

September 20, 2000

The Honorable Larry D. Gaddis  
Presiding Judge  
Placer County Trial Courts  
101 Maple Street  
Auburn CA 95603

The Honorable Frances Kearney  
Judge of the Superior Court, Department 11  
Advising Judge to the 1999-2000 Placer County Grand Jury

Dear Judge Gaddis and Judge Kearney:

On June 20, 2000, the 1999-00 Placer County Grand Jury issued its Final Report. In accordance with California Penal Code Section 933 (c), the Board of Supervisors hereby submits its response to that report. The recommendations have been reviewed and carefully considered by county management, and the response addresses each of the issues identified by the Grand Jury for action by the county.

The response follows the same order as the Grand Jury's Report, by subject, findings and recommendations.

Sincerely,

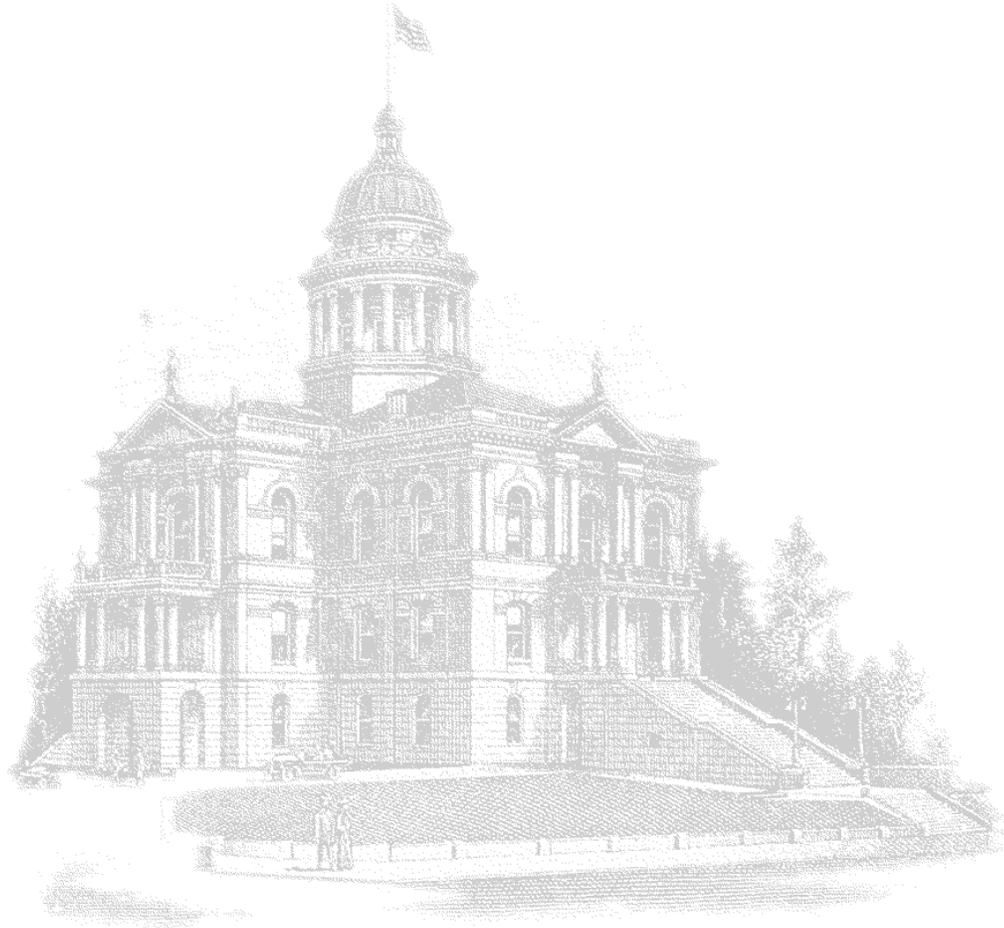
COUNTY OF PLACER

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Harriet White, Chairman  
Board of Supervisors

Attachment

**RESPONSE  
TO THE  
PLACER COUNTY GRAND JURY  
1999-2000 FINAL REPORT**



**BY  
PLACER COUNTY  
BOARD OF SUPERVISORS**

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# **PLACER COUNTY MAIN JAIL AND MINIMUM SECURITY JAIL INSPECTIONS**

**(Pages 70-77)**

## **Summary**

California Penal Code Section 919 requires the Grand Jury to inspect the Placer County Main and Minimum Security Jails to evaluate conditions and management of these facilities, to inquire about prisoners not indicted, and to review any changes implemented since the previous Grand Jury's inspections.

Overall, the citizens of Placer County can take great pride in the operations and management of the Jail facilities. The professionalism and dedication of the Commander and staff are outstanding. Morale appears to be very high considering the crowded working conditions. Additional administrative staff office space is needed.

The Commander and his staff are committed to lowering the recidivism rate of inmates. In addition they are committed to rehabilitation of inmates and providing custody services.

The Grand Jury received a complaint about the denial of medical marijuana to inmates. The Grand Jury will not issue a separate report on this subject. However, an investigation determined that, in compliance with California law, if an inmate needs marijuana for a medical condition and has a legal prescription from a physician, the jail medical staff will see that the inmate receives the medication in the form of capsulized marijuana. The Grand Jury has no recommendations on this issue.

The 1999-2000 Grand Jury inspected the jails in August 1999. The Main Jail facility consists of three medium-security dorms, two with a capacity of 92 inmates each, and one with a capacity of 44 inmates, and one maximum-security module with a capacity of 32 inmates. In addition there are dormitory housing units (with up to 92 inmates) of the direct-supervision type, with a custody officer stationed inside each of the dorms. Indirect supervision is also provided from a housing booth. The current capacity of the Main Jail is 352 inmates.

The minimum-security area is in close proximity to the Main Jail and consists of three housing units - two for males and one for females, with a combined capacity of 160 inmates. Total jail capacity is, therefore, 512 including beds located in the infirmary. Although the jail facilities can hold 512 inmates, Federal and State laws set occupancy limits which are lower than total capacity. Consequently, some arrestees are released early in order to keep the jail population below the mandated levels.

The cost of housing is charged to inmates, but only about one percent is actually recovered.

A pilot program using K-9 dogs in the housing units is currently underway to add another level of "supervision" and control.

In January 1999, the jail received a \$1 million Federal Violent Offender Grant to improve some of the dormitory housing units. Plans are in place to build one more medium-size housing unit.

Placer County has also received a four-year multimillion-dollar grant for the Mentally Ill Offender Crime Reduction Program (MIORC). This grant is designed to address the needs of mentally ill offenders. Program implementation will be July 2000.

The Main Jail garage and inmate intake areas are undergoing expansion to accommodate more police vehicles and larger transports (buses). Under construction are a new pre-booking area and a room for testing of arrestees suspected of being under the influence of drugs or alcohol.

Prior Grand Juries have identified areas warranting improvement or correction. This Grand Jury reviewed these areas of concern and was pleased to see that progress has been made. However, there is still a serious need to expand the jails to accommodate the growing inmate population. The Board of Supervisors, the Placer County Executive Officer, the Sheriff, the Director of Health and Human Services, the Placer County Adult System of Care, and the Facility Services Director are aware of these problems and are collaborating to address them. There continue to be discussions about a South Placer Jail facility. Even if approved and funded with the help of the communities of Roseville, Rocklin, Loomis, and Lincoln, it is still several years in the future.

The Grand Jury concludes this report with eight recommendations.

## **Discussion**

In August 1999, the Grand Jury inspected the Placer County Main Jail and the Minimum Security Jail, located in Auburn. For at least a decade, prior Grand Juries have identified certain areas as warranting improvement or correction. The 1999-2000 Grand Jury followed up on these areas during its inspections to note progress, if any. The Main Jail facility has three medium security dorms, one maximum-security module, and several dormitory housing units resulting in a total capacity of 352 inmates. The Minimum Security facility has a capacity of 160 inmates. The inspections revealed that there still exists a serious need to expand the Jail facilities to meet the County's growing inmate population. The original facility was built for 108 inmates and with expansions now houses at least 460 per day. There are over 1,800 individuals on probation and over 500 in Community Corrections programs. People violating parole or conditions of participation in the Community Corrections programs are rarely returned to jail because of the lack of space.

Because there is no space to house additional inmates, there are at present over 600 felony warrants and 6,000 misdemeanor warrants that are not being served. Those misdemeanants who are taken into custody are processed and released. With increased bed space through additional housing units and perhaps a new South Placer facility, some of these warrants may be served.

The Grand Jury found that progress has been made and is continuing toward relieving the overcrowding and providing more space, most notably through new housing configurations, such as walls, dormitories, cells, and security areas.

Through the efforts of the Sheriff's Department, the Criminal Justice Policy Committee, and others, Placer County received a Violent Offender Grant. The Jail also received a portion of the Citizens Option for Public Safety (COPS) Supplemental Law Enforcement Fund established by State law in 1996-1997. Construction has been approved for a new housing unit, which will extend over what is now an unused and poorly designed outdoor recreation yard.

Main Jail inmates have too much idle time. Although the average time in custody is only 16 days, those facing longer sentences should participate in schooling, job and life skill training and development programs to every extent practical. To accomplish this, additional space must be found in the Main Jail facility.

There is no program space available in the Main Jail for female inmates to participate in drug and alcohol counseling, schooling, job and life skill training, etc., and other program space is woefully inadequate.

For several years, the unfinished space between the secure facility and the central kitchen has been considered for an inmate room (program/G.E.D./law library); classification cell (offices/interview/holding); briefing/training room; maintenance/storage room; staff dining; male and female lockers; and a staff workout room so that staff can maintain a proper level of fitness. Very little has been done, however, and this potentially valuable space continues to be wasted.

The California Board of Corrections recently awarded Placer County a four-year multi-million dollar grant for the Mentally Ill Offender Crime Reduction Program (MIOCR). With these funds, an additional unit at the Jail can be developed to house inmates having significant mental illnesses. The grant will also provide funding for the development of a new residential treatment program (like a half-way house) where eligible inmates can receive substance abuse treatment, along with education and training in life and job skills. The proposed implementation date for this new program is July 2000. A team comprised of staff from offices of the District Attorney, Public Defender, Sheriff, Probation, and Mental Health Services will evaluate and classify all persons for serious mental illness who are booked in the Placer County Jail.

