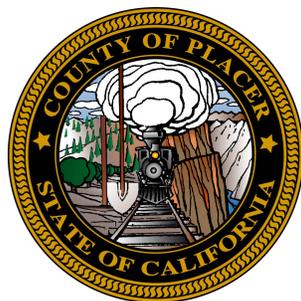


PLACER COUNTY GRAND JURY

RESPONSES TO THE 2018-2019 FINAL REPORT



STATE OF CALIFORNIA
PLACER COUNTY GRAND JURY
February 7, 2020





PLACER COUNTY GRAND JURY

Phone: (530) 886-5200
Mailing Address:

FAX: (530) 886-5201
11532 B Avenue, Auburn, CA 95603

February 7, 2020

The Honorable Alan V. Pineschi
Presiding Judge, Superior Court
County of Placer
P.O. Box 619072
Roseville, CA 95661

The Honorable Suzanne Gazzaniga
Advising Grand Jury Judge, Superior Court
County of Placer
P.O. Box 619072
Roseville, CA 95661

And Citizens of Placer County

Subject: Responses to 2018-2019 Grand Jury Final Report

Dear Judge Pineschi, Judge Gazzaniga, and Citizens of Placer County:

The 2019-2020 Placer County Grand Jury has received and reviewed all responses to the 2018-2019 Grand Jury Report.

All responses received by the Grand Jury between the Final Report's release date of June 2019 and November 2019 have been assembled and published in this Response Report.

The reports are being published primarily in electronic form and are available on the Superior Court's Placer County website at www.placergrandjury.org. Hard copies will be distributed by request only.

If you would like to receive a printed copy of this Response Report, please email your request to the Placer County Grand Jury at info@placergrandjury.org. Include your contact name, title, agency name, department name, and complete mailing address.

Walter Moore
Foreperson
2019-20 Placer County Grand Jury

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California Penal Code

Section 933.05

- (a) For purposes of subdivision (b) of Section 933, as to each grand jury finding, the responding person or entity shall indicate one of the following:
- (1) The respondent agrees with the finding.
 - (2) The respondent disagrees wholly or partially with the finding, in which case the response shall specify the portion of the finding that is disputed and shall include an explanation of the reasons therefore.
- (b) For purposes of subdivision (b) of Section 933, as to each grand jury recommendation, the responding person or entity shall report one of the following actions:
- (1) The recommendation has been implemented, with a summary regarding the implemented action.
 - (2) The recommendation has not yet been implemented, but will be implemented in the future, ***with a timeframe for implementation.***
 - (3) The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or head of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six months from the date of publication of the grand jury report.
 - (4) The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefore.
- (c) However, if a finding or recommendation of the grand jury addresses budgetary or personnel matters of a county agency or department headed by an elected officer, both the agency or department head and the board of supervisors shall respond if requested by the grand jury, but the response of the board of supervisors shall address only those budgetary or personnel matters over which it has some decision-making authority. The response of the elected agency or department head shall address all aspects of the findings or recommendations affecting his or her agency or department.
- (d) A grand jury may request a subject person or entity to come before the grand jury for the purpose of reading and discussing the findings of the grand jury report that relates to that person or entity in order to verify the accuracy of the findings prior to their release.
- (e) During an investigation, the grand jury shall meet with the subject of that investigation regarding the investigation, unless the court, either on its own determination or upon request of the foreperson of the grand jury, determines that such a meeting would be detrimental.
- (f) A grand jury shall provide to the affected agency a copy of the portion of the grand jury report relating to that person or entity two working days prior to its public release and after the approval of the presiding judge. No officer, agency, department, or governing body of a public agency shall disclose any contents of the report prior to the public release of the final report.

City of Lincoln Water Connection Fund

Findings

The Grand Jury found:

- F1. The city has repeatedly failed to conduct required nexus studies to determine reasonable costs for the PCWA connection fee.
- F2. The rate modification in 2017 was not done in a manner required by statute.
- F3. Lincoln's 2019 modification of the PCWA water connection fee did not correct the fees that were improperly established in 2017 and also did not comply with statutory requirements.
- F4. Lincoln's unlawful actions resulted in significant over-charges to its citizens.
- F5. Lincoln made loans from the WCF to other city funds with no assurances that the funds receiving the loans will be capable of repayment within any reasonable timeframe.

Recommendations

The Grand Jury recommends:

- R1. Lincoln refund charges that exceed the regulated and unregulated PCWA connection fees due to modification of the rate structure in 2017, even if it exceeds the statute of limitations.
- R2. Lincoln identify and refund excess water connection charges to homes in low-density villages for wrong EDU water factor even if in excess of the statute of limitations.

Response to the Placer County Grand Jury
2018-2019 Final Report

- R3. Lincoln identify homes not in villages 13, 19, 23, and portions of 18 that were charged the unregulated PCWA water connection fee instead of the regulated fee, and refund the overcharge even if it exceeds the statute of limitations,
- R4. Lincoln City Council require a review every 5 years for all connection fees to determine reasonable costs.
- R5. Lincoln restructure loans made from the WCF to comply with state regulations or return the funds to the WCF. R6. Lincoln City Council conduct a retroactive study of the performance of city officials and initiate systemic corrective actions including closer oversight of city functions going forward.

