the State Library and membership dues paid by the Library. It benefits the Library through professional networking, inter-library loans, training, and programs.

Library Facilities

The maintenance of the Library facilities is the responsibility of the County Facilities Management Department which receives relevant recommendations from the Library Director.

The Library has made effective use of space in its facilities. In each of the branch libraries, collections and activity areas are well-organized and are clearly identified for patron use. Public areas are attractive and comfortable; however, there is a lack of staff work and storage areas.

The main library was initially constructed with a second floor/mezzanine in mind.

The roof of the Sonora main library leaks. The carpet is worn and unraveling. The entrance doors of all branches lack an automated opening function. The budget cuts of July 2006 caused a reduction of funds for custodial care in library facilities. MiWuk and Twain Harte branches have no housekeeping at all, leaving their employees to clean restrooms and empty garbage receptacles, often on their own time.

The official parking area of the Tuolumne branch library is shared with the other building occupant, the Youth Center. It is paved with four spots; two are reserved for handicapped parking. If a disabled person is not able to park in one of those spots they must park either in the adjacent Tuolumne Parks and Recreation Department lot or out on the street. In both cases, the approach to the library is over a rough, unpaved parking area. The Tuolumne branch library entrance is adjacent to a seasonal creek. The creek lacks a protective barrier that would aid in preventing an accidental fall.



When the four paved spots at the Tuolumne Branch Library are full, patrons park in the unpaved Tuolumne Recreation Department lot.

NARRATIVE/FACTS continued

Security

The Tuolumne branch library staff expressed a concern that the Tuolumne County Sheriff's Department did not respond to all of their calls on security issues. The Grand Jury followed up on this concern and reviewed copies of the Sheriff's Event Reports. The documents indicate that the Sheriff's Department did indeed respond to all calls from the Tuolumne branch library. From December 1, 2004 to October 3, 2006 there were 25 events logged by the Sheriff's Department.

Library Use

Within the past five years, there has been a 62% increase in borrowers, a 21% increase in library visits, and an 80% increase in attendance for children's programs. Between July 2001 and June 2006 there were almost two million visits to county libraries and almost one million books were checked out. At the end of June 2006, records showed that all facilities experienced growth in circulation. The highest increases were at the Twain Harte and Tuolumne branches. The mobile library increased circulation by 130%. Public use of Internet hours increased 112%.

In July 2006, budget cuts resulted in a staff reduction and a decrease in hours of operation. The Library hours decreased 9% from the previous year. Through December 2006 circulation was down 3% and overall library visits decreased. The Library currently lacks staff specifically dedicated to children's services. Although attendance at youth programs more than doubled, children's book loans decreased 25%.

Library Needs Assessment

In February 2002, Director Connie Corcoran published a study to assess library needs, set goals, and develop a plan of action. This internal audit has influenced decisions on resource allocations.

Library Long-term Planning

In November 2006, *Friends of the Library* sponsored a long-term planning workshop. Sixty community leaders of schools, businesses, and local agencies, as well as library users, came together to envision the Tuolumne County Library in the year 2020. The consensus was that the Library should be a vibrant center of literacy, cultural, and social interaction.



All library branches, except Pinecrest, have free Internet access for patrons.



Each branch has separate areas for child activities.

NARRATIVE/FACTS continued

Library Services

The Library Web Site

Tuolumne County hosts a library Web site. The Library site is reachable through the county home page, www.tuolumnecounty.ca.gov, or directly through either of the Library's Web addresses: www.library.co.tuolumne.ca.us or www.tuolcolib.org. Online patrons can access the entire catalog of library materials (*Horizon Information Portal*). Other online resources include the Library monthly report, the *Friends of the Library* newsletter, the monthly events calendar, branch and mobile library information, a library card application form, online ordering and renewal services, links to research sites, and the free *Live Homework Help* and tutoring for youth.

Book Collection

The total number of books and other items in the Library collection has decreased in the last five years by 7%. The Director reviewed national data and gathered information about county libraries of comparable size. Results indicate that the current book budget is about half of what is needed. Book collections are being updated continually to keep current. More Spanish language books have been added to meet growing public need.

Circulations

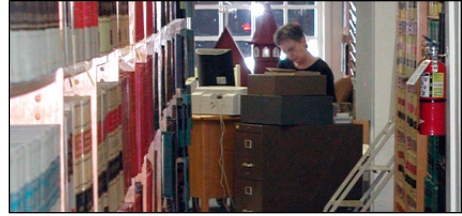
The Library loans books, periodicals, CDs, audio and video tapes, and DVDs. Any of these items can be requested online, from the main library or any branch library, or the mobile library. The item is then sent to the desired library location for pick up. Items can be returned to any library facility.

The Library participates in an inter-library loan program with other libraries through the California State Library. An online catalog to California library holdings (*CalCat*) is available to library patrons. The Library submits about 100 requests and loans out 30-50 items per month through the inter-library system. Tuolumne and Calaveras County libraries frequently exchange lending materials.