The moving of mentally ill offenders to a separate unit will enable Placer County to incarcerate up to 96 more arrestees instead of releasing them early or without serving any jail time at all.

South Placer County continues to grow rapidly. By 2010, 70% of Placer's population will reside in the southern portion of the County. The current Main and Minimum Jails cannot expand to meet this growing population. Placer County is investigating the possibility of a facility in South Placer to help address some of these issues. However, as has been noted previously, the economic reality of this facility is not in the immediate future. Assistance and funding from the communities of Roseville, Rocklin, Loomis, and Lincoln are necessary to construct the South Placer facility.

The Grand Jury inspections also revealed the continuing need for office space for administrators and staff. Currently, eight administrators are working in a space intended for four. An unused elevator shaft is being used as clerical space. To increase office space, a feasibility study should be undertaken to extend the front of the building.

The flow of traffic of inmates into and out of the booking area disrupts the process and is very inefficient. The Grand Jury also found that the sally port gate must be left open when transferring detainees, which compromises security. The current vehicle garage could be turned into a pre-booking area where officers can complete paperwork and where arrestees can be tested for drug and/or alcohol intoxication. Past Grand Juries found that the Prisoner Intake Area was too small to accommodate most of the detention vehicles, including large transportation buses and police vehicles dropping off arrestees. Work has begun in this area and is on schedule for completion in mid-2000.

The Minimum Security Jail needs to be expanded to house inmates convicted of misdemeanors. The 1997-98 Grand Jury reported there are two buildings in DeWitt Center that could be converted for use by the Sheriff's Department. These buildings appear to be under-utilized by Facility Services. One is a wood shop that could be converted for use by inmates to learn job skills and to provide services to the County with potential cost savings. This shop could also be used for automobile maintenance, to refurbish machinery, and for other activities that enhance inmate job skills. The other building is next to the Minimum Security Jail and is used for paper storage by Facility Services. This building could be more fully utilized by the Sheriff's Department as classrooms for inmate instructional programs, such as drug and alcohol treatment. That facility could house up to 45 inmates and be expandable to 62. The goals of these programs are to reduce the recidivism rate.

There is some funding available through the "inmate welfare fund" (collected from inmates through their telephone usage and commissary expenditures) to pay for a substantial portion of the remodeling of the buildings in question. Where appropriate, inmate labor should be used to lower the cost of remodeling.

The 1998-99 Grand Jury noted there has been no progress on this issue. The 1999-2000 Grand Jury has enlisted the help of the County Executive Officer to make the program a reality. For further information, see the "Realities Program" report under the County Administration Section of this Final Report.

The medical facility at the Main Jail appears to be efficient and professional. The facility is exceptionally clean, well organized, and adequately staffed. As mentioned, a complaint was received by the Grand Jury regarding the use of medical marijuana in the Jail. Our investigation did determine that, if required by a physician, medical marijuana would be supplied to an inmate.

The Grand Jury also was informed that any medical service costs are included in the "housing" bills sent inmates after their release. The cost of "housing" inmates is set by state law and according to information provided by the Sheriff's Department, "inmates sentenced to serve time in the Placer County Jail may be charged fees for their incarceration. Those inmates housed at the Main Jail may be charged a fee of \$69.03 per day. Inmates housed at Minimum Security may be charged a fee of \$39.82 per day. The collection of fees is based on the inmate's ability to pay as determined by Placer County Revenue Services."

## **Finding 1**

The 1999-2000 Grand Jury is impressed, as were past Grand Juries, with the professionalism and dedication of the Jail's

Commander and staff. It is equally impressed with their commitment to rehabilitation and prevention as well as discipline of the inmates.

Jail personnel are professional and do an excellent job of providing basic custody services with available facilities and funds.

- ***The Board of Supervisors and the County Executive Officer agree with the finding.***

## **Recommendation 1**

The Commander and his staff are to be commended for their efforts. Placer County officials should provide strong support for this three-part approach (rehabilitation, prevention and discipline) to reducing recidivism. This support should include funding, making space available, and remodeling of the facilities, where appropriate.

- ***The recommendation has been implemented. The Board of Supervisors with recommendations from the County Executive will continue to provide support for correctional facilities and programs. In FY 2000-01 the Board of Supervisors have approved a significant increase in funding for public safety, including corrections. Over \$25 million dollars from the County General Fund has been approved by the Board of Supervisors for public safety operations. Of this amount, the Sheriff receives over \$18 million dollars, an increase of over \$2.2 million dollars over last year. The operating budget of the Jail has increased by 16% over last year supported by an increase in County General Fund appropriations of \$1.9 million dollars. The Board of Supervisors and the County Executive Officer also support required modifications to facilities to correct problems improve operations or expand programs within the limits of available resources. A significant new construction project of the Jail will add a new housing unit that increases the number of beds to 96. The estimated project cost for this addition to the Jail is \$7.4 million dollars, of which \$3.2 million dollars is from the County Building Fund. In addition, the Board of Supervisors has approved additional funding of \$125,000 to separate an existing jail pod. A review is also underway to determine the feasibility of implementing a program to reduce recidivism that may include additional beds and space for training and classroom instruction.***

***The responses of the Sheriff and the Director of Facility Services is also enclosed with this response.***

## **Finding 2**

There exists a serious need to expand the Main Jail and Minimum Security Jail to house additional inmates, provide program space, and provide additional staff space.

- ***The Board of Supervisors and the County Executive Officer agree with the finding.***

## **Recommendation 2A**

The Board of Supervisors, County Executive Officer, Sheriff's Department, Criminal Justice Policy Commission, and Facility Services Director should all work together to accomplish the expansion of the Main Jail and Minimum Security Jail.

- ***The recommendation has not yet been implemented but will be implemented in the future. The Main Jail will be expanded with the addition of a new housing unit (Housing Unit 4). This project will add 96 beds to the Jail for a total capacity of 456 inmates. The project is in the final design phase and bids for construction should be scheduled for late summer of 2000.***

***The responses of the Sheriff and the Director of Facility Services is also enclosed with this response.***

## **Recommendation 2B**

The 2000-2001 Grand Jury should monitor the progress of the existing and proposed construction at the facility.

## **Finding 3**

The Sheriff's staff, with assistance from the Criminal Justice Policy Committee, has obtained a MIOCR grant to implement

a new program designed to address the needs of mentally ill offenders. The planned date for implementation of this program is July 2000.

- ***The Board of Supervisors and the County Executive Officer agree with the finding.***

### **Recommendation 3**

The 2000-2001 Grand Jury should monitor the implementation of this essential program.

- ***The recommendation is directed to the FY 2000-2001 Grand Jury.***

### **Finding 4**

The Prisoner Intake area is too small to accommodate detention vehicles safely. At the time of this report, this expansion and remodel was in progress.

- ***The Board of Supervisors and the County Executive Officer agree with the finding. The project to expand and remodel the prisoner intake area, or "Sally Port" has been completed.***

### **Recommendation 4**

The 2000-2001 Grand Jury should monitor this construction.

- ***The recommendation is directed to the FY 2000-2001 Grand Jury.***

### **Finding 5**

There is a continuing need for more administrative space at the Main Jail.

- ***The Board of Supervisors and the County Executive Officer agree with the finding.***

### **Recommendation 5**

The Sheriff's Department and the Facility Services Director should study the feasibility of extending the building. If feasible, funding should be pursued for such an extension.

- ***The Recommendation has not yet implemented but will be implemented in the future. The Facility Services Department is working with the Sheriff's Office to study the feasibility of expanding administrative space within the Main Jail as part of the construction of the new jail housing unit (Housing Unit 4).***

***A copy of the responses of the Sheriff and the Director of Facility Services is also enclosed with this response.***

### **Finding 6**

The Placer County Sheriff's Department bills through the Revenue Services Department the cost of housing inmates in the Placer County Jails. At present they are able to recoup about one percent of their costs, which is enough to pay for one officer per year and the cost of administering the program. Cost of medical care is figured in the daily "housing" rate and is set by state law.

- ***The Board of Supervisors and the County Executive Officer agree with the finding.***

### **Recommendation 6**

The Placer County Sheriff's Department and the Revenue Services Department should continue to pursue reimbursement

of the costs of housing inmates.

- ***The recommendation has been implemented. The Sheriff is encouraged to continue to seek reimbursement of jail housing costs through the Revenue Services Department. In addition, the Sheriff has been successful in receiving federal grant funds for reimbursement of jail housing costs of undocumented aliens incarcerated at the Main Jail. In FY 1999-2000 the Department received over \$72,000 in reimbursed costs from this grant.***

## **Finding 7**

Placer County is one of the fastest growing counties in the State of California. By the year 2010, it is projected that 70% of Placer's population will reside in the southern portion of the county, which encompasses the cities of Roseville, Rocklin, Lincoln, and Loomis. Obviously the need for corrections facilities in this area will continue to increase.

The Cities of Roseville and Rocklin have agreed to a county facilities fee that will help fund the construction of additional county administration and criminal justice facilities.

- ***The Board of Supervisors and the County Executive agree with the finding.***

## **Recommendation 7**

The Board of Supervisors, County Executive Officer, Sheriff's Department, and Criminal Justice Policy Committee should continue to work towards the approval, funding, and eventual construction of a South Placer facility.

It is this Grand Jury's desire, as it has been for other Grand Juries, that a South County Facility located in the Roseville-Lincoln-Loomis-Rocklin area will be built in the near future.

County officials should continue to work with officials in the communities of Roseville, Rocklin, Loomis, Lincoln, Auburn, and Colfax to develop an equitable cost-sharing plan.

- ***The recommendation has been implemented. Full expansion of the Main County Jail will occur with the completion of construction of Housing Unit 4. The project schedule assumes occupancy of this new unit by December 31, 2001. With an expanding population, an increase in the jail population beyond the capacity of the expanded Jail may occur at some future date. Planning for a new facility to house an increased jail population within the South Placer area is necessary. The county budget includes funding of \$400,000 to plan for the construction of the new facility and the Director of Facility Services has been meeting with the Sheriff and Court officials to discuss space needs, construction schedule and phasing, and possible sites. The County Executive Officer will also continue to work with the cities to implement a Facility Impact Fee to generate revenue to help construct the new facility.***

## **Finding 8**

There are over 600 felony warrants and 6,000 misdemeanor warrants outstanding and no facilities to house the offenders.