Request for Responses

	<u>Recommendations</u> <u>Requiring Response</u>	<u>Response Due Date</u>
Lincoln City Council 600 6 th Street Lincoln, CA 95648	R1, R2, R3, R4, R5, R6	August 6, 2019

RECEIVED

JUL 29 2019

PLACER COUNTY
GRAND JURY

Response to Grand Jury Report Form

Report Title: City of Lincoln Water Connection Fund

Report Date: May 9, 2019

Response By: August 6, 2019 Title: Lincoln City Council

FINDINGS

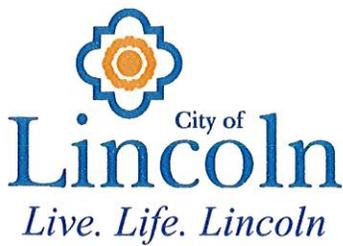
- I (we) agree with the findings, numbered: F5.
- I (we) disagree wholly or partially with the findings, numbered: F1, F2, F3, F4
(Describe here or attach a statement specifying any portions of the findings that are disputed or not applicable; include an explanation of the reasons therefore.)
SEE ATTACHED LETTER

RECOMMENDATIONS

- Recommendations numbered R1, R2 have been implemented.
(Describe here or attach a summary statement regarding the implemented actions.)
- Recommendations numbered R4, R5 have not yet been implemented, but will be implemented in the future.
(Per Penal Code 933.05(b)(2), a time frame for implementation must be included. Describe here or in an attachment.) SEE ATTACHED LETTER
- Recommendations numbered _____ require further analysis.
(Describe here or attach an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or director of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six (6) months from the date of publication of the grand jury report.)
- Recommendations numbered R3, R6 will not be implemented because they are not warranted or are not reasonable.
(Describe here or attach an explanation.)
SEE ATTACHED LETTER

Date: 7/24/2019 Signed: [Signature]

Number of pages attached 4



July 24, 2019

Ronald M. Johnson, Foreperson
2018-19 Placer County Grand Jury
11532 B Avenue
Auburn, CA 95603

RE: Response to 2018-2019 Placer County Grand Jury Report
City of Lincoln Water Connection Fund

Dear Mr. Johnson:

The City of Lincoln has reviewed the 2018-2019 Placer County Grand Jury Report regarding the City of Lincoln Water Connection Fund, and hereby submits its response to the statements, conclusions, findings and recommendations of the Grand Jury.

FINDINGS

F1. The city has repeatedly failed to conduct required nexus studies to determine reasonable costs for the PCWA connection fee.

F1 Response: The City of Lincoln disagrees partially with this finding. The City of Lincoln is in the process of conducting a nexus study to determine the reasonable costs for source water capacity. The study is anticipated to be completed and in effect by January 1, 2020. The current executive leadership of the City of Lincoln had identified this deficiency and been working toward this goal prior to the initiation of the Grand Jury's investigation. It should also be noted that the source water connection capacity of 1,150 gallons per day as the capacity demand for a typical single family home was consistent with the capacity requirements of other water providers in the region. Charging for water capacity demand based on lot size rather than zoning type is a recent change in the industry.

F2. The rate modification in 2017 was not done in a manner required by statute.

City Hall

**600 Sixth Street
Lincoln, CA 95648
(916) 434-2400
www.lincolнца.gov**

**City Manager's Office ♦ Community Development ♦ Engineering ♦ Fire
Library ♦ Recreation ♦ Police ♦ Public Works ♦ Support Services**

F2 Response: Preliminarily, the report makes several references to the City's failure to comply with a "statute," but does not identify the statute to which it refers. For purposes of this response, the City assumes the Grand Jury is referring to the Mitigation Fee Act (i.e., Government Code §§ 66000-66025), as it is specific to water connection fees and capacity charges (see Government Code § 66013).

With that, the City of Lincoln disagrees partially with this finding. With the exception of the largest residential lots that are greater than 10,000 square feet in size, the 2017 rate modification had the effect of lowering fees. The majority of parcels greater than 10,000 square feet are located in specific plan areas with development agreements that establish water connection capacity. The City of Lincoln is currently conducting a nexus study to determine the reasonable costs for source water capacity. That study is expected to be complete and in effect by January 1, 2020. The current executive leadership of the City of Lincoln had identified this deficiency and began working toward this goal prior to the initiation of the Grand Jury's investigation.

F3. Lincoln's 2019 modification of the PCWA water connection fee did not correct the fees that were improperly established in 2017 and also did not comply with statutory requirements.

F3 Response: The City of Lincoln disagrees partially with this finding. The 2019 modification of source water capacity demand only included a reduction from that which was already in effect, which did not in and of itself require a nexus study. The City of Lincoln is conducting a nexus study to determine the reasonable costs for source water capacity that will include all levels of service, including those that are anticipated to increase from what has historically been charged. This study is anticipated to be completed and in effect by January 1, 2020. The current executive leadership of the City of Lincoln had identified this deficiency and been working toward this goal prior to the initiation of the Grand Jury's investigation.

F4. Lincoln's unlawful actions resulted in significant over-charges to its citizens.

F4 Response: The City of Lincoln disagrees partially with this finding. The water capacity connection demands charged by the City of Lincoln have historically been in line with the capacity demands of other water providers in the region. It is also important to note the amount of capacity of the majority of water connections within the City of Lincoln are located within specific plan areas that have development agreements that defined the capacity of water connections to be charged. Consistent with the statement of the Grand Jury in the third paragraph of Page 5 of the Report, "*Lincoln is bound to its formal agreement with the developer and cannot arbitrarily change its terms.*" The City agrees with this statement, and with a few mistakes in the capacity of water connections that have been charged, the City has routinely charged those water connection capacity demands identified within the relevant development agreements.