Reference/Research

The Library provides reference encyclopedias, books, periodicals, journals, newspapers and

The Law Library is open nine hours a week to the public. It contains many free self-help legal resources.



NARRATIVE/FACTS continued

other materials for use in researching information. The reference staff assists the public with referrals to appropriate resources.

Online search engines augment the Library reference staff. *Horizon Information Portal* supports the online catalog of the library's collection. The Library subscribes to many online reference resources including *ProQuest* (searches for magazine and newspapers articles on a specific topic) and *HeritageQuest* (used for genealogy research).

The Law Library, managed by the Law Library Board of Trustees, provides free public access to reference material for the purpose of researching legal issues. Reference material, unlike other library items, cannot be checked out and must remain on premise. Documents in the Law Library collection are augmented by online legal reference materials. Local attorneys have 24-hour access; public access to the Law Library is restricted to nine hours a week. The Law Library staff does not provide legal advice but rather directs its patrons to resources for researching legal issues.

Computer Technology/Internet Access

All library branches, except Pinecrest, have free Internet access for patrons. The Law Library and the branches of Sonora, Twain Harte, and Groveland also offer free wireless Internet access. The Tuolumne branch is planning to provide this service soon. The mobile library is pursuing wireless access options as its satellite access has proven to be unreliable. The Library is testing a program that will allow patrons to make their own reservations for computer time. The program will also regulate the length of patron sessions.

The Library has increased its use of computer technology to provide quality services to its patrons. The staff is available to assist patrons. Mother Lode Internet provides library patrons with free basic computer skills training.

Youth Services

Youth Services offers a variety of programs and materials at all branches, as well as the mobile library. The children's collection is separated and organized according to age at all branches. Even at the smaller branches such as Pinecrest, the children's section is clearly designated and well stocked with hand-selected children's books. Materials include a variety of books, books on tape, CDs, movies, and games. Children's books, materials, and programs are also available in Spanish. *Story Time* is offered at each branch. The main branch library has computers dedicated for



Far Left: A community book club meets regularly at the MiWuk branch.

Center: "Live Homework Help" is available for students.

Right: "Reading Plus" is a confidential adult literacy program.

NARRATIVE/FACTS continued

children's use. The Library meets government regulations for monitoring Internet use.

Live Homework Help is a free online homework assistance program for students in grades 4 -12. It offers one-on-one tutoring by subject during designated times each day. Assistance in Spanish is also available. The Library provides students with other authoritative Web sites for research assignments.

The Library provides youth activities to promote reading skills and life-long library use. Some of these activities are *Summer Read*, *Teen Read*, and *Born to Read*. County teachers collaborate with Youth Services on reading activities. The staff participates in community events such as the *Teen Fair*, *Baby Fair*, *Christmas for Kids Fair*.

Literacy/Reading Plus

It is estimated that 17% of county residents lack basic reading skills. *Reading Plus* provides free, confidential individual tutoring to help English speaking adults improve their reading, writing, math, and life skills. *Reading Plus* is available at different county library sites. Its tutors are trained volunteers.

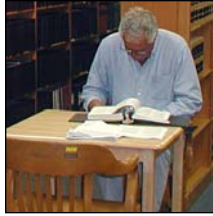
Book Clubs

Friends of the Library chapters in Pinecrest, MiWuk, Twain Harte, and Groveland sponsor book clubs. The *Book Club in a Box* discussion groups are funded through the 49-99 *Regional Cooperative Library System* and the State Library. Other non-library affiliated book clubs use the Library facilities.

Community Centers

Sonora and Groveland branch libraries have community meeting rooms. In other branch libraries, space is made available for public groups to meet, e.g. for organization meetings and community forums.

The "Union Democrat" highlighted the Law Library in an article published October 6, 2006. The article pointed out that the Law Library contains proceedings in civil, criminal, family law, probate and other legal matters.



NARRATIVE/FACTS continued

Public Awareness of Library Services

The Library conducts an ongoing campaign to increase public awareness of its services. This is done through the Library Web site, newspaper, radio, and participation in community events. It also gives presentations to the Board of Supervisors, community organizations, and schools.

In March 2007, the Library conducted a day-long *Tech-Know Rodeo* at the Sonora main branch. This community event showcased Tuolumne County Library's computer technologies for the public and provided demonstrations on their use.



The Tuolumne County Superintendent of Schools Office and Columbia College personnel participated in this event.

FINDINGS

1. Budget

- a. The county budget is unable to meet the needs of the library.
- b. The Library has been resourceful in seeking alternate revenue sources.

2. Communication

- a. There is an ongoing need for an increased public awareness as to the content and availability of library services—how it contributes to the wellness and vitality of the community.
- c. The Library Web site is easy to navigate and contains relevant information. It is a positive force in public awareness; however, the county Home Page/Portal is confusing and inconsistent.
- d. The Director of Library Services communicates to the Board of Supervisors; however, there is minimal feedback from the Board to the Director.
- e. The Library staff at each facility expressed that communication lines with the Director are clear and positive. The staff feels that their concerns are heard, even if some concerns cannot be met. The staff expressed the need to resume team meetings, which were eliminated due to staff budget cuts.
- f. The Sheriff's Department responded to all Tuolumne Library calls on security matters, but did not provide feedback to the reporting party.