- ***The Board of Supervisors and the County Executive Officer agree with the finding.***

## **Recommendation 8**

Placer County needs to construct the South Placer Jail Facility.

- ***See response to Grand Jury Recommendation #7. A copy of the response of the Sheriff and the Director of Facility Services is also enclosed with this response.***

## **Respondents**

Placer County Sheriff  
Placer County Board of Supervisors  
Placer County Executive Officer  
Placer County Facility Services Director  
Auburn City Council  
Colfax City Council  
Lincoln City Council  
Loomis Town Council  
Rocklin City Council  
Roseville City Council

# BURTON CREEK (TAHOE) SHERIFF'S SUBSTATION, COURT FACILITIES, AND JAIL INSPECTION

(Pages 78-85)

## Summary

Twice in 1999, the Grand Jury visited the County's Burton Creek facility, a short distance east of Tahoe City. This two-story wood-frame building, constructed in 1959, houses the area's Sheriff's Substation, Jail, Court facilities, the Court Clerk's Office, and the Deputy District Attorney's Office.

Although made of wood, the building lacks a sprinkler system and even a good smoke and fire alarm system. A fire could spread undetected through the open attic with devastating results. This unreasonably endangers the public, which is often present in the courtroom and various other areas of the building. Also threatened are prisoners that may be locked overnight in the ground floor jail. Personnel in the second story communications room have a choice of two stairwells as fire exits, but the closest one is too steep and narrow to be considered safe.

Other safety issues are also a concern. The jail booking area is cramped, placing prisoners and jail office personnel in dangerous proximity. Because of the downstairs building configuration, prisoners must be escorted to the courtroom via the public entrance, passing within an arm's distance of witnesses and victims.

In addition to safety issues, the Burton Creek facility is simply too small and inefficient. The building lacks space for adequate fireproof storage of records and evidence. Some storage needs are met through leased cargo containers located throughout the parking lot. The County's lease expenditures for these containers now exceed their purchase price.

The last five Placer County Grand Juries have criticized the dangerous conditions, and the Fire Marshals have regularly agreed with the findings. The Grand Juries have concluded that the Burton Creek facility must be replaced as soon as possible. The County believes replacement need not happen any earlier than 2006 and perhaps not until 2011. In the meantime, the County has agreed to extend a fire and smoke alarm system throughout the building by September 2000, and add a sprinkler system to the jail area by next year. The County also intends to build a separate corridor connecting the jail and the courtroom to provide separation between prisoners and the public.

The 1999-2000 Grand Jury commends the County for these interim steps, but believes nothing short of complete replacement can provide the level of safety and efficiency required of public buildings.

## Discussion

Ten years ago, the County approved and funded the replacement of the County's Burton Creek facility, just east of Tahoe City, but that replacement never happened.

The 1999-2000 Grand Jury twice inspected the facility. Personnel were interviewed, including the Placer County Sheriff, the Placer County Executive Officer, the Burton Creek Sheriff's Department Division Commander, several Sheriff's deputies, court personnel, the Deputy District Attorney at Tahoe City, and the North Tahoe District Fire Marshall.

In his most recent evaluation, the Fire Marshal reported that "as in previous years, ...this facility does not meet current standards for fire protection. Specifically, 1) No automatic fire sprinkler system, 2) Automatic fire detection system only a partial system and does not cover the majority of the building, 3) Insufficient occupancy separation between the jail and the rest of the building.... I fear that should a fire occur after hours in an unoccupied section of the building, the fire would spread rapidly through the old construction and open attic. A fire of this nature would pose a threat to the inmates due to the lack of adequate protection systems. If the building is not going to be replaced, then I recommend the building be retrofitted [sic] with a total fire alarm and sprinkler system." (See Exhibit 1)

This Grand Jury agrees with past Grand Juries and the Fire Marshall that the building is dangerous and outmoded, and needs to be replaced. Of particular concern is the safety of the Sheriff's personnel on duty in the communications area of the second floor. Although there are two stairways for exiting the second floor, the one nearest these personnel is very narrow and steep. The County accepts that the communications antenna attached to the outside wall of the facility does not constitute an emergency exit. **Should a fire start and not be immediately discovered and controlled, it would pose a life threatening situation to jail inmates as well as Sheriff's personnel who are on duty 24-hours a day.** The

County reports that it would cost \$10,000 to add an exterior fire escape to the communications room. That is an insignificant amount compared with the safety of the staff.

There are additional safety concerns in this building. Inmates, for instance, must be brought to court using the same entrance as the general public, passing within reach of victims and other witnesses. This is a security risk for everyone. The jail booking area is also a problem, as it is very small, making it unsafe for personnel and prisoners alike. (The Grand Jury has included a diagram in Exhibit 2 indicating one way of improving this configuration.)

There are also major efficiency concerns with this old facility. For instance, Burton Creek lacks adequate fireproof storage space for records and evidence. Short-term needs are met by leasing cargo containers for \$1,000 each per year. These containers have been in use for several years, and lease payments have far exceeded the purchase price of \$2,000 each. Realistically, it will be several years before Burton Creek can be replaced. The Sheriff's Department should purchase the existing containers and lease additional containers until the facility can be replaced.

The County acknowledges the building's shortcomings, but does not intend to replace it before 2006, or perhaps as late as 2011. In the meantime, the County plans to extend a fire and smoke alarm system throughout the building by September 2000, and to add a sprinkler system to the jail area by next year. The County has agreed to build a separate corridor connecting the jail and the courtroom to provide some separation between prisoners and the public.

The Grand Jury commends the County for these steps, but believes it would be more economical in the long run to simply replace the building. Anything short of complete replacement will not provide an adequate margin of safety, or the space and efficiency needed now and in the years ahead. The Grand Jury urges the county to replace the building within the next three years.

## Finding 1

The Burton Creek facility is unsafe and inadequate. The County agrees it should be replaced, but expects this to happen no earlier than 2006 and possibly as late as 2011. The Grand Jury finds this schedule unacceptable.

- ***The Board of Supervisors and the County Executive Officer disagree partially with the finding. The inadequacies of this facility are well documented by the current and past findings of the Grand Jury. However, the building is safe to occupy and the County will continue to improve the safety and functionality of it while planning for a replacement facility. Recent critical improvements include installation of a fire and smoke alarm system throughout the building that will be completed by September 2000. Cosmetic and functional improvements have also been completed recently including installation of new exterior siding, a new roof, minor interior remodeling and a new exterior paint. As a result of the recent improvements and others planned for the future, the facility will meet the needs of the County without harm to the public or employees through 2011.***

## Recommendation 1

The Board of Supervisors should commit to replacing the facility within the next three years.

(Note: the following recommendations require implementation if the facility will not be replaced in the next three years.)

- ***See response to Grand Jury Finding #1.***

## Finding 2

The present building, although two story and wood frame, is without a sprinkler system and an adequate fire alarm system. The County has said it will install an alarm system by September 2000 and a sprinkler system in the jail area during the 2001 construction season.

- ***The Board of Supervisors and the County Executive Officer disagree partially with the finding. A fire and smoke alarm system is currently being installed throughout the building. However, there is no plan to install a water sprinkler system to suppress a fire.***

## Recommendation 2

Install these safety systems throughout the structure. Ensure there are smoke and fire detectors in the attic area to

reduce the chance of a fire flashing unnoticed from one end of the building to the other.

- ***The recommendation has been implemented. A smoke and fire detection system is currently being installed throughout the building. The installation is scheduled for completion by September 1, 2000. However, there is no plan to install a water sprinkler system to suppress a fire within this facility because it is unwarranted, given the high cost to retrofit the aging facility. The County believes that the new alarm system, coupled with adopted evacuation procedures, provide an acceptable level of safety for all building occupants. This item will be deferred for consideration within a new replacement facility.***

***The responses of the Sheriff and the Director of Facility Services is also enclosed with this response.***

### **Finding 3**

The employees that work in the second story have a choice of two stairways in an emergency. One of these is quite narrow and steep. This is not a safe or quick method to exit in an emergency. The County has stated that an outside fire escape can be constructed for about \$10,000.

- ***The Board of Supervisors and the County Executive Officer disagree partially with the finding. Although emergency egress from the building may be limited by narrow and steep stairways, the smoke and fire detection system should provide adequate time to exit the building safely.***

### **Recommendation 3**

Add a second story fire escape. Using the County's replacement date for the building of 2006 to 2011, this would cost only \$1,000-\$1,600 a year on average, and greatly increase the margin of safety.

- ***The recommendation will not be implemented because adequate emergency egress is provided by the existing stairways and installation of the smoke and fire detection system.***

***The responses of the Sheriff and the Director of Facility Services is also enclosed with this response.***

### **Finding 4**

Inmates are brought through the public entrance of the Courtroom in close proximity to staff and the public, posing a safety hazard for everyone. The County has indicated a new corridor will be built during the 2001 construction season.

- ***The Board of Supervisors and the County Executive Officer agree with the finding.***

### **Recommendation 4**

The Grand Jury commends the County for this plan and urges that it be made a firm commitment.

- ***The recommendation has not yet been implemented but will be implemented in the future. Plans have been completed for an exterior corridor or hallway to connect the jail with the Courtroom. It is currently anticipated that construction of the corridor will occur in the 2001 construction season. However, depending on the plans of the Court with respect to the continued use of the courtroom in Tahoe, this plan may be deferred.***

***The responses of the Sheriff and the Director of Facility Services is also enclosed with this response.***

### **Finding 5**

The prisoner booking area needs to be reconfigured for safety of employees and for efficiency.

- ***The Board of Supervisors and the County Executive Officer agree with the finding.***

## Recommendation 5

Reconfigure the booking area, perhaps as suggested in Exhibit 2.

- ***The Recommendation has not yet been implemented but will be implemented in the future. The Facility Services Department is in the process of developing a plan to reconfigure the space to meet the needs of the Sheriff. The Department anticipates that the modification of the space will be completed not later than January 1, 2001.***

***The responses of the Sheriff and the Director of Facility Services is also enclosed with this response.***

## Finding 6

There is insufficient fireproof storage space for records.

- ***The Board of Supervisors and the County Executive Officer agree with the finding.***

## Recommendation 6

Obtain additional fireproof storage cabinets.