RE: Response to 2018-2019 Placer County Grand Jury Report
City of Lincoln Water Connection Fund
July 24, 2019

F5. Lincoln made loans from the WCF to other city funds with no assurances that the funds receiving the loans will be capable of repayment within any reasonable timeframe.

F5 Response: The City of Lincoln agrees with this finding. The current executive staff of the City was not involved with those inter-fund loans and has been working toward correcting these deficiencies prior to receiving any findings or direction on the subject from either the Grand Jury or State of California Joint Legislative Audit Committee.

RECOMMENDATIONS

R1. Lincoln refund charges that exceed the regulated and unregulated PCWA connection fees due to modification of the rate structure in 2017, even if it exceeds the statute of limitations.

R1 Response: The City of Lincoln has identified several very low density residential units that were charged for 2.50 EDU's of capacity rather than the 2.37 EDU's of water connection capacity specified within the relevant development agreement and is in the process of issuing refunds.

R2. Lincoln identify and refund excess water connection charges to homes in villages for wrong EDU water factor even if in excess of the statute of limitations.

R2 Response: The City of Lincoln has identified several very low density residential units that were charged for 2.50 EDU's of capacity rather than the 2.37 EDU's of water connection capacity specified within the relevant development agreement and is in the process of issuing refunds.

R3. Lincoln identify homes not in villages 13, 19, 23, and portions of 18 that were charged the unregulated PCWA water connection fee instead of the regulated fee, and refund the overcharge even if it exceeds the statute of limitations.

R3 Response: The City of Lincoln believes the Grand Jury has misinterpreted the language of the Twelve Bridges Development Agreement. The development agreement section referenced in the middle of Page 5 of the Grand Jury Report and further specifically identified in Appendix 4 of the Report is from Part 3.3.3 Water Storage, and is being taken out of context. The ultimate buildout of the Verdera neighborhood of the Twelve Bridges Specific Plan will ultimately be connected entirely to the unregulated service of PCWA. As an interim measure, some villages within Verdera are being back fed by the regulated system by a booster pump on Twelve Bridges Drive, and therefore needed to participate in the City's water storage system. Section 3.3.4(a) only exempts Villages 13, 19, 23, and portions of 18 from participating in the City's water storage system. It in no way assigns any other villages to either the regulated or unregulated PCWA system. This recommendation will not be implemented because it is not warranted.

RE: Response to 2018-2019 Placer County Grand Jury Report
City of Lincoln Water Connection Fund
July 24, 2019

R4. Lincoln City Council require a review every 5 years for all connection fees to determine reasonable costs.

R4 Response: The current executive leadership of the City of Lincoln had identified this deficiency and had been working toward this goal prior to the initiation of the Grand Jury's investigation. This recommendation will be completed by December 31, 2019.

R5. Lincoln restructure loans made from the WFC to comply with the state regulations or return the funds to the WFC.

R5 Response: The executive leadership of the City of Lincoln has identified alternatives that will allow the City to return all WFC funds from various inter-fund loans. The City has already returned all WFC funds that had been included in inter-fund loans to the Airport Fund. This recommendation is anticipated to be complete by December 31, 2019.

R6. Lincoln City Council conduct a retroactive study of the performance of city officials and initiate systemic corrective actions including closer oversight of city functions going forward.

R6 Response: The City of Lincoln disagrees with the recommendation for retroactive performance evaluations. It serves no constructive purpose to evaluate individuals no longer employed by the City of Lincoln. This recommendation will not be implemented because it is neither warranted nor reasonable.

Please do not hesitate to contact me at 916-434-2490 if you have questions regarding this response.

Sincerely,


Jennifer Hanson
City Manager

Court-Ordered Debt

Findings

The Grand Jury found:

- F1. The county's inappropriate inclusion of costs related to non-delinquent debt in its cost of collection for court-ordered debt reduces net collections available for distribution to entitled entities.
- F2. The 2017 initiation of an annual discharge from accountability process is lowering the total court-ordered debt target towards a more accurate reflection of collectable amounts.

Recommendations

The Grand Jury recommends:

- R1. The county should only claim, as a cost of collection for court-ordered debt, the time the traffic court clerks work on delinquent debt or seek to modify this arrangement with the court per GC §77212 (b).
- R2. The county should discontinue claiming time spent on setting up and collecting nondelinquent debt via payment schedules as a cost of collections.

Request for Responses

	<u>Recommendations Requiring Response</u>	<u>Response Due Date</u>
Mr. Todd Leopold County Executive Officer 175 Fulweiler Avenue Auburn, CA 95603	R1, R2	July 30, 2019



COUNTY OF PLACER

BOARD MEMBERS

BONNIE GORE
District 1

JIM HOLMES
District 3

ROBERT M. WEYGANDT
District 2

KIRK UHLER
District 4

CINDY GUSTAFSON
District 5

OFFICE OF COUNTY EXECUTIVE

Todd Leopold, County Executive Officer

175 FULWEILER AVENUE / AUBURN, CALIFORNIA 95603
TELEPHONE: 530/889-4030
FAX: 530/889-4023
www.placer.ca.gov

July 24, 2019

Placer County Grand Jury
11532 B Avenue
Auburn, CA 95603

RECEIVED

JUL 29 2019

**PLACER COUNTY
GRAND JURY**

Re: Grand Jury Final Report—Court Ordered Debt

Dear Members of the Grand Jury:

After careful review of the findings and recommendations of the Placer County Grand Jury, I am pleased to submit the following responses to the Grand Jury Final Report—Court Ordered Debt.