Water damage to ceiling tiles at the main library due to a leaky roof.



A seasonal creek at the Tuolumne Branch Library is adjacent to the entrance. It lacks a protective barrier.

NARRATIVE/FACTS continued

3. Facilities

- a. The Library makes effective use of available space. There is a need for expanded storage and staff work areas.
- b. The Library facilities are centrally located which encourages public use; however, there is a need for directional signage to be more prominently posted.
- c. Library parking is available. With the exceptions of Groveland and Pinecrest, the Library facilities can be reached by public transit.
- d. Water damage is clearly evident in the Sonora library ceiling tiles as result of the roof's condition. Although the County Facilities Department has attempted repairs, the leaking persists. Leaks to the Library interior are a potential hazard to people as well as to library collections and equipment. There exists the potential of costly structural damage.
- e. The Sonora main library carpet is worn and unraveling, presenting a potential hazard to the staff and public.
- f. The lack of automated doors to library entrances limits accessibility.
- g. The unprotected creek in front of the Tuolumne branch is a safety hazard, particularly for children. It is especially hazardous during heavy rain when the creek often overflows and floods the parking lot.
- h. The current level of custodial care is insufficient to meet the need of the Library facilities.

4. Operations

- a. The Library has been effective in integrating new computer technology into its operations.
- b. The Library staff is knowledgeable and helpful. Staff reductions have made it difficult to effectively cover all areas of library functions. This is especially evident in the children's section of the main library.
- c. The Library relies heavily upon part-time employees and volunteers as it does not have the budget to be adequately staffed with full-time employees. This condition causes a lack of continuity in programs and increases training needs. Part-time relief staff is being used as a substitute for permanent positions.
- d. Volunteers contribute time, energy, and donations to the Library and are a valuable asset to the Library. It appears that the Library has become



Parking at most branches is sufficient.



Several branches have outdoor seating for patron use. Shown here is the Twain Harte Branch Library area.

FINDINGS continued

dependent upon their services as a substitute for permanent staff.

- e. Volunteer contributions build a sense of ownership and community pride in the library. The *Friends of the Tuolumne County Library* provide an effective organizational structure for volunteer efforts.
- f. Budget cuts have resulted in a decrease in the Library hours of operation. Decreased hours results in a public perception that the Library lacks consistent accessibility.

5. Services

The Library has done an exceptional job in providing a wide range of quality services within the limitations of its budget. Noted highlights are:

- a. Updated book collection and materials using alternate media.
- b. Computer technology for communication and reference resources.
- c. Participation in inter-library loans that expand public access to materials.
- d. Collections, programs, and activities to meet needs of various age groups.
- e. The Library is a center for public forums, education, and literacy.
- f. The mobile library serves the important purpose of extending library services to outlying areas of the county and to populations with limited library access. There is a need to expand services, but staff availability is the limiting factor. Mobile library usage data is a good resource for planning future branch sites.
- g. The current budget does not meet the continuing need for book purchases.
- h. Some branches need computer replacements.
- i. As technology continues to change, there are ongoing needs to train the public in its use.

6. Planning

The Library participates in long-term planning with community input to define its future role in society and to prioritize the allocation of its resources.

RECOMMENDATIONS

In the following categories the Tuolumne County Grand Jury recommends:

1. Budget

The County increase its Library budget to accommodate the following needs:

- a. Raise full-time to part-time staff ratio.
- b. Convert part-time relief staff to permanent positions.
- c. Provide more staff training.
- d. Increase hours of operation.
- e. Augment book budget.
- f. Replace older computers.

2. Community Planning

The Library be included in county community service planning due to its role in education and literacy.

3. County Web site

The county improve and maintain its Web site to make it easier to navigate.

4. Communications

The Board of Supervisors provide feedback to the Director of Library Services in response to library reports.

5. Sheriff's Department

The Sheriff's Department provide feedback to the Library Director after a response is made to calls initiated from any library facility.

6. Facilities

The County Facilities Management Department make the following improvements to library facilities:

- a. Replace the roof of the main library.
- b. Replace the carpet in the main library.
- c. Increase hours of custodial care.
- d. Improve directional signage to library facilities.

RECOMMENDATIONS continued

- e. Install automated opening functions at all entry doors to library facilities.
- f. Share cost with the Tuolumne Park and Recreation Department (TPRD) to pave the parking lot used by Tuolumne branch patrons.
- g. Share cost with the TPRD to install a protective barrier along the creek at the Tuolumne branch library.

7. Main Library Expansion

The Library assess the possibility of constructing the mezzanine level in the Sonora main library, as indicated in the original plans. Along with the assessment, explore funding options to accomplish the expansion.

8.Branch and Mobile Library Expansion

The Library conduct a needs assessment for expansion of branch facilities. The overall assessment would include mobile library routes as well as future library sites.