- ***The recommendation has not yet been implemented but will be implemented in the future. As indicated in the attached response from the Sheriff, he concurs with the recommendation and may proceed to purchase any necessary equipment to store and protect vital information contained in records. In addition, the Director of Administrative Services will contact the Sheriff to discuss assistance from staff of the Records Management Division. Staff from this Division may provide an assessment and recommendations on the proper handling of records according to county wide policy.***

***The responses of the Sheriff and the Director of Facility Services is also enclosed with this response.***

## Finding 7

The substation is leasing cargo storage containers at a cost of \$1,000 per year per container. A container costs \$2,000 to purchase outright. Some containers have been leased for more than two years.

- ***The Board of Supervisors and the County Executive Officer agree with the finding.***

## Recommendation 7

Buy some storage containers outright. Lease others to meet needs.

- ***The Board of Supervisors and the County Executive Officer agree with the finding. The recommendation has not yet been implemented but will be implemented in the future. Recently, the Sheriff received several items of surplus property from the Federal Government. Among the property received, at no cost to the County, are two large property storage containers valued at more than \$11,000. This and other equipment is available for use by the Sheriff. The Sheriff and his staff are commended for their efforts in obtaining a significant amount of useful equipment saving the county hundreds of thousands of dollars.***

## Respondents

Placer County Sheriff  
Placer County Board of Supervisors  
Placer County Executive Officer  
Placer County Facility Services Director

# REALITIES PROGRAM

## PLACER COUNTY MAIN/MINIMUM JAIL

(Pages 86-90)

### Summary

The Grand Jury has a mandate under California law to evaluate the conditions and maintenance of detention facilities. It is universally recognized that within those parameters is a duty to formulate recommendations, based upon findings, advocating feasible improvements of existing situations.

There are over 440 inmates in custody and over 530 in Community Corrections Programs in Placer County. There are over 1,800 individuals on probation. It is very likely, according to the Sheriff's Department, that most of these individuals will re-offend because little help is available to break the cycle of substance abuse and criminality.

Under consideration by County officials is a multi-dimensional plan, entitled the "Realities Program," designed to reduce the tendency of parolees again to commit crimes and return to custody. The essential purpose of the program is to provide meaningful and effective counseling, training, treatment and education for all inmates. The program will help the participants to become craftsmen, such as carpenters, cabinetmakers, and automotive body repairman.

Placer County does not have a residential facility for drug and alcohol treatment nor designated facilities to accommodate the Realities Program. In order to facilitate this program, three buildings in DeWitt Center need to be obtained by the Sheriff's Department and remodeled. Three buildings have been identified as ideal for this program.

There is a need to house mentally ill offenders as well. Placer County has received a 4-year, \$2.8 million grant to fund such a program.

The Main Jail does not have sufficient space for educational/vocational classrooms. However, there is an unfinished space near the kitchen that could be turned into a classroom and a multipurpose room.

The Grand Jury has five recommendations regarding the Realities Program.

### Discussion

Modern day law enforcement encompasses the traditional aspect of punishment while also embracing a philosophy of rehabilitation. Ultimate goals include not only protection from crime and violence but also the decrease of recidivism.

The Sheriff's Department proposes a plan to reduce the recidivism rate within the County. In examining the proposal, the Grand Jury toured the Main and Minimum Security Jail and interviewed the County Executive Officer, the County Sheriff, the Main Jail Captain and the Director of Facility Services.

The "Realities Program" will provide the following benefits to the inmates and ultimately the County:

1. In-custody residential treatment program for up to 62 drug and alcohol offenders.
2. Mandatory basic education, life-skills training, anger management, and vocational skills training.
3. Ability to re-institute the Community Corrections work furlough program, which has been requested by the judges.
4. Ability to arrest and bring to justice misdemeanants who currently go unpunished.

Investigation reveals that the Realities Program would move each inmate through all five of the following phases with the adoption of four proposed components:

- ❖ Phase One - Inmate evaluation by a team composed of counselors, probation, staff and the jail program manager.
- ❖ Phase Two - Program assignment after the inmate is classified and receives orientation.
- ❖ Phase Three - Instructions in basic educational and life skills after determining what is best suited to the inmate.
- ❖ Phase Four - Drug/alcohol treatment and vocational training to the extent applicable.
- ❖ Phase Five - Placement in a work furlough plan.

The proposed components needed to accomplish these progressive phases are:

1. A residential drug and alcohol treatment plan would be put into effect within a portion of an existing building presently utilized as a woodshop by Facility Services. The conversion would require remodeling after which the building could house from 45 to 62 inmates with two separate classrooms for counseling and education. It is further proposed that sentenced and presentenced inmates, referred to the program by the Drug Court, Probation Department or jail evaluation team, would receive four hours per day of drug and alcohol resistance education and four hours of instruction on such topics as anger control, living skills, infectious disease prevention, and computer training.
2. A woodshop and automotive body repair vocational training program would be established within a building currently used for storage. The woodshop will be used to instruct inmates in cabinet making and general carpentry. The automotive body repair training would instruct inmates as to automotive painting and bodywork. The plan includes solicitation of cooperation from local auto-body repair shops to place inmates on work furloughs under the direction and supervision of the Corrections Division.
3. Creating a non-jail transitional residential unit for up to 16 inmate patients would broaden the mentally ill offender program. Housing would be within a vacant building, which would be refurbished. The plan entails staffing by eight full-time and two part-time counselors trained to help offenders develop skills for independent living.
4. The final element is an educational program, which would include several types of instruction. The first level would be for those awaiting permanent housing assignments or those inmates who choose not to participate in regular training programs. It would involve instructional videos played on television sets within the various housing units in lieu of regular TV and recreation. The second level would be for inmates selected for instruction in drug and alcohol abuse resistance, infectious disease prevention, anger control, living skills, computer usage and other topics.

Placer County has been awarded a 4-year, \$2.8 million grant from the California Board of Corrections for the Mentally Ill Offender program.

## Finding 1

There is a need for an appropriate residential facility to provide inmates undergoing drug and alcohol treatment with housing and classrooms for counseling and education.

- ***The Board of Supervisors and the County Executive Officer agree with the finding.***

## Recommendation 1

Acquire that portion of the building used by Facility Services as a woodshop and remodel it for the housing of 45 to 62 inmates and two related classrooms.

- ***The recommendation requires further analysis. The County Executive Officer has convened a committee to review the plans of the Sheriff to implement the Realities Program. The Committee includes key staff of the County Executive Office, Sheriff, Facility Services, Probation, Health and Human Services and the Office of Education. The Committee has conducted monthly meetings since early 1999 to review the proposed program to better understand its actual requirements including; budget, capital costs, physical layout, involvement and commitments from other departments and agencies, program content and expected outcomes and performance. Members of the Committee have also attended tours of other criminal justice facilities in other Counties that have one or more components of the proposed program. As a result of this continuing review process it has become apparent to the members of the committee that the focus of vocational training should be shifted from the traditional trades to technology (computer***

*repair/refurbish). This has been confirmed by vocational training and labor market experts. As a result of this information it may not be necessary for the Sheriff to acquire this specific building and other buildings may be identified for the training and housing components of the proposed program. The Committee will ask the Sheriff to complete and submit its final plan to implement the proposed program at its next scheduled meeting in October, 2000. The CEO will review the final plan and make a recommendation to the Board of Supervisors.*

*The response of the Sheriff and the Director of Facility Services is enclosed with this response.*

## **Finding 2**

More vocational training could be made available for inmates with the procurement of additional space.

- *The Board of Supervisors and the County Executive agree with the finding.*

## **Recommendation 2**

Remove stored items from an existing storage building and convert it for use as a woodshop and automotive repair facility.

- *See response to Grand Jury Recommendation #1.*

## **Finding 3**

There is a need to establish stabilization housing for mentally ill inmate patients.

- *The Board of Supervisors and the County Executive agree with the finding.*

## **Recommendation 3**

Refurbish a currently vacant building for the housing of up to 16 mentally ill inmate patients.

- *The recommendation has not been implemented but will be implemented in the future. The County has received funding from a grant to house and treat mentally ill individuals that commit minor, non-violent offenses. This program is known as the Mentally Ill Offender Crime Reduction Program, or MIOCR, and it is a program separate from the proposed Realities Program. The Department of Facility Services has completed plans and specifications to modify an existing county building for this program. A contract to complete this work will be awarded in August and the building will be ready to occupy by December 2000.*

*The responses of The Sheriff and the Director of Facility Services is also enclosed with this response.*

## **Finding 4**

At least two room additions are essential to provide space for proposed expanded educational programs.

- *See response to Grand Jury Recommendation #1*

## **Recommendation 4**

Facility Services, in cooperation with the Corrections Division, should complete the unfinished space between the Main Jail and the kitchen area to include one classroom and one multi-purpose program room.

- *The recommendation has not yet been implemented but will be implemented in the future. The Director of Facility Services has indicated that this "in-fill" project is currently under design with review from the Sheriff's Office and it should meet all requirements to function as an inmate classroom and multi-purpose room.*

*The responses of the Sheriff and the Director of Facility Services is also enclosed with this response.*

## **Finding 5**

The Capital Improvements Committee, primarily composed of the County Executive Officer and the Director of Facility Services, is an advisor to the County Board of Supervisors regarding the County's overall needs regarding facility improvements and associated budgetary considerations.

- ***The Board of Supervisors and the County Executive Officer agree with the finding.***

## **Recommendation 5**

The Capital Improvements Committee should favorably examine the Realities Program in detail and ultimately approve its basic provisions for a recommended concurrence of the Board of Supervisors.

- ***See response to Grand Jury Recommendation #1.***

## **Respondents**

Placer County Board of Supervisors  
Placer County Executive Officer  
Placer County Facility Services Director  
Placer County Sheriff

# HEALTH AND HUMAN SERVICES ENVIRONMENTAL HEALTH DIVISION COMPLAINT 99A-09 (Pages 109-110)

## Summary

Placer County Health and Human Services Agency provides a myriad of services for citizens of the County. Environmental Health Division is an important element of these services.

The 1999-2000 Placer County Grand Jury interviewed some of the key County employees of Health and Human Services who oversee Environmental Health, specifically in the area of hazardous materials. During this investigation the Grand Jury discovered that while commercial enterprises and private citizens must file Hazardous Materials Release Response Plans, cities, counties and special districts are not required to do so. This is based on an opinion from the California Attorney General, who determined that cities, counties and special districts are not “businesses.”