—FINDINGS—

- F1. The county's inappropriate inclusion of costs related to non-delinquent debt in its cost of collection for court-ordered debt reduces net collections available for distribution to entitled entities.**

While the County disagrees with use of the term "inappropriate", we agree with the ultimate factual finding contained in Finding F1.

- F2. The 2017 initiation of an annual discharge from accountability process is lowering the total court-ordered debt target towards a more accurate reflection of collectable amounts.**

We agree with Finding F2.

—RECOMMENDATIONS—

- R1. The county should only claim, as a cost of collection for court-ordered debt, the time the traffic court clerk's work on delinquent debt or seek to modify this arrangement with the court per GC Section 77212(b).**

Recommendation numbered R1 has not yet been implemented but will be implemented in the future. Placer County will only include in their cost of collections time spent by the traffic court clerk on delinquent debt as indicated by the court in its next quarterly invoice.

R2. The county should discontinue claiming time spent on setting up and collecting non-delinquent debt via payment schedules as a cost of collections.

Recommendation numbered R2 will not be implemented because it is not warranted.

As a cost of collections, Placer County currently excludes expenditures resulting from collecting non-delinquent debt via payment schedules as specified by the court. Placer County meets the requirements for a comprehensive collections program for the collection of delinquent debt as defined within California Penal Code Section 1463.007(c). This allows the County to recover its costs, excluding capital expenditures, for operating its collection program.

Only delinquent debt may be included in a comprehensive collections program's cost of collections. Debt is delinquent and subject to collection by a comprehensive collection program if a defendant has failed to make an installment payment on the date specified by the court, per PC Section 1463.007(b)(3).

Debt with a court-specified installment payment schedule where the defendant has maintained regular payments is not considered delinquent debt and is not included by Placer County as a recoverable cost of collections.

As a means of facilitating efficient debt collection, installment payment schedules are established by Placer County staff on debt referred to the County by the court. This debt is considered delinquent and is therefore subject to recovery of the county's cost of collections.

Sincerely,



Todd Leopold, County Executive Officer
Placer County

Cc: Placer County Board of Supervisors
Karin Schwab, Placer County Counsel

Report Response Revisited

California Public Records Act Compliance

Findings

The Grand Jury found:

- F1. There was no telephone or fax tracking log in place contrary to the county responses.
- F2. Employees do not understand the need for confidentiality.
- F3. There is a lack of understanding of the grand jury's function and authority.

Recommendations

The Grand Jury recommends:

- R1. County management should ensure its employees are aware of their responsibilities when approached by the grand jury.
- R2. The county should assure responses to grand jury investigative reports are accurate.

Request for Responses

	<u>Recommendations</u>	
	<u>Requiring Response</u>	<u>Response Due Date</u>
Mr. Todd Leopold County Executive Officer 175 Fulweiler Avenue Auburn, CA 95603	R1, R2	July 30, 2019



COUNTY OF PLACER

BOARD MEMBERS

BONNIE GORE District 1	JIM HOLMES District 3
ROBERT M. WEYGANDT District 2	KIRK UHLER District 4
CINDY GUSTAFSON District 5	

**OFFICE OF
COUNTY EXECUTIVE**
Todd Leopold, County Executive Officer

175 FULWEILER AVENUE / AUBURN, CALIFORNIA 95603
TELEPHONE: 530/889-4030
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www.placer.ca.gov

July 24, 2019

Placer County Grand Jury
11532 B Avenue
Auburn, CA 95603

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JUL 29 2019

**PLACER COUNTY
GRAND JURY**

Re: Placer County Grand Jury 2018-19 Final Report

Dear Members of the Grand Jury:

On behalf of the County Executive Office, I appreciate the opportunity to respond to the above-identified Grand Jury report titled "Report Response Revisited – California Public Records Act Compliance" ("Report"). With respect to the specific findings and recommendations in the Report, I wish to respond as follows:

—FINDINGS—

F1. There was no telephone or fax tracking log in place contrary to the county responses.

After consulting with the County Counsel's Office as to the factual background of this Grand Jury finding, *I partially disagree with this finding.* It is true there was no tracking log in place prior to 2015, at which time there was a different records supervisor in place. It is my understanding that since 2016 going forward, Public Records Act (PRA) requests to the Sheriff's Office have been tracked. I am informed that copies of the Sheriff's Office tracking logs were provided to the Grand Jury on January 4, 2019, via County Counsel. Representatives from the Sheriff's Office have reiterated to the Grand Jury on multiple occasions that the current practice is to maintain tracking logs of PRA requests.

F2. Employees do not understand the need for confidentiality.

After consulting with the County Counsel's Office as to the factual and legal background of this Grand Jury finding, *I respectfully disagree with this finding.* While it is proper for the Grand Jury to admonish a witness not to discuss their testimony after they have testified, there is no legal authority which prohibits a witness from discussing issues relating to the Grand Jury prior to their testimony.