BIBLIOGRAPHY

Sonora Area Foundation. *Tuolumne County Profile*. 2005

Tuolumne County Library. *Tuolumne County Library Annual Trends 2002-2006*. Compiled by Constance Corcoran, Director of Library Services, Tuolumne County 2006

Tuolumne County Library. *Assessment of Operations and Services*. Compiled by Constance Corcoran, Director of Library Services, Tuolumne County September 4, 2001

Tuolumne County Library. *Library Check-Up for the month ending June, 2006*. Prepared by Constance Corcoran, Director of Library Services, Tuolumne County 2006. Updated monthly on the library Web site: www.tuolumnecounty.ca.gov/library

APPENDIX

Tuolumne County Library, *Annual Trends 2002-2006* March 7, 2007 (See Page 72)

BLANK



2006/2007 Tuolumne County Grand Jury Report

Enterprise Content Management

SUMMARY

Members of the Tuolumne County Grand Jury visited the Auditor-Controller's office area and noticed a large volume of boxes filled with paper documents stacked throughout the area. The Grand Jury would like the County to perform a cost analysis of an Enterprise Content Management system to digitize documents and to utilize online reporting in place of paper copies.

INTRODUCTION/BACKGROUND

Electronic technology can save time and valuable office space. With the volume of paper on display in the Auditor-Controller's office, there appear to be areas where this technology can assist the County.

METHODOLOGY

Two separate groups visited the Auditor-Controller's office area meeting with the Auditor-Controller to retrieve requested financial documents and to obtain answers to follow up questions from the Grand Jury interview. During these visits, jurors observed numerous boxes of documents scattered and stacked in the office areas and discussed the issue with the Auditor-Controller.

NARRATIVE/FACTS

The Tuolumne County Grand Jury visited the Auditor-Controller's office to retrieve financial documents and to further interview the Auditor-Controller. The Grand Jury was met by friendly, professional staff and was escorted to the Auditor-Controller's personal office. On the route through the work area, the committee noticed and commented on the number of boxes stacked throughout the office area. Members of the Grand Jury discussed the possibility of utilizing electronic storage to reduce the amount of office space used for paper document storage. The Auditor-Controller was receptive and told the Grand Jury that previous discussion on the topic had occurred.

Today's digital storage for computers is inexpensive and scanning devices are as easy to use as a copy machine. Since computers can also be the source of large volumes of paper documents, the Grand Jury also recommends that the county evaluate online reporting. With the numerous personal computers utilized by the county, access to the electronic documents would not require any further workstation/computer investment. Beside the space savings, the county may realize savings in document retrieval and management.

FINDINGS

The County's Auditor-Controller's office is littered with document boxes, some stacked five high.

RECOMMENDATIONS

The Grand Jury recommends that the county evaluate the implementation of hardware, software and staff training to facilitate countywide Enterprise Content Management.

BIBLIOGRAPHY

NONE

ADDENDUM

On 20 June 2007, the County Information Systems and Services (ISS) department advised the Grand Jury that only the Sheriff's Department and ISS are utilizing an electronic document management system. Unfortunately this system has already become outdated and a decision has been made to not expand or use this system in other county agencies. Instead, according to ISS, a proposal was made for a study to ascertain what form of electronic system would be best for Tuolumne County. However, this proposal and its accompanying cost, was eliminated from the 2007/2008 budget.

The Grand Jury strongly recommends that the necessary funding needed by ISS to complete an Enterprise Content Management study be restored.



2006/2007 Tuolumne County Grand Jury Report

Investigation of County Auditing

SUMMARY

On May 31, 2006 the *Union Democrat* published an article which stated, "Tuolumne County has lost an \$800,000 housing grant because its Auditor-Controller's Office failed to have state-mandated audits completed for the past three years." The Tuolumne County Grand Jury interviewed people involved and researched the legalities of the incident. The conclusion was reached that:

- a. State law mandating annual audits was not adhered to.
- b. The Auditor-Controller failed to perform his duties.
- c. Oversight procedures were not in place.

INTRODUCTION/BACKGROUND

The investigation was initiated by the Tuolumne County Grand Jury after discussing a local newspaper article, "County oversight costs \$800K". The Tuolumne County Auditor-Controller (at the time of the audit) and his office failed to complete all state-mandated audits for the fiscal years 2003–2005. The investigation focused on the validity of the newspaper article and how to prevent future oversights.

METHODOLOGY

The Tuolumne County Grand Jury interviewed the following county positions:

- a. County Administrative Officer
- b. Current Auditor-Controller, who was the past Assistant Auditor-Controller
- c. Current Members of the Board of Supervisors from Districts 1, 2, 4, & 5.

Grand Jury members also reviewed county resolutions and state laws that pertain to county audits.

NARRATIVE/FACTS:

The Grand Jury found that within the Auditor-Controller Office there was a lack of basic project management skills, a lack of professional staffing, and a lack of immediate consequences for the failure to complete the audits. These factors each contributed to the county official's

failure to complete state-mandated audits for the past three years.

The Grand Jury was interested in when County officials became aware of the audit problems and their perception of how an important process/project could be ignored.