However, the Grand Jury found in its research that any county may enact an ordinance—with or without a fee impact—which would bring these government agencies under the same scrutiny as businesses and private individuals.

The Grand Jury urges the Placer County Board of Supervisors to enact a county ordinance to bring any and all government entities, specifically, county, city and special districts, under the purview of Environmental Health Division on par with businesses.

## Discussion

In an earlier opinion, State Attorney General Daniel E. Lungren rendered a response to a request by Ventura County Counsel.

The question was: “Are cities, counties and special districts ‘businesses’ required to prepare hazardous materials release response plans under the provisions of the Hazardous Materials Release Response Plans and Inventory Act?”

The Attorney General’s opinion was that they are not, since Assembly Bill 2185, when enacted, did not contain its original reference to “public entities.” Placer County complied with that opinion effective January 1, 1996.

However, neither the law nor the opinion preclude any county or city from enacting ordinances assuming oversight responsibility for the environmental health and welfare actions of government entities within its boundaries.

The Environmental Health Division is mandated to:

1. Protect the health of residents through inspections
2. Test building sites and issue permits for septic and water systems
3. Protect the public through registration of hazardous material storage sites and monitor the cleanup of hazardous chemical spills, including the cleanup of leaking storage tanks.

The Grand Jury concludes that no county agency, city or special district within the boundaries of Placer County should be exempt from the County’s environmental health concerns, and recommends that an ordinance to that effect be adopted by the Placer County Board of Supervisors.

## Finding

County, city and special districts within Placer County, effective January 1, 1996, have not been required to comply with the provisions of the Hazardous Materials Release Response Plans and Inventory Act (AB 2185) under the County’s Environmental Health Division of Health and Human Services.

➤ ***The Board of Supervisors and the County Executive Officer agree with the finding.***

## Recommendation

The Grand Jury recommends that the Placer County Board of Supervisors adopt an ordinance giving the Placer County Health and Human Services Agency oversight responsibility for county, city, and special district compliance with the Hazardous Materials Release Response Plans and Inventory Act (AB 2185).

- ***The recommendation requires further analysis. The Director of Health and Human Services will provide a staff report on the impact of the proposed Ordinance including a review and assessment of AB 2185, Opinion of the Attorney General and a survey of the practices of other counties on this issue. The report will be completed and submitted to the County Executive Officer not later than November 20, 2000.***

*The response of the Director of Health and Human Services is also enclosed with this response.*

## **Respondents**

Placer County Board of Supervisors  
Placer County Executive Officer  
Placer County Health and Human Services Director

# PLACER COUNTY ANNUAL AUDIT

## (PAGES 114-115)

### Summary

The 1999-2000 Placer County Grand Jury reviewed the Placer County 1998-1999 financial audit prepared by Macias, Gini & Co. and found no significant problems in the County's fiscal management.

The County has recommended renewal of the Macias, Gini & Co. contract for the 1999-2000 audit. Macias, Gini & Co.'s familiarity with both Placer County's financial system and recent legislative changes make this request reasonable. The Grand Jury concurs with this recommendation.

### Discussion

As required by California Penal Code section 925, the 1999-2000 Placer County Grand Jury reviewed the County's 1998-1999 financial audit. It also reviewed the proposed contract renewal for the 1999-2000 audit.

Generally, the first year a firm conducts the County audit a large share of its time is spent reviewing the previous year's audit and learning the County's processes. As a result, it benefits the County to use the same auditing firm for two or three consecutive audits. In Placer County, auditing contracts are awarded for one year but renewed annually for a total of three years. A fourth year extension is optional with the County. No firm is allowed to provide auditing services for more than four successive years.

Members of the Grand Jury met periodically with representatives of the County Auditor-Controller's office, Macias, Gini & Co. and the Placer County Internal Auditor. At these meetings the Grand Jury was presented with status reports outlining the progress of the audit, accounting issues, and the changes in laws affecting local governments.

Recent legislation requires several changes to the audit's format and contents. Macias, Gini & Co. is considered expert in the new laws and is now knowledgeable of the County's system. Placer County wishes to renew the Macias, Gini & Co. contract for the 1999-2000 audit and has asked for Grand Jury approval.

### Finding 1

The 1998-1999 financial audit found no significant problems apparent in the County's fiscal management.

- ***The Board of Supervisors and the County Executive Officer agree with the finding.***

### Recommendation 1

None.

### Finding 2

County Administration recommends renewal of the contract with Macias, Gini & Co. for the 1999-2000 audit.

- ***The Board of Supervisors and the County Executive agree with the finding.***

## **Recommendation 2**

The Grand Jury concurs.

- ***The recommendation has been implemented. The Board of Supervisors has awarded a contract to Macias, Gini & Co. for the 1999-2000 annual financial audit.***

***The response from the Office of the County Auditor-Controller is also enclosed with this response.***

## **Respondents**

Placer County Board of Supervisors  
Placer County Chief Executive Officer  
Placer County Auditor-Controller

**AUDITOR-CONTROLLER  
REMOVAL OF COUNTY RECORDS  
COMPLAINT 99B-24  
(Pages 116-117)**

## Summary

The Grand Jury investigated complaints involving the removal of original expense reports from the office of the Auditor-Controller. The Assistant Auditor-Controller was interviewed during the course of the investigation.

The Grand Jury investigation involved a single known incident, but investigation indicates this is much broader in scope. The Grand Jury found that:

- ❖ Original records of an elected official were removed from County offices.
- ❖ County staff took original records home.
- ❖ There is no countywide policy regarding the removal of original records or filed materials from a supervised depository.

This casual approach to protecting important records from unsupervised removal and possible alteration is unacceptable. The Grand Jury recommends that the County enact and enforce a policy that protects original documents against loss or unauthorized alteration.

## Discussion

The Grand Jury found that in at least one instance **original** documents were removed temporarily from County safekeeping and taken home. The Grand Jury could not find a policy prohibiting the removal of original documents. The security of records is vitally important in protecting the credibility of government and its relationship with the public and its own employees. Unless there is assurance that documents are guarded against loss or unauthorized alteration, their accuracy may well be questioned.

## Finding 1

There is no written policy within the Auditor-Controller's office regarding the removal of official records and files.

- ***The Board of Supervisors and the County Executive Officer partially disagree with this finding. There was written policy in the Auditor-Controller Policy Manual, dated July 1, 1986, which states that:***

***It is the responsibility of each supervisor to insure that the following guidelines and procedures are enforced.***

**Security – Storage**

***If the records are to be reviewed or removed by other than departmental or county personnel, written approval must be received from the Auditor-Controller.***

***A copy of this policy from 1986 is included as an attachment to the enclosed Auditor-Controller's response.***

## Recommendation 1

The Auditor-Controller's office needs to establish and enforce a department-wide policy that prohibits the removal, for any reason whatsoever, of **original** records or filed materials from a supervised depository.

- *The recommendation has been implemented by the Auditor-Controller's Office with a revision to the Auditor-Controller's Policy Manual in July 2000. This revision more clearly defines where the documents are to be reviewed and policy on copying documents in order to comply with the Freedom of Information Act. The revision also evolved to include policy for copying original documents from electronic formats, such as microfilm, microfiche, and CD Rom. These revisions were distributed to staff for update of every manual in the Auditor-Controller's Office, and the changes in this policy were reviewed with staff at the July 26, 2000 Office Management Meeting. A copy of the Auditor-Controller's response and the revised policy is enclosed with this response.*

## **Finding 2**

There is no written countywide policy regarding the removal of official records and files.

- *The Board of Supervisors and the County Executive Officer partially disagree with Finding 2. The Board Adopted Placer County Code Section 14.75 states the following:*

*No County employee shall be permitted to use County records, material, equipment, facilities, or other resources, in conjunction with non-working county employment as follows:*

- (a) During such employee's normal working hours; or*
- (b) During any time period when such records, material, equipment, facilities, or other resources are not available to the general public; or*
- (c) During any period of time when such employee's office is normally closed and such records, material, equipment, facilities, or other resources are within such office: or*
- (d) Without paying the normal fees or charges made of the general public for such use. Nothing herein shall prohibit a court reporter from transcribing, on such employee's own time, and retaining any fees or compensation therefor, any official shorthand or stenotype notes of proceedings of the Superior or Judicial District courts. All such transcribing, when done on such employee's own time, shall not use any county office, equipment, material or supplies.*

*It should be noted that while Section 14.75 of the County's Code may be interpreted to imply that records are not to be removed so they are no longer available to the department and the public, this section does not specifically state that original records and or files are not to be removed.*

*In addition to County Code, the Board Adopted Records Management Manual, prepared by the Records Management Division under the Administrative Services Department, is in use countywide by the departments. The purpose of this manual is to provide guidance to departments in the proper handling of County records to insure the preservation of permanent records and the orderly and timely disposition of non-current materials. In Section 1.C RECORDS AS PROPERTY OF COUNTY AND NOT THE EMPLOYEE, it clearly states that all county records are subject to the provision of this program and that records belong to the County of Placer and not the individual who create them. However, the manual does not specifically state that employees or the public are not to remove original official records and or files.*

## **Recommendation 2**

The Board of Supervisors and County Executive Officer need to establish a countywide policy regarding the removal of **original** official records and files from all departments.

- *The Board of Supervisors and County Executive Officer agree that a clear countywide policy regarding the removal of original official records and files is important to retain*

***the integrity of documents and protect the credibility of the County's relationship with its employees and the public. The Records Management Manual is the Board adopted official policy on the handling of all county records. To insure this policy is clear and that all departments are aware of this, the Director of Administrative Services will prepare recommended changes to the County Code Section 14.75 to reflect that there is indeed a Records Management Manual providing specific policies on county records. The Director will also revise and update Section 1.C of the Records Management Manual, as it pertains to RECORDS AS PROPERTY OF COUNTY AND NOT THE EMPLOYEE, to include specific countywide policy regarding the removal of original official records and or files from County departments and offices.***

***Copies of the revised County Code and Records Management Manual will be provided to the Grand Jury upon completion. The response of the Auditor-Controller's Office is enclosed with this response.***

## **Respondents**

Placer County Board of Supervisors  
Placer County Executive Officer  
Placer County Auditor-Controller

# INFORMATION TECHNOLOGY PLAN 2000

## (PAGES 118-119)

### Summary

The Placer County Information Technology Plan 2000 (IT Plan 2000) was created to ensure Year 2000 (Y2K) compliance of the County's computer systems, embedded chips and critical business operations. Its large scope required a significant staff effort.