The U.S. Supreme Court has held that grand juries are expected to 'operate within the limits of the First Amendment,' as well as the other provisions of the Constitution. (*Branzburg v. Hayes*, 408 U.S. 665, 708, 92 S.Ct. 2646, 2670, 33 L.Ed.2d 626 (1972). See also *Wood v. Georgia*, 370 U.S. 375, 82 S.Ct. 1364, 8 L.Ed.2d 569 (1962).) "Once a grand jury investigation has been completed, a grand jury witness has the First

Amendment right to disclose his or her own testimony. However, while a grand jury investigation is pending, a grand jury witness may be admonished not to disclose what the witness learns in the grand jury room regarding the subject of the grand jury's inquiry. Violation of this admonishment may result in contempt.” [Rutter CA Crim.Poc. §9.20] In this case, the Grand Jury sent a letter to the Sheriff’s Office, dated December 13, 2018 seeking copies of tracking logs. It is my understanding that a member of the Sheriff’s Office was subsequently contacted, via telephone while at work, by a member of the Grand Jury advising the employee the Grand Jury wanted to set up a meeting with the employee to ask the employee some questions. The employee asked what this was regarding. The employee was told the meeting had to do with the Public Records Act and that the employee was not to mention this phone call or request for their attendance to anyone. A date and time was selected for the meeting, which was during the employee’s standard work hours. A subpoena was not issued. Shortly thereafter, the member of the Grand Jury made a second telephone call to the employee in which the member “admonished” the employee over the phone. Prior to the second telephone call, the employee appropriately advised their supervisor of the required meeting with the Grand Jury. To my knowledge, at no time following the employee’s appearance before the Grand Jury did the employee discuss the substance of their meeting with the Grand Jury.

Moreover, I am advised that a Deputy County Counsel even offered to produce an additional witness to testify before the Grand Jury, the then acting records custodian, who had more substantive knowledge regarding the Sheriff’s Office’s Public Records Act Procedures. In the e-mail offering to produce an additional witness, Deputy County Counsel clearly stated the following:

“I understand that you have requested to interview [Employee A], with the Sheriff’s Office on 1/17 at 1400 hrs at 11530 B Ave. My understanding is that the topic of the interview is generally how the Sheriff’s Office handles CPRA requests and report requests, as well as the telephone logs. **We are willing to produce [Employee A]**, but I wanted to let you know that our Acting Records Custodian, [Employee B], likely has more substantive knowledge on these issues and may be better able to provide you the information you are seeking. Employee B has indicated that he is available at the time you requested to interview Employee A. Please let me know if you prefer to interview Employee B during that time slot or if you would like to stick with the original request.” Therefore, I do not agree with finding F2.

F3. There is a lack of understanding of the grand jury’s function and authority.

I respectfully disagree with this finding. Placer County and the Placer County Sheriff’s Office have a longstanding history of cooperating with the Grand Jury and facilitating production of information to them. Both the County and the Sheriff’s Office intend to continue this mutual cooperation going forward.

With regard to the Grand Jury’s concern regarding obtaining documents from the County, it should be noted that the County does not equate Grand Jury requests to PRA requests, rather, that characterization was initiated by a member of the Grand Jury. In the instant case, a member of the Grand Jury e-mailed counsel stating they were “looking for the

CPRA request that I sent to you on the 7th.” Counsel advised, in part, that “it did not view your referenced e-mail as a CPRA request.”

—RECOMMENDATIONS—

R1. County management should ensure its employees are aware of their responsibilities when approached by the grand jury.

This recommendation has been implemented. While employees are aware of the grand jury’s function and their responsibilities related thereto, I will work with my staff to continue to educate employees on their responsibilities when approached by the grand jury.

R2. The county should assure responses to grand jury investigative reports are accurate.

This recommendation has been implemented. The County takes all grand jury investigative reports very seriously and ensures that responses to grand jury reports are accurate.

Should you have additional questions regarding this issue, please do not hesitate to contact me directly.

Sincerely,


Todd Leopold, County Executive Officer
Placer County

Cc: Placer County Board of Supervisors
Karin Schwab, Placer County Counsel

Roseville Police Department

New P25 Radio System

Findings

The Grand Jury found:

- F1. Training for sworn personnel users was delayed for several months impacting their ability to effectively use the system.
- F2. The RPD issue log has proven effective in identifying issues and driving their resolution.
- F3. The vendor is addressing infrastructure problems in a timely manner.
- F4. No critical law enforcement incidences reported by the police department as a result of the P25 radio errors and deficiencies.
- F5. The city has appropriately withheld final payment until all system issues are addressed.

Recommendations

The Grand Jury recommends:

- R1. RPD personnel using the P25 radio system are adequately trained.
- R2. RPD continue using the issue log to identify and address system problems as needed.

Request for Responses

	<u>Recommendations</u> <u>Requiring Response</u>	<u>Response Due Date</u>
Mr. James R. Maccoun, Chief of Police 1051 Junction Boulevard Roseville, CA 95678	R1, R2	July 30, 2019



Roseville Police Department
 1051 Junction Boulevard
 Roseville, California 95747

RECEIVED

June 11, 2019

JUL 02 2019

Placer County Grand Jury
 11532 B. Avenue
 Auburn, CA 95603

**PLACER COUNTY
 GRAND JURY**

RE: Response to Grand Jury Request

Dear members of the Grand Jury:

This letter responds to the request received on May 27, 2019 from Ronald Johnson on behalf of the Placer County Grand Jury, requesting recommendations based on the report entitled, "*New P25 Radio System.*"

Following are responses to the recommendations requested.