Factors affecting audit procedures:

- The Auditor-Controller holding the office during the incomplete audit incident retired before the audits were completed.
- The County Administrative Officer left county employment.
- Interviews with existing staff revealed that the audits were partially completed.
- The audits were left unfinished with no sense of urgency to complete them.

Since the Auditor-Controller, an elected position, is only mandated by the State to report audit *failures* to the Board of Supervisors, the lack of an audit report to the Board was not abnormal. According to State law, county supervisors have no authority to perform the duties of an elected Auditor-Controller. However, state law does allow the Board of Supervisors to establish periodic reporting requirements which could include a report upon the successful completion of the annual audits.

Since the election of a new Auditor-Controller, additional professional staff has been added and the audits are now being performed. A completion date of May, 2007 has been scheduled. *[Note: As of May 18, 2007 the status of the updates is: June 20, 2005 Complete; June 30, 2006 Complete except for County, Single Audit and Tuolumne General Hospital, which will be complete May 31, 2007.]*

FINDINGS

1. State law allows the Board of Supervisors to require periodic financial reporting of the Auditor-Controller. (California Government Code Section 26882)
2. The Auditor-Controller's Office failed to follow basic project management practices, which would have ensured that the audits were completed.
3. State law mandates annual county audits. (California Government Code Section 26909)
4. The Board of Supervisors cannot perform the duties of the Auditor-Controller's Office. (*People v. Landon* 1976)

5. The current Auditor-Controller has implemented staffing changes with personnel having accounting expertise.

RECOMMENDATIONS

1. The Office of Auditor-Controller utilize project management software to manage processes and projects with proper prioritization of events.
2. The Board of Supervisors pass a resolution requiring the reporting of the completion of the annual audit by the Auditor-Controller's Office, to be presented at a predetermined board meeting. (As per County Resolution 11-06, the Board of Supervisors is currently presented with a calendar in which important dates regarding the budget are stated.)
3. Amend the resolution pertaining to the presentation of the Audit Reports to the Board of Supervisors to include the status of audits and their expected completion dates.

BIBLIOGRAPHY

NONE

BLANK



2006/2007 Tuolumne County Grand Jury Report

Board of Supervisors: *Leadership*

SUMMARY

At the beginning of its tenure in July 2006, the Tuolumne County Grand Jury was interested in the strategies and procedures the Tuolumne County Board of Supervisors (BoS) had for resolving County problems. The Grand Jury wanted to know how the BoS worked together as a leadership unit to benefit the County as a whole.

The Grand Jury concluded that the Board of Supervisors lacked collective goals, long-term objectives, and a commonly accepted strategic plan for dealing with current and future issues of concern in Tuolumne County.

The Grand Jury is pleased that the Board of Supervisors has taken the initiative to implement goals.

INTRODUCTION/BACKGROUND

Tuolumne County has been experiencing financial difficulties. Last year many county department budgets were cut. Tuolumne General Hospital continues to operate at a loss. The County failed to secure an \$800,000 grant because of its failure to complete state mandated audits.

The Grand Jury sought insight as to how the BoS identified county financial problems and other issues, how these were prioritized and how the individual board members related to each other.

METHODOLOGY

The Grand Jury compiled a comprehensive list of questions related to county finance, problem identification and resolution, and planning, to be asked of each supervisor. Between October 2006 and January 2007, the Grand Jury interviewed each supervisor in separate sessions. Representative members of the Grand Jury attended several regular meetings of the Board of Supervisors. The County's past and present County Administrative Officers (CAO) were interviewed. The Grand Jury also interviewed a number of county department managers.

NARRATIVE/FACTS

During 2006, the local newspaper often headlined the county's financial problems. Tuolumne General Hospital continued to be a financial burden on county resources. Grant money was lost due to the failure to complete state-mandated audits within the required timeline. The Harvard Mine purchase continues to cost the County. These problems were further compounded as District 3 was without an elected supervisor until January 2007.

During individual interviews, questions were asked of each supervisor from a prepared list. Some responses of supervisors were in direct conflict with other supervisors. The board members were not in agreement as to the board's primary responsibility, nor as to the board's responsibility in the monitoring of audits or other financial matters. Each expressed a different opinion as to what they felt was Tuolumne County's most pressing problem, and each spoke of a different objective they would like to see met in the future. Several of the supervisors stated that the Board of Supervisors, as a whole, spent the majority of their efforts reacting to problems and crises situations, rather than developing common goals and objectives for the entire county's benefit.

On May 08, 2007 the Board of Supervisors, during a regular meeting, announced that they had collaboratively adopted and prioritized a number of strategic and tactical goals for the county's future¹. It is to be admired that the BoS recognized the concerns of the Grand Jury when they decided, after the individual interviews, to act upon the need to establish board goals.

The Board of Supervisors must meet the conditions of the Brown Act². This law requires officials to conduct business in public.

FINDINGS

1. All members of the Board of Supervisors were willing to meet with the Grand Jury individually and answer its questions. They were open and honest in expressing their views.
2. The Board of Supervisors deals with multiple challenging county issues, and legal restrictions make it difficult to collaborate outside of a public forum.