However, problems persist in the financial and accounting functions of the new County computer system. The vendor for this system is being assessed liquidated damages in the amount of \$500 per day until the system is functioning properly. The 1999-2000 Placer County Grand Jury commends both the County's Y2K efforts and the decision to assess liquidated damages.

### Discussion

County staff, working in conjunction with private sector experts, made steady progress throughout 1999 toward ensuring that potential Y2K "bugs" did not disrupt the County's systems and operations. The staff's efforts resulted in a smooth transition into the year 2000, with only a few insignificant problems that were easily resolved. This aspect of IT Plan 2000 can be counted as a success.

However, the County identified portions of the Information System that are not performing properly. The financial and accounting component of the new computer system has produced either incorrect or contradictory financial information, making it difficult for County departments to know with certainty what their expenditures are. The 1999-2000 Grand Jury, along with many other departments, experienced problems with monthly financial reports. As a result, accounting personnel often resorted to using technology from the old system to produce accurate information. As of May 2000, these problems still are not totally resolved.

The 1998-1999 Placer County Grand Jury recommended that the County closely monitor the software vendor to ensure completion of the IT Plan 2000 as soon as possible. The County Director of Administrative Services noted that the financial system was behind schedule in production and testing and as a result the vendor is being assessed \$500 a day in liquidated damages.

### Finding 1

The County developed and implemented a plan that resulted in a relatively smooth transition into the year 2000. The 1999-2000 Grand Jury commends the County staff for its efforts and achievements.

- ***The Board of Supervisors and the County Executive Officer agree with the finding above.***

### Recommendation 1

None

### Finding 2

As of May 2000, the financial functions of the County's computer system are still not working properly. Liquidated damages are still being assessed the vendor.

- ***The Board of Supervisors and the County Executive Officer agree with the finding above.***

## **Recommendation 2A**

The County should continue to assess damages against the vendor until the financial system is fully operational.

- ***The recommendation has been implemented. The vendor for this project has been assessed liquidated damages of \$128,000 and has not received a payment from the County since November 1999. The Director of Administrative Services reports that the vendor is making a good faith effort to complete its work and to ensure that the system will meet the requirements of the County. A copy of the Director's response is enclosed with this response.***

## **Recommendation 2B**

The 2000-2001 Placer County Grand Jury should continue to monitor the system.

- ***The Board of Supervisors and the County Executive Officer agree with the recommendation. The Director of Administrative Services is working closely with the County Auditor-Controller to monitor the efforts of the vendor to complete the financial and accounting system and to ensure that it meets the requirements of the County. This monitoring effort is being documented by the Director and these records will be available for inspection by the members of the FY 2000-2001 Grand Jury.***

## **Respondents**

Placer County Board of Supervisors  
Placer County Director of Administrative Services  
Placer County Executive Officer

# ATTACHMENTS

## RESPONSE TO THE 1999-2000 GRAND JURY FINAL REPORT

### Attachment 1

Letter from Edward Bonner, Sheriff, dated August 8, 2000

**Responding**

***Placer County Main Jail and Minimum Security Jail Inspections***

***Burton Creek (Tahoe) Sheriff's Substation, Court Facilities and Jail Inspection***

Realities Program, Placer County Main/Minimum Jail

**to:**

### Attachment 2

Memo from Thomas Miller, Facility Services, dated July 27, 2000

Responding to:

***Placer County Main Jail and Minimum Security Jail Inspections***

***Burton Creek (Tahoe) Sheriff's Substation, Court Facilities and Jail Inspection***

Realities Program, Placer County Main/Minimum Jail

### Attachment 3

Memo from Raymond Merz, HHS, dated August 18, 2000

Responding to:

Health and Human Services, Environmental Health Division Complaint 99A-09

### Attachment 4

Letter from David Irwin, Assistant Auditor-Controller, dated July 26, 2000

Responding to:

Placer County Annual Audit

Auditor-Controller, Removal of County Records

### Attachment 5

Memo from Jerry Rouillard, Museums, dated July 28, 2000

Responding to:

Auditor-Controller, Removal of County Records

### Attachment 6

Letter from Rich Colwell, Administrative Services, dated July 6, 2000

Responding to:

Information Technology Plan 2000

**DATE:** August 8, 2000

**TO:** Don Lunsford, County Executive Officer

**FROM:** Edward N. Bonner, Sheriff-Coroner-Marshal

**SUBJECT: RESPONSE TO 1999-2000 GRAND JURY FINAL REPORT**

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I have reviewed this year's report completed by the Placer County Grand Jury. The following are our responses to each of the Grand Jury's findings. I wish to take this opportunity to also publicly thank the members of the Grand Jury for their fine work and community spirit.

### Placer County Main Jail and Minimum Security Jail Inspections

Recommendation 1: The Commander and his staff are to be commended for their efforts. Placer County officials should provide strong support for this three-part approach (rehabilitation, prevention and discipline) to reducing recidivism. This support should include finding, making space available and remodeling of the facilities, where appropriate.

Response: Concur

Recommendation 2A: The Board of Supervisors, County Executive Officer, Sheriff's Department, Criminal Justice Policy Commission and Facility Services Director should all work together to accomplish the expansion of the Main Jail and Minimum Security Jail.

Response: Concur

Recommendation 2B: The 2000-2001 Grand Jury should monitor the progress of the existing and proposed construction at the facility.

Response: Concur

Recommendation 3: The 2000-2001 Grand Jury should monitor the implementation of this essential program.

Response: Concur

Recommendation 4: The 2000-2001 Grand Jury should monitor this construction.

Response: Concur

Recommendation 5: The Sheriff's Department and the Facility Services Director should study the feasibility of extending the building. If feasible, funding should be pursued for such an extension.

Response: Concur

Recommendation 6: The Placer County Sheriff's Department and the Revenue Services Department should continue to pursue reimbursement of the costs of housing inmates.

Response: Concur

Recommendation 7: The Board of Supervisors, County Executive Officer, Sheriff's Department and Criminal Justice Policy Committee should continue to work towards the approval, funding and eventual construction of a South Placer facility.

It is the Grand Jury's desire, as it has been for other Grand Juries, that a South County Facility located in the Roseville-Lincoln-Loomis-Rocklin area will be built in the near future.

County officials should continue to work with officials in the communities of Roseville, Rocklin, Loomis, Lincoln, Auburn and Colfax to develop an equitable cost-sharing plan.

Response: Concur

Recommendation 8: Placer County needs to construct the South Placer Jail Facility.

Response: Concur

## **BURTON CREEK (TAHOE) SHERIFF'S SUBSTATION, COURT FACILITIES AND JAIL INSPECTION**

Recommendation 1: The Board of Supervisors should commit to replacing the facility within the next three years.

Response: Concur

Recommendation 2: Install these safety systems throughout the structure. Ensure there are smoke and fire detectors in the attic area to reduce the chance of a fire flashing unnoticed from one end of the building to the other.

Response: Concur

Recommendation 3: Add a second story fire escape. Using the County's replacement date for the building of 2006 to 2011, this would cost only \$1,000 - \$1,600 a year on average, and greatly increase the margin of safety.

Response: Concur

Recommendation 4: The Grand Jury commends the County for this plan and urges that it be made a firm commitment.

Response: Concur

Recommendation 5: The prisoner booking area needs to be reconfigured for safety of employees and for efficiency.

Response: Concur

Recommendation 6: Obtain additional fireproof storage cabinets.

Response: Concur

Recommendation 7: Buy some storage containers outright. Lease others to meet needs.

Response: Suggest alternative. The Department is continuing to procure large metal storage containers at no cost from the Federal Property Reutilization Program. We have secured much needed surplus equipment and supplies through this cost-effective program, saving the County hundreds of thousands of dollars in the process.

## **REALITIES PROGRAM, PLACER COUNTY MAIN/MINIMUM JAIL**

Recommendation 1: Acquire that portion of the building used by Facility Services as a woodshop and remodel it for the housing of 45 to 62 inmates and two related classrooms.

Response: Concur

Recommendation 2: Remove stored items from an existing storage building and convert it for use as a woodshop and automotive repair facility.

Response: Concur

Recommendation 3: Refurbish a currently vacant building for the housing of up to 16 mentally ill inmate patients.

Response: Concur

Recommendation 4: Facility Services, in cooperation with the Corrections Division, should complete the unfinished space between the Main Jail and the kitchen area to include one classroom and one multi-purpose program room.

Response: Concur

Recommendation 5: The Capital Improvements Committee should favorably examine the Realities Program in detail and ultimately approve its basic provisions for a recommended concurrence of the Board of Supervisors.