Recommendation 1 – RPD personnel using the P25 radio system are adequately trained.

Response – As noted in the Grand Jury findings, "training was later provided to some sworn personnel in December 2018." Specifically, onsite training was conducted for all personnel who use the system via eight (8) onsite classroom sessions led by a contracted subject matter expert. The digital lesson plan which was developed by that subject matter expert has been adopted for future training. I agree radio training should be more of a focus and our agency will incorporate training via multiple methods including:

- Employee briefing training sessions so incumbent personnel understand their radios and how to operate them in order to effectively perform job duties. All Roseville Police personnel are expected to have the ability to use a radio because of our emergency services role in this city.
- New employee orientation training so that all newly hired personnel understand best practices and proper communications protocols.

Recommendation 2 – RPD continue using the issue log to identify and address system problems as needed.

Response – As noted in the Grand Jury findings, "problems have been tracked and resolved cooperatively with the city departments and the vendors using the issue log." I agree tracking problems in an organized, methodical and collaborative method is the best way to effectively resolve system problems. Following the City protocols, Roseville Police Department will continue using an issue log to capture and address issues. This type of system is a highly adaptable computer network which is dependent on software programs which will undoubtedly undergo future updates. Our agency will continue to be an active partner with the Information Technology Department to insure future maintenance and change management.

Sincerely,



James Maccoun
 Chief of Police

Placer County Schools

Access Control

Findings

The Grand Jury found:

- F1. Most schools visited did not have adequate visitor badge information.
- F2. Visited schools are diligent in creating a culture of safety and security for the students, staff, and communities with the resources available.

Recommendations

The Grand Jury recommends:

- R1. Visitor access badges for all Placer County schools should include name, date, time in, purpose of visit, and where they will be on campus.
- R2. Require all visitor badges be retrieved at the end of the visit.

Request for Responses

	<u>Recommendations</u> <u>Requiring Response</u>	<u>Response Due Date</u>
Gayle Garbolino-Mojica Placer County Superintendent of Schools 360 Nevada Street Auburn, CA 95603	R1, R2	August 29, 2019

Board of Education

Susan Goto
Area 1

Suzanne Jones
Area 1

Robert Tomasini
Area 1

Kelli Gnile
Area 2

David Patterson, Ed.D.
Area 3

Lynn Oliver
Area 4

E. Ken Tokutomi
Area 4

July 26, 2019

Ronald M. Johnson
Presiding Foreperson, 2018-2019 Grand Jury
Placer County Grand Jury
11532 B Avenue
Auburn, CA 5603

RECEIVED

JUL 29 2019

**PLACER COUNTY
GRAND JURY**

Re: Placer County Superintendent of Schools Response to Findings and Recommendations in the 2018-2019 Placer County Grand Jury Report.

Superintendent's Cabinet

Phillip J. Williams
Deputy Superintendent
Educational Services

Martin Fregoso
Associate Superintendent
Business Services

Catherine M. Goins
Assistant Superintendent
Early Education & Administration

Jennifer Hicks
Assistant Superintendent
Curriculum & Instruction

Colleen Slattery
Assistant Superintendent
Human Resources

Michelle Eklund
Chief Communications Officer
Superintendent's Office

James L. Anderberg
Chief Operations Officer
Administrative Services

Troy Tickle
Executive Director
SELPA

Dear Foreperson Johnson:

In accordance with state law, (Penal Code Sections 933.05 et seq.), as Placer County Superintendent of Schools, I submit on behalf of the Placer County Office of Education (PCOE), our response to the findings and recommendations contained in the Grand Jury report entitled "*Placer County Schools Access Control*".

PCOE affirms that students and staff have a right to a safe and secure campus where they are free from physical and psychological harm. PCOE is fully committed to maximizing school safety and creating positive learning environments that include strategies and policies for violence prevention and emergency preparedness, including control of access to PCOE campuses.

The Grand Jury report brings continued visibility to the growing safety concerns in California Schools. The report is useful to PCOE's ongoing assessment and improvement efforts as we continue to work with all stakeholder groups in Placer County to advance planning and preparation for school safety.

Yours in education,



Gayle Garbolino-Mojica
Placer County Superintendent of Schools



PLACER COUNTY GRAND JURY

Phone: (530) 886-5200

FAX (530) 886-5201

Mailing Address:

11532 B Avenue, Auburn, CA 95603

INSTRUCTIONS FOR RESPONDENTS

The legal requirements affecting respondents and responses to Grand Jury findings and recommendations are contained in California Penal Code, Section 933.05. The full text of the law is provided below.

Two different time periods for responses, and to whom you must respond is defined in Penal Code Section 933(c). They are as follows:

Type of Agency	Time Frame	To Whom
Government Boards	Ninety (90) Days	<ul style="list-style-type: none"> • Presiding Judge of the Superior Court
Elective Office or Agency Head	Sixty (60) Days	<ul style="list-style-type: none"> • Presiding Judge of the Superior Court • Information copy to Board of Supervisors

An original signed copy of the response must be provided to both of the following:

1. Presiding Judge of the Placer County Superior Court at the address listed below:

The Honorable Alan V. Pineschi
 Presiding Judge of the Superior Court
 County of Placer
 P.O. Box 619072
 Roseville, CA 95661

2. Placer County Grand Jury at the address listed below:

Placer County Grand Jury
 11532 B Avenue
 Auburn, CA 5603

When responding to more than one report, respondents must respond to each report separately.