¹ Tuolumne County Board of Supervisors Minutes for May 8, 2007, Vol. 1-07, item 5

² <http://caag.state.ca.us/publications/> Ralph M. Brown Act (California Government Code Sections 54950-54963)

FINDINGS continued

3. As determined by their responses to the Grand Jury interviews, it is evident that the members of the Board of Supervisors are hard working and are dedicated to their civic duties.
4. The responses demonstrate the Board of Supervisors has been operating with a lack of focus, direction and cohesiveness. This shows a deficiency of unified leadership.
5. At the time of the interviews, there was no overall strategic plan for prioritizing problems and establishing countywide goals and objectives.
6. There remains a need for better communication between the Board of Supervisors, the County Administrative Officer, elected county officials, and department heads.

RECOMMENDATIONS

1. Within the limits of the Brown Act, the Board of Supervisors establish countywide long-term goals with specific strategies for achieving those objectives.

In order to accomplish this recommendation, the Grand Jury suggests:

- a. The Board of Supervisors hold two public meetings in lieu of two regularly scheduled board meetings, wherein the only function is to establish yearly countywide goals. Such meetings would eliminate Brown Act conflicts, and allow for input from the populace.
 - b. The public be allowed to suggest in person or submit written ideas for the county goals. In this way, the individual board members and their constituents will have input as to the county's direction and priorities. The populace will no doubt appreciate this chance to participate in the decisions made by their government.
 - c. The Board of Supervisors establish timely reviews of the progress towards the stated goals.
2. Following the presentation of goals by the Board of Supervisors, the County Administrative Officer complete a plan showing the funding needed and target dates for meeting the goals.
 3. The Board of Supervisors contact the California State Association of Counties (CSAC) for information regarding how other counties establish goals. CSAC may also be a source for a public meeting facilitator.

RECOMMENDATIONS continued

4. The Board of Supervisors seek legal methods for enhancing communication amongst its members as well as county departments. (e.g. the Board of Supervisors utilize the County Administrative Officer and other senior staff members as facilitators.)

BIBLIOGRAPHY

California. *The Ralph M. Brown Act*. Gov. Code, § 54950 et seq.



2006/2007 Tuolumne County Grand Jury Report

Appendix I: *Authority for Agency Responses*

The following section of the California Penal Code is cited as the authority under which each agency must respond to the Superior Court:¹

§933.05 (a) For purposes of subdivision (b) of Section 933, as to each grand jury finding, the responding person or entity shall indicate one of the following:

1. The respondent agrees with the finding.
2. The respondent disagrees wholly or partially with the finding, in which case the response shall specify the portion of the finding that is disputed and shall include an explanation of the reasons therefore.

(b) For purposes of subdivision (b) of Section 933, as to each grand jury recommendation, the responding person or entity shall report one of the following actions:

- (1) The recommendation has been implemented, with a summary regarding the implemented action.
- (2) The recommendation has not yet been implemented, but will be implemented in the future, with a timeframe for implementation.
- (3) The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or head of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six months from the date of publication of the grand jury report.

(4) The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefore.

(c) However, if a finding or recommendation of the grand jury addresses budgetary or personnel matters of a county agency or department headed by an elected officer, both the agency or department head and the board of supervisors shall respond if requested by the grand jury, but the response of the board of supervisors shall address only those budgetary or personnel matters over which it has some decision making authority. The response of the elected agency or department head shall address all aspects of the findings or recommendations affecting his or her agency or department.

(d) A grand jury may request a subject person or entity to come before the grand jury for the purpose of reading and discussing the findings of the grand jury report that relates to that person or entity in order to verify the accuracy of the findings prior to their release.

(e) During an investigation, the grand jury shall meet with the subject of that investigation regarding the investigation, unless the court, either on its own determination or upon request of the foreperson of the grand jury, determines that such a meeting would be detrimental.

(f) A grand jury shall provide to the affected agency a copy of the portion of the grand jury report relating to that person or entity two working days prior to its public release and after the approval of the presiding judge. No officer, agency, department, or governing body of a public agency shall disclose any contents of the report prior to the public release of the final report.

¹ <http://63.202.159.175/grandjury/reports/individual-reports-2006/authority-agency-resp.pdf>

Appendix II: County Library Trends

Compiled by Constance Corcoran, Director of Library Services, Tuolumne County 2006