Response: Concur

**PLACER COUNTY MAIN JAIL AND  
MINIMUM SECURITY JAIL INSPECTIONS**

**GRAND JURY FINDING #1**

**The 1999-2000 Grand Jury is impressed, as were past Grand Juries, with the professionalism and dedication of the Jail's Commander and staff. It is equally impressed with their commitment to rehabilitation and prevention as well as discipline of the inmates.**

**Jail personnel are professional and do an excellent job of providing basic custody services with available facilities and funds.**

**RESPONSE: This finding is directed towards the Sheriff's Office,**

**GRAND JURY RECOMMENDATION #1**

**The Commander and his staff are to be commended for their efforts. Placer County officials should provide strong support for this three-part approach (rehabilitation, prevention and discipline) to reducing recidivism. This support should include funding, making space available, and remodeling of the facilities, where appropriate.**

**RESPONSE: A significant amount of support to Criminal Justice facility needs and operation has been, and will continue to be, provided by this department.**

**GRAND JURY FINDING #2**

**There exists a serious need to expand the Main Jail and Minimum Security Jail to house additional inmates, provide program space, and provide additional staff space.**

**RESPONSE: Agree with finding.**

**GRAND JURY RECOMMENDATION #2A**

**The Board of Supervisors, County Executive Officer, Sheriff's Department, Criminal Justice Policy Commission, and Facility Services Director should all work together to accomplish the expansion of the Main Jail and Minimum Security Jail.**

**RESPONSE: Agree with recommendation. Consistent with this recommendation, Facility Services has recently completed the Sally Port project and is in the final stages of designing Main Unit #4, Controls Project and Infill Project.**

**GRAND JURY RECOMMENDATION #2B**

**The 2000-2001 Grand Jury should monitor the progress of the existing and proposed construction at the facility.**

**RESPONSE: Recommendation is directed to new Grand Jury.**

**GRAND JURY FINDING #3**

**The Sheriff's staff, with assistance from the Criminal Justice Policy Committee, has obtained a MIOCR grant to implement a new program designed to address the needs of mentally ill offenders. The planned date for implementation of this program is July 2000.**

**RESPONSE: Finding appears to be directed to Sheriff's Office.**

**GRAND JURY RECOMMENDATION #3**

**The 2000-2001 Grand Jury should monitor the implementation of this essential program.**

**RESPONSE: Recommendation is directed to new Grand Jury.**

**GRAND JURY FINDING #4**

**The Prisoner Intake area is too small to accommodate detention vehicles safely. At the time of this report, this expansion and remodel was in progress.**

**RESPONSE: The remodeling (Sally Port) project has been completed.**

**GRAND JURY RECOMMENDATION #4**

**The 2000-2001 Grand Jury should monitor this construction.**

**RESPONSE:**

**Recommendation is directed to new Grand Jury.**

**GRAND JURY FINDING #5**

**There is a continuing need for more administrative space at the Main Jail.**

**RESPONSE: Concur with finding.**

**GRAND JURY RECOMMENDATION #5**

**The Sheriff's Department and the Facility Services Director should study the feasibility of extending the building. If feasible, funding should be pursued for such an extension.**

**RESPONSE: Facility Services is working with the Sheriff's Office to expand administration space within the construction of Main Unit #4.**

#### GRAND JURY FINDING #6

**The Placer County Sheriff's Department bills through the Revenue Services Department the cost of housing inmates in the Placer County Jails. At present they are able to recoup about one percent of their costs, which is enough to pay for one officer per year and the cost of administering the program. Cost of medical care is figured in the daily "housing" rate and is set by state law.**

**RESPONSE: This finding appears to be directed toward the Revenue Services and Sheriff's Office.**

#### GRAND JURY RECOMMENDATION #6

**The Placer County Sheriff's Department and the Revenue Services Department should continue to pursue reimbursement of the costs of housing inmates.**

**RESPONSE: This recommendation appears to be directed toward the Revenue Services and Sheriff's Office.**

#### GRAND JURY FINDING #7

**Placer County is one of the fastest growing counties in the State of California. By the year 2010, it is projected that 70% of Placer's population will reside in the southern portion of the county, which encompasses the cities of Roseville, Rocklin, Lincoln, and Loomis. Obviously the need for corrections facilities in this area will continue to increase.**

**The Cities of Roseville and Rocklin have agreed to a county facilities fee that will help fund the construction of additional county administration and criminal justice facilities.**

**RESPONSE: Concur with finding.**

#### GRAND JURY RECOMMENDATION #7

**The Board of Supervisors, County Executive Officer, Sheriff's Department, and Criminal Justice Policy Committee should continue to work towards the approval, funding, and eventual construction of a South Placer facility.**

**It is this Grand Jury's desire, as it has been for other Grand Juries, that a South County Facility located in the Roseville-Lincoln-Loomis-Rocklin area will be built in the near future.**

**County officials should continue to work with officials in the communities of Roseville, Rocklin, Loomis, Lincoln, Auburn, and Colfax to develop an equitable cost-sharing plan.**

**RESPONSE: This recommendation appears to be directed to other County departments, committees, and elected officials. However, the County Executive has made it abundantly clear to Facility Services the necessity of moving forward with development of such a facility consistent with the recommendation.**

GRAND JURY FINDING #8

**There are over 600 felony warrants and 6,000 misdemeanor warrants outstanding and no facilities to house the offenders.**

**RESPONSE: This finding appears to be directed to the Sheriff's Office.**

GRAND JURY RECOMMENDATION #8

**Placer County needs to construct the South Placer Jail Facility.**

**RESPONSE: Concur with this recommendation.**

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**BURTON CREEK (TAHOE) SHERIFF'S  
SUBSTATION COURT FACILITIES,  
AND JAIL INSPECTION**

**GRAND JURY FINDING #1**

**The Burton Creek facility is unsafe and inadequate. The County agrees it should be replaced, but expects this to happen no earlier than 2006 and possibly as late as 2011. The Grand Jury finds this schedule unacceptable.**

**RESPONSE: Partially disagree. The County has, and continues to improve to the Burton Creek facility so as to improve its safety and overall functionality. Recently completed improvements have included new siding and roof, exterior painting, and minor interior remodeling. In addition, a building-wide smoke and fire alarm system will be installed no later than September 1<sup>st</sup> of this year. These improvements should serve the occupants and county citizens well until the anticipated replacement date between 2006 and 2011. Lastly, it should be noted that replacement of this facility is projected to cost more than \$11,000,000 and must be considered in conjunction with other countywide facility needs.**

**GRAND JURY RECOMMENDATION #1**

**The Board of Supervisors should commit to replacing the facility within the next three years.**

**RESPONSE: The recommendation is directed to the Board of Supervisors.**

**GRAND JURY FINDING #2**

**The present building, although two story and wood frame, is without a sprinkler system and adequate fire alarm system. The County has said it will install an alarm system by September 2000 and a sprinkler system in the jail area during the 2001 construction season.**

**RESPONSE: A contractor is presently installing a building-wide fire alarm system and is on schedule to complete said installation by September 1<sup>st</sup>, 2000. There are no scheduled sprinkler system improvements for the building. The fire alarm system currently being installed should adequately provide for safe evacuation in event of a fire.**

**GRAND JURY RECOMMENDATION #2**

**Install these safety systems throughout the structure. Ensure fire detectors in the attic area to reduce the chance of a fire flashing unnoticed from one end of the building to the other.**

**RESPONSE: As previously noted, a building-wide fire alarm and smoke detection system is currently being installed with a projected completion date of September 1<sup>st</sup>, 2000.**

**GRAND JURY FINDING #3**

**The employees that work in the second story have a choice of two stairways in an emergency. One of these is quite narrow and steep. This is not a safe or quick method to exit in an emergency. The County has stated that an outside fire escape can be constructed for about \$10,000.**

**RESPONSE: Partially agree with finding. Essentially, there are two exits and the approximate cost of adding an exterior stairway is estimated to be \$10,000. However, once the fire and smoke detection system installation is completed, sufficient notice will be given to building occupants so as to enable a safe method of exit in an emergency.**

#### **GRAND JURY RECOMMENDATION #3**

**Add a second story fire escape. Using the County's replacement date for the building (replacement) of 2006 to 2011, this would cost only \$1,000-\$1,600 a year on average, and greatly increase the margin of safety.**

**RESPONSE: Facility Services recommends that this recommendation not be implemented for reasons stated in response to Grand Jury Finding #3.**

#### **GRAND JURY FINDING #4**

**Inmates are brought through the public entrance of the Courtroom in close proximity to staff and the public, posing a safety hazard for everyone. The County has indicated a new corridor will be build during the 2001 construction season.**

**RESPONSE: Facility Services agrees that the current "path of travel" is as described. However, it is not within this department's expertise to determine the level of risk this "path of travel" presents. Plans have been completed for an exterior hallway to connect the jail to the courtroom. It is currently anticipated construction will take place during the 2001 construction season as long as approval can be obtained from the appropriate permitting agencies.**

#### **GRAND JURY RECOMMENDATION #4**

**The Grand Jury commends the County for this plan and urges that it be made a firm commitment.**

**RESPONSE: Please see response to Finding #4.**

#### **GRAND JURY FINDING #5**

**The prisoner booking area needs to be reconfigured for safety of employees and for efficiency.**

**RESPONSE: Facility Services is currently in the process of coordinating a reconfiguration of this space and anticipates completion no later than January 1<sup>st</sup>, 2001.**

GRAND JURY RECOMMENDATION #5

**Reconfigure the booking area, perhaps as suggested in Exhibit 2.**

**RESPONSE: See response to Finding #5.**

GRAND JURY FINDING #6

**There is insufficient fireproof storage space for records.**

**RESPONSE: Facility Services understands this is a MIS service issue and therefore defers to that department.**

GRAND JURY RECOMMENDATION #6

**Obtain additional fireproof storage cabinets.**

**RESPONSE: See response to Grand Jury Finding #6.**

GRAND JURY FINDING #7

**The substation is leasing cargo storage containers at a cost of \$1,000 per year per container. A container costs \$2,000 to purchase outright. Some containers have been leased for more than two years.**

**RESPONSE: These units are leased by the Sheriff's Office, therefore, Facility Services respectfully defers to that office.**

GRAND JURY RECOMMENDATION #7

**Buy some storage containers outright. Lease others to meet needs.**

**RESPONSE: See response to Finding #7.**

REALITIES PROGRAM  
PLACER COUNTY MAIN/MINIMUM JAIL

GRAND JURY FINDING #1

**There is a need for an appropriate residential facility to provide inmates undergoing drug and alcohol treatment with housing and classrooms for counseling and education.**

**RESPONSE: Facility Services defers to the appropriate department for a response.**

GRAND JURY RECOMMENDATION #1

**Acquire that portion of the building used by Facility Services as a woodshop and remodel it for the housing of 45 to 62 inmates and two related classrooms.**

**RESPONSE: Since the drafting of the Grand Jury Report, the focus of the vocational component of the “Realities Program” has shifted from carpentry and automotive repair to computer repair. Facility Services has identified a suitable and vacant office complex in close proximity to the minimum-security facility should the “Reality Program” move forward from the planning stage to the implementation stage. Therefore, it is not necessary to vacate or alter the present use of the existing Facility Services’ woodshop.**

GRAND JURY FINDING #2

**More vocational training could be made available for inmates with the procurement of additional space.**

**RESPONSE: See response to Grand Jury Recommendation #1.**

GRAND JURY RECOMMENDATION #2

**Remove stored items from an existing storage building and convert it for use as a woodshop and automotive repair facility.**

**RESPONSE: See response to Grand Jury Recommendation #1.**

GRAND JURY FINDING #3

**There is a need to establish stabilization housing for mentally ill inmate patients.**

**RESPONSE: Facility Services understands that the Sheriff’s Office, in conjunction with the Department of Health and Human Services, has identified a need and obtained a grant for such purposes.**