You are encouraged to use the Response to Grand Jury Report Form, attached, to help format and organize your response. An electronic version of the form is available upon request from the Grand Jury.

Response to Grand Jury Report Form

Report Title: Placer County Schools Access Controls

Report Date: June 17, 2018

Response By: Gayle Garbolino-Mojica Title: County Superintendent of Schools

FINDINGS

- I (we) agree with the findings, numbered: 2.
- I (we) disagree partially with the findings, numbered: 1.
(Describe here or attach a statement specifying any portions of the findings that are disputed or not applicable; include an explanation of the reasons therefore.)

RECOMMENDATIONS

- Recommendation numbered one has been implemented.
(Describe here or attach a summary statement regarding the implemented actions.)
- Recommendation numbered N/A will be implemented in the future.
(Per Penal Code 933.05(b)(2), a time frame for implementation must be included. Describe here or in an attachment.)
- Recommendations numbered N/A require further analysis.
(Describe here or attach an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or director of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six (6) months from the date of publication of the grand jury report.)
- Recommendation numbered two cannot be fully implemented because it is not warranted or is not reasonable.
(Describe here or attach an explanation.)

Date: 7/24/19

Signed: 

Number of pages attached: 2

California Penal Code

Section 933.05

- (a) For purposes of subdivision (b) of Section 933, as to each grand jury finding, the responding person or entity shall indicate one of the following:
- (1) The respondent agrees with the finding.
 - (2) The respondent disagrees wholly or partially with the finding, in which case the response shall specify the portion of the finding that is disputed and shall include an explanation of the reasons therefore.
- (b) For purposes of subdivision (b) of Section 933, as to each grand jury recommendation, the responding person or entity shall report one of the following actions:
- (1) The recommendation has been implemented, with a summary regarding the implemented action.
 - (2) The recommendation has not yet been implemented, but will be implemented in the future, ***with a timeframe for implementation.***
 - (3) The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or head of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six months from the date of publication of the grand jury report.
 - (4) The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefore.
- (c) However, if a finding or recommendation of the grand jury addresses budgetary or personnel matters of a county agency or department headed by an elected officer, both the agency or department head and the board of supervisors shall respond if requested by the grand jury, but the response of the board of supervisors shall address only those budgetary or personnel matters over which it has some decision-making authority. The response of the elected agency or department head shall address all aspects of the findings or recommendations affecting his or her agency or department.
- (d) A grand jury may request a subject person or entity to come before the grand jury for the purpose of reading and discussing the findings of the grand jury report that relates to that person or entity in order to verify the accuracy of the findings prior to their release.
- (e) During an investigation, the grand jury shall meet with the subject of that investigation regarding the investigation, unless the court, either on its own determination or upon request of the foreperson of the grand jury, determines that such a meeting would be detrimental.
- (f) A grand jury shall provide to the affected agency a copy of the portion of the grand jury report relating to that person or entity two working days prior to its public release and after the approval of the presiding judge. No officer, agency, department, or governing body of a public agency shall disclose any contents of the report prior to the public release of the final report.

As directed by the Placer County Grand Jury, responses to findings numbered 1 through 2 are provided in accordance with Section 933.05 of the California Penal Code.

Finding 1:

Most schools visited did not have adequate visitor badge information.

The County Superintendent of Schools **partially disagrees** with this finding, and includes the following:

While there may not be a standardized format across Placer County school districts regarding the information on a visitor badge, most schools employ a visitor badge system or process that they are able to administer efficiently. These systems or procedures effectively provide staff with the information needed to separate an approved campus visitor from an unidentified or unwelcome intruder. This important process remains a function of school district leadership, and each site determines the best method for accomplishing this task. The Placer County Office of Education (PCOE) utilizes a sign-in system centralized in each of its administrative facilities serving its eight school sites. Visitor information including, name, date, department or person visited, and time in/out are collected on each visitor. This information is considered a record under the California Education Code as an Optional, Class II record and retained until it is classified as a Disposable, Class III record.

Finding 2:

Visited schools are diligent in creating a culture of safety and security for the students, staff, and communities with the resources available.

The County Superintendent of Schools **agrees** with this finding, and includes the following: The County Superintendent's office has long served in a role of leadership and facilitation regarding the improvement of safe school preparation for all districts in Placer County. PCOE has been recognized statewide for its crisis response preparation, safe school planning, and collaborative model utilized in assisting school districts to improve their own school safety planning and training.

As further directed by the Placer County Grand Jury, responses to recommendations numbered 1 through 2 are provided in accordance with Section 933.05 of the California Penal Code.

Recommendation 1:

Visitor access badges for all Placer County Schools should include name, date, time in, purpose of visit, and where they will be on campus.

The County Superintendent of Schools has **implemented** this recommendation and includes the following: All visitors to PCOE operated schools are required to sign-in at the administrative reception desk for that site. Visitors are required to provide their name, current date, the department or person visited, and the time they begin and end their visit. Visitors are issued

plastic placards denoting their status as a visitor, or a hand written adhesive badge with their information.