TUOLUMNE COUNTY LIBRARY							
ANNUAL TRENDS 2002-2006							
	2002	2003	2004	2005	2006	5 YEAR Change	5 YEAR TOTAL
TOTAL REGISTERED BORROWERS	18,526	22,622	26,212	26,862	29,968	62%	29,968
LIBRARY VISITORS	327,569	355,089	400,140	391,213	396,614	21%	1,870,625
CHILDREN ATTENDING PROGRAMS	5,904	5,479	7,695	7,878	10,620	80%	37,576
CIRCULATION BY BRANCH							
Groveland	15,449	16,433	15,354	15,455	16,379	6%	79,070
MiWuk	3,310	3,749	3,642	3,848	3,532	7%	18,081
Pinecrest	1,640	1,231	1,307	1,437	2,194	34%	7,809
Sonora	159,004	167,522	173,333	167,159	162,422	2%	829,440
Tuolumne	7,377	7,728	8,460	11,256	13,254	80%	48,075
Twain Harte	4,294	5,814	7,438	7,972	11,203	161%	36,721
WOW mobile library	--	2,562	6,415	6,646	5,883	130%	21,506
TOTAL CIRCULATION	191,074	203,196	215,949	213,773	214,867	12%	1,038,859
REQUESTS FOR INFORMATION	12,209	12,456	10,487	12,271	14,464	18%	61,887
PUBLIC INTERNET HOURS USED	10,107	12,505	15,912	17,072	21,407	112%	77,003
NUMBER OF BOOKS AND ALL ITEMS IN COLLECTIONS	90,611	88,949	91,940	96,600	86,504	-5%	86,504
VOLUNTEER HOURS	6,065	6,430	6,335	7,036	7,988	32%	33,854
FINES & FEES COLLECTED	\$ 22,146	\$ 23,285	\$ 27,373	\$ 27,178	\$ 29,881	35%	\$ 129,863
GRANTS & DONATIONS	\$ 159,650	\$ 227,132	\$ 176,796	\$ 182,882	\$ 83,940	-47%	\$ 830,400



2006/2007 Tuolumne County Grand Jury Report

Glossary of Terms

I:I One-on-One; Person-to-Person; Group Counseling

49-99 California State Library—Regional cooperative system for Central California. Benefits the county library through professional networking, inter-library loans, and training.

AB 2034 California Assembly Bill No. 2034 amends Sections 5806, 5811, 5814, 5814.5 of the *Welfare and Institutions Code*, relating to mental health, and declaring the urgency thereof, to take effect immediately.

ALS Advanced Life Support

ASW Associate Social Worker

ATCAA Amador Tuolumne Community Action Agency

Brown Act, The The Brown Act, officially known as the Ralph M. Brown Act (California Government Code Sections 54950-54963), was enacted in 1953 by the California State Legislature in an effort to safeguard the public's right to access and participate in government meetings within the State. [Source: <http://caag.state.ca.us/publications/>]

BoS Board of Supervisors

Cal Fire California Department of Forestry & Fire Protection

CAO County Administrative Officer

CalWORKs California *Welfare to Work* Program

California State Association of Counties (CSAC) The primary purpose of CSAC is to represent county government before the California Legislature, administrative agencies and the federal government. [Source: <http://www.csac.counties.org/>]

CSAC California State Association of Counties

CSA County Service Area

DEJ Deferred Entry of Judgement

HOST Homeless Outreach and Stabilization Team

LAFCo Local Agency Foundation Commission

Local Agency Formation Commission Members are appointed by the county Board of Supervisors. Primary responsibilities of LAFCo include: Reviewing and approving the incorpora-

tions of new cities, the formation of new special districts, and any proposed jurisdictional boundary changes, including annexations and detachments of territory (including secessions), consolidations, mergers and dissolutions. [Source: http://www.csun.edu/~mrs7578/155-00/governing_california.pdf]

LCSW Licensed Clinical Social Worker

MediCal MediCal is California's *Medicaid Health Care Program*. This program pays for a variety of medical services for children and adults with limited income and resources.

MFT Marital and Family Therapy (Therapist)

MHSA Proposition 63, Mental Health Services Act

MHSOAC Mental Health Services Oversight and Accountability Commission

MIOCR Mentally Ill Offender Crime Reduction

NAMI National Alliance on Mental Illness [www.nami.org]

Perinatal The period occurring around the time of birth (five months before to one month after).

PRD Permanent Road Division

Proposition 36/SACPA Substance Abuse Crime Prevention Act of 2000

Proposition 63 Mental Health Services Act (MHSA)

Psychiatrist A physician who specializes in psychiatry and is certified in treating mental illness.

RN Registered Nurse

RNC Registered Nurse Certified

SAMHSA Substance Abuse and Mental Health Services Administration

TCBHD Tuolumne County Behavioral Health Department

TCFD Tuolumne County Fire Department

THCSD Twain Harte Community Services District

Trusty A convict regarded as worthy of trust and therefore granted special privileges.

2006/2007 Tuolumne County Grand Jury Report

Index



NOTE: Grand Jury Reports are highlighted in **Bold** text.