GRAND JURY RECOMMENDATION #3

**Refurbish a currently vacant building for the housing of up to 16 mentally ill inmate patients.**

**RESPONSE: Facility Services, at the request of Health and Human Services, has completed plans and specifications for such a facility. It is anticipated that the Board of Supervisors will award a contract to remodel a vacant building for such purposes this August. It is also anticipated that this facility will be remodeled and available for occupancy prior to December 31<sup>st</sup> of this year.**

**GRAND JURY FINDING #4**

**At least two room additions are essential to provide space for proposed expanded educational programs.**

**RESPONSE: See response to Grand Jury Recommendation #1.**

**GRAND JURY RECOMMENDATION #4**

**Facility Services, in cooperation with the Corrections Division, should complete the unfinished space between the Main Jail and the kitchen area to include one classroom and one multi-purpose program room.**

**RESPONSE: The infill project, currently under design, should satisfy the needs for such facilities.**

**GRAND JURY FINDING #5**

**The Capital Improvements Committee, primarily composed of the County Executive Officer and the Director of Facility Services, is an advisor to the County Board of Supervisors regarding the County's overall needs regarding facility improvements and associated budgetary considerations.**

**RESPONSE: Concur with finding.**

**GRAND JURY RECOMMENDATION #5**

**The Capital Improvements Committee should favorably examine the Realities Program in detail and ultimately approve its basic provisions for a recommended concurrence of the Board of Supervisors.**

**RESPONSE: The Committee is diligently tracking and monitoring the planning stage of this important program and is supportive of the innovative thinking exhibited by the Sheriff's Office.**

Date: August 18, 2000  
To: Michael Paddock  
From: Raymond Merz  
Re: Response to Complaint 99A-09

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Thank you for the opportunity to respond to the Grand Jury report referenced as Complaint 99A-09.

We concur with the report's finding:

County, city and special districts within Placer County, effective January 1, 1996, have not been required to comply with the provisions of the Hazardous Materials Release Response Plans and Inventory Act (AB 2185) under the County's Environmental Health Division of Health and Human Services.

The report gave the following recommendation:

The Grand Jury recommends that the Placer County Board of Supervisors adopt an ordinance giving the Placer County Health and Human Services Agency oversight responsibility for county, city, and special district compliance with the Hazardous Materials Release Response Plans and Inventory Act (AB 2185).

We understand the concern that the requirements of AB 2185 should apply to all entities handling materials that could pose a public hazard. We presume the exemption was written into law in acknowledgement of county, city, and special districts as public or quasi-public entities with established mechanisms for holding them accountable to the public.

Given this understanding, and in consideration of the limitations inherent in AB 2185 to direct regulated entities towards any specific desired preventive action, we believe the regulatory approach proposed would be less effective than the cooperative, collaborative approach we are currently taking. For example, the district whose operation was involved in the chlorine gas release has worked closely with our agency to assure the problem will not recur. Rather than directing resources into a costly and marginally effective reactive system (monitoring and alarm system that can only help the district react to a problem that has already occurred), the district put its resources into a preventive system (engineering controls to prevent the problem from being created in the first place).

If there remains concern that the present approach is insufficient and a more structured oversight relationship with these entities is needed, then we recommend that an in-depth examination of the regulatory approach take place over the following six months with a report presented to your office at the end of that period.

July 26, 2000

The Honorable Larry D. Gaddis  
Presiding Judge of the Superior Court  
County of Placer  
Old Auburn Historical Courthouse  
101 Maple Street  
Auburn, California 95603

Dear Judge Gaddis:

We are writing in response to the findings and recommendations contained in the 1999/2000 Grand Jury Report that names our office as a respondent. We were named as a respondent in the Placer County Annual Audit and Auditor-Controller, Removal of County Records sections of the report. We have organized our response to follow those sections.

**Placer County Annual Audit:**

**Finding 1:**

*“The 1998-1999 financial audit found no significant problems apparent in the County’s fiscal management.”*

**Response to Finding 1:**

We agree with this finding.

**Recommendation 1:**

*“None”*

**Recommendation 1 Resulting Action(s):**

This recommendation does not require implementation.

**Finding 2:**

*“County Administration recommends renewal of the contract with Macias, Gini & Co. for the 1999-2000 audit.”*

**Response to Finding 2:**

We agree with this finding

**Recommendation 2:**

*“The Grand Jury concurs.”*

**Recommendation 2 Resulting Action(s):**

This recommendation has been implemented. The Board of Supervisors has awarded the contract and the fiscal 1999-2000 audit is already in progress.

**Auditor-Controller, Removal of County Records:**

**Finding 1:**

*“There is no written policy within the Auditor-Controller’s office regarding the removal of official records and files.”*

**Response to Finding 1:**

We agree with this finding. While the Auditor-Controller’s Office had a written policy to address the control and storage of records, the policy did not address the specific area of concern addressed by this finding. However, the office did have an unwritten policy.

**Recommendation 1:**

*“The Auditor-Controller’s office needs to establish and enforce a department-wide policy that prohibits the removal, for any reason whatsoever, of **original** records or filed materials from a supervised depository.”*

**Recommendation 1 Resulting Action(s):**

This recommendation has been implemented. We have revised the written policy to specifically address this area of concern. We agree with the grand jury’s conclusion that a written policy promotes a higher level of importance. In addition, there was an underlying concern related to protecting the integrity of the records. The policy was further revised to document our current practice of copying original documents utilizing electronic formats like microfilm, microfiche, and CD Rom. A section was added to clarify that only facsimile copies of originals would be provided to leave the office under the Freedom of Information Act. We are including a copy of the existing policy established in July 1986 along with our current policy revised this month (July 2000). We have distributed a copy of the revised policy so that every manual in the office can be updated. We also reviewed the changes made to the policy and stressed the importance of this change at a recent office management meeting.

**Finding 2:**

*“There is no written countywide policy regarding the removal of official records and files.”*

**Response to Finding 2:**

We agree with this finding.

**Recommendation 2:**

*“The Board of Supervisors and County Executive Officer need to establish a countywide policy regarding the removal of **original** records and files from all departments.”*

**Recommendation 2 Resulting Action(s):**

This recommendation directed the Board of Supervisors and County Executive Officer to establish a countywide policy. It is our intention to cooperate with that effort by providing staff upon request. Additionally, once a countywide policy has been adopted we will review our departmental policy to ensure that it is compatible with the countywide policy. We will then update our departmental policy for any areas identified that do not reflect the countywide policy if need be.

We appreciate the opportunity to respond to the 1999/2000 Grand Jury Report. We hope that our response addresses the concerns expressed. If there are any questions or issues that may need further discussion, feel free to contact us.

Sincerely,

David D. Irwin, Jr.  
Assistant Auditor-Controller

Cc: Donald Lunsford, County Executive  
Michael Paddock, Senior Management Analyst



# **Placer County**

## **Department of Museums**

101 MAPLE STREET, AUBURN CA  
95603

### **MEMORANDUM**

**To:** Grand Jury  
**From:** Jerry Rouillard, Director  
**Regarding:** Removal of County Records Complaint  
**Date:** Friday, July 28, 2000

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Our Department agrees with the Grand Jury discussion point that states "The security of records is vitally important in protecting the credibility of government and its relationship with the public and its employees." We also agree that there must be written policies regarding the custody and handling of these records.

In addition to the Grand Jury Findings and Recommendations that address the removal of official records, we believe it is important that written policies specify the form of those records that will become the archival records of Placer County government.

Our current Records Management Manual states that Archival Records are those records which:

*Have enduring value because they protect the rights of citizens, and /or they document the development, operations, policies, decision, and procedures of a County department or program, and/or they provide information about people, events or subjects which is useful for research purposes.*

Because of the County's current move to digital imaging, we now have to concern ourselves with questions that are different than those we addressed when our permanent records were all on paper or microfilm. Unlike paper or micrographic records, digital imaging raises more serious questions about the long-term durability of scanned records and our future ability to adequately reproduce the digitized information if the equipment that created it becomes obsolete.

The California State Records Management Act does contain provisions for creating electronically data imaging records that can be certified as original public records, however this reproductive process must meet specific technical standards and it must conform to a definitive certification process. For records that have enduring value, we believe it is important that all of these requirements are in place for any that are digitally produced or reproduced with the

possibility of their original paper forms being destroyed.

We are currently assisting the Administration Department in their revision of the Records Management Manual. We believe their efforts are timely and will provide much needed guidance with respect to the way we handle county records that have enduring value. We also believe it is appropriate that these revised records management policies and procedures address the issues raised by the rapidly developing use of electronic data imaging by County Departments.

Mr. Mike Paddock  
Senior Management Analyst  
County Executive Office  
175 Fulweiler Avenue  
Auburn, CA 95603

July 6, 2000

Dear Mike:

Presented below is the Administrative Services Department's response to the 1999-2000 Placer County Grand Jury Report relating to the Information Technology Plan 2000 (pages 118-119). It is my understanding that you will be compiling all responses from County departments. Please call me at 4245 if I can provide further information. Thank you for your efforts.

Finding 1: The Administrative Services Department agrees with the finding.

Recommendation 1: No recommendation made; therefore, no response required.

Finding 2: The Administrative Services Department agrees with the finding.

Recommendation 2A: The recommendation has been implemented. The financial system vendor has been assessed \$128,000 in liquidated damages (\$500 per day for 256 days). The County has not made a payment to the vendor since November 1999 and is currently holding back \$245,000 which will not be released (less the liquidated damages) until the system is accepted as functioning according to the contract.

The vendor is making a good faith effort to complete the work in a timely manner. Based on these efforts, the amount of liquidated damages assessed will remain frozen at the \$128,000 level as long as acceptable progress continues to be made to complete the project.

Recommendation 2B: The Administrative Services Department is working closely with the Auditor-Controller's Office to manage the vendor's efforts to complete the financial system. We are documenting our efforts as well as the vendor's progress and will make these records available to the 2000-2001 Grand Jury upon request to facilitate its monitoring efforts.

Warmest regards,

Rich Colwell  
Director of Administrative Services

C: Gloria Coutts, Assistant County Executive Officer  
Clark Moots, Deputy Director for Information Technology  
Dave Irwin, Assistant Auditor-Controller