49-99 Regional Cooperative
Library System50, 54
Acute Psychiatric Programs16
Advanced Life Support5
Affordable housing 11, 16, 17, 44, 46
Amador Tuolumne Community
Action Agency (ATCAA) ...14
Ambulance & Fire Dept . .5 – 6
Auditor-Doc. Mgmt61 – 63
Auditor63 – 66
Behavioral Health11 – 18
Organization11
Budget12
Advisory Board12
Contractor12
Patient's Rights11, 14, 15
Mission Statement11
Quality Council12
Kings View11, 12, 14-17
Mental Health Services Act
(MHSA)14, 15, 16
Leadership Council . .11, 15
Board of Supervisors67 – 70
Board of Supervisors3, 5, 12
46, 48, 55, 58, 63, 64, 65
Brown Act68, 69
Cal Fire6
Caldera, Bill5
California Code of Regulations—
Title 15 . . .14, 19, 22, 29, 32, 39
California Dept of Corrections and
Standards Authority 19, 20, 21, 22
California Dept of Corrections—
Office of Internal Affairs .30, 36
California Dept of Forestry and
Fire Protection (Cal Fire) . . .6
California Dept of Mental Health .15
California Government Code .10, 64
California Health & Safety Code36, 39
California Medical Facilities16
California Office of Inspector General
Mgmt Review Audit29
California Penal Code .14, 19, 29, 71
California State Assoc. of
Counties (CSAC)69
CalWORKs13

CAO48, 63, 64, 69, 70
Child Welfare Systems13
Clerk/Auditor9
Community Services & Support .15
Corcoran, Connie47, 48, 51
Controller61, 62, 63
County Administrative Officer . .48,
63, 64, 67, 69, 70
County Facilities Mgmt Dept . . .22,
26, 50, 56, 58
County Jail19 – 28
County Library47 – 60
County Service Areas7 – 8
District Attorney3, 9
Elections Code/Elections Office . .9
Fire Marshal5, 36
Frank, Maureen5
Friends of the Library49, 50,
51, 52, 54, 57
Groveland Friends49, 50
High Country Friends50
Tuolumne Friends50
Harvard Mine68
Homeless Outreach (HOST) .12, 13
Hubbard, Kary5
Inmate Appeals Office (SCC) .32, 39
Kings View11, 12, 14 – 17
LAFCo7
Library, County47 – 60
Groveland (Branch) 48, 53, 54, 56
Law Library48, 53
Library Web site52, 55
Live Homework Help . .49, 54
Mobile Library . .48, 53, 57, 59
MiWuk (Branch)48, 50
Pinecrest (Branch) . . .48, 53, 56
Reading Plus (Literacy Program) .49
Sonora (Main Branch)
.....48, 53, 54, 56
Tuolumne (Branch) 48, 50, 51, 56
Twain Harte (Branch) .48, 50, 53
Youth Center – Tuolumne . .50
Local Area Formation Commission 7
Manteca Ambulance Service6
Mele, Jim (Sheriff)43 - 48
Mental Health Services Act 14, 16, 17

MHSA Leadership Council . . .11, 15
Modesto44
Mountain View Counseling Center 14
Permanent Road Divisions (PRD) .8
Proposition 2188, 10
Proposition 36/SAPCA13
Kings View . . .11, 12, 14, 15, 16, 17
Proposition 6314, 16
Quality Improvement Council . .12
Provost, Eleanor2, 3
Public Works7, 8
Readel, Bea11
Reading Plus literacy program . . .49
Rei, Peter7
SCI Consulting Group9
Segerstrom, Donald3
Sheriff (Mele, Jim)43 - 48
Sierra Conservation Center 29 -42
Baseline Camp30
Appeals Coordinator32
Chief Dentist32
Citizens Advisory Comm. . .30
Coastline Community College 33
"Freedom of Choice"37
"G" dorm35, 39, 41
"Tuolumne" Yard .33, 36, 39, 41
Fire Safety Notice . .30, 36, 41
Inmate Appeals Office . .32, 39
"Mariposa" Yard33
Security Levels30
Sierra Adult School33
Uniform Retail Food Facilities
Law/Report30
Sonora Area Foundation49
State Library50, 52
TASER44
Tuolumne County
Ambulance/Fire5 – 6
Behavioral Health . .11 – 18
Fire & Safety Inspection 19, 20
Health Dept19, 21
Hospital67, 68
Jail19 – 28
Library47 – 60
Facilities Mgmt Dept22,
26, 50, 56, 58

Tuolumne County (con't)
Sheriff43 – 48
Sheriff's Dept19, 43, 46, 58
Random drug testing . . .46
Undersheriff45
Tuolumne Recreation Dept 50, 51, 59
**Twain Harte Community
Services Dist (THCSD) . .9 – 10**
Union Democrat55, 63

PHOTOGRAPHY CREDITS

Ambulance/Fire6
Sandy Nies ©2007. All Rights Reserved.
County Library55 – 59
Tuolumne County Library et. al. 50, 52, 54
©2000–2006. All Rights Reserved.
Kevin O'Donnell50
©2007. All Rights Reserved. www.kevino.net
The Alexandra Group 48 – 51, 53, 55 – 57
©2006. All Rights Reserved.
Twain Harte Community Services Dist . . .10
Sandy Nies ©2007. All Rights Reserved.

Front Cover:

A very special
thank you to Dan
Mitchell for the
image of "Aspens at
Sunset". Dan has
spent many years photographing the
natural wonders of Tuolumne County.
His work can be viewed at:
www.gdanmitchell.com