Recommendation 2:

Require all visitor badges be retrieved at the end of the visit.

The County Superintendent of Schools **cannot fully implement** this recommendation and includes the following: The County Superintendent of Schools, like the Grand Jury, fully supports this recommendation as a best practice. However, to state that the recommendation can be fully implemented would be an unobtainable standard for county office staff to comply with, particularly given the open nature of many school campuses throughout Placer County. It is currently PCOE's practice to require visitors to return badges and sign out at reception. In rare instances, visitors may leave without signing out, e.g. leaving a classroom and immediately traversing to a parking lot. While this situation is infrequent, PCOE leadership will further investigate means of curtailing occurrences of unaccounted visitors. County office reception staff receives regular safety training on front-of-office safety and conflict diffusion. An added component to this training will include visitation auditing.

All American Speedway

Progress Report

Findings

The Grand Jury found:

- F1. The county has entered into a new agreement for the operation of the fairgrounds with Placer Valley Tourism and the speedway. This agreement puts into place specific language to address noise concerns that were brought to the county's attention more than ten years ago.
- F2. Failure to complete the EIR prevented transparency and public input on the changes to the speedway.

Recommendations

The Grand Jury recommends:

- R1. The county should explain why it committed to, but never completed, an EIR.
- R2. The county should assess whether or not the failure to complete the EIR has adversely affected the public, and take any remedial action warranted.

Request for Responses

	<u>Recommendations</u>	
	<u>Requiring Response</u>	<u>Response Due Date</u>
Mr. Todd Leopold County Executive Officer 175 Fulweiler Avenue Auburn, CA 95603	R1, R2	July 30, 2019



COUNTY OF PLACER

BOARD MEMBERS

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District 1

JIM HOLMES
District 3

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District 2

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District 4

CINDY GUSTAFSON
District 5

OFFICE OF COUNTY EXECUTIVE

Todd Leopold, County Executive Officer

175 FULWEILER AVENUE / AUBURN, CALIFORNIA 95603

TELEPHONE: 530/889-4030

FAX: 530/889-4023

www.placer.ca.gov

July 24, 2019

Placer County Grand Jury
11532 B Avenue
Auburn, CA 95603

Re: All American Speedway Progress Report

Dear Members of the Grand Jury:

After careful review of the findings and recommendations of the Placer County Grand Jury, I am pleased to submit the following responses to the Grand Jury Final Report - All American Speedway Progress Report.

—FINDINGS—

- F1. The county has entered into a new agreement for the operation of the fairgrounds with Placer Valley Tourism and the speedway. This agreement puts into place specific language to address noise concerns that were brought to the county's attention more than ten years ago.**

We agree with the finding. As a result of public interest, Placer County contracted with J.C. Brennan & Associates for a number of sound studies at the All American Speedway located on the Placer County Fairgrounds in Roseville (Speedway). This work resulted in the Technical Noise Assessment dated December 6, 2012 (Noise Study), which contains recommendations to address Speedway noise.

On March 21, 2017 Placer County and Placer Valley Tourism (PVT) entered into the Assignment Assumption and Operating Agreement (AAO), later assigned to Placer Valley Sports Complex, Inc. (PVSC), which governs PVSC's use of the Fairgrounds. AAO provisions define uses requiring County approval, including: "Section 1.06(d)(ii): Contracts authorizing motorized racing events of a seasonal or extended duration issued to promoter(s) in lieu of the (PVSC's) direct operation of such motorized racing."

Through routine administration of the AAO, in 2018 County staff reviewed and consented to the PVSC/BMRP Motorsports Operating and Promoter Agreement (Motorsports Agreement) after verifying it includes provisions reflecting specific Study recommendations (e.g. sound monitoring methodology). Further, staff worked with PVSC to ensure the Motorsports Agreement includes past practices that have a positive effect on the neighborhoods (e.g. limiting Speedway hours of operation and the number of events, and providing the public with telephone access to the Speedway during events).

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JUL 29 2019

**PLACER COUNTY
GRAND JURY**

F2. Failure to complete the EIR prevented transparency and public input on the changes to the speedway.

We disagree wholly with the finding. After the Placer County Fair Association (PCFA) completed its 2007 improvements to the Speedway (Project), Placer County transparently engaged the public as individuals and at community meetings, seeking robust public input on the Fairgrounds and Speedway.

Placer County initiated an Environmental Impact Report (Initial EIR) process and completed the Noise Study in 2012, which is after PCFA completed its Project. The County considered costs and potential future discretionary actions and evaluated public input in arriving at the County's decision not to pursue completion of the Initial EIR.

In direct response to this public input, Placer County procured the Noise Study to evaluate current Speedway characteristics and provide recommendations for sound attenuation. The County has acted diligently to improve conditions at the Speedway; by holding community meetings, receiving public input, procuring the Noise Study, and implementing specific recommendations through the AAO with PVSC

—RECOMMENDATIONS—

R1. The county should explain why it committed to, but never completed, an EIR.

This recommendation has been implemented. After beginning preparation of the Initial EIR, receiving the completed Noise Study, and evaluating costs and potential future discretionary actions, the County recognized the completion of the Initial EIR was not needed or an appropriate use of public funds. Given these facts, prior implementation of Noise Study recommendations, and that Placer County continues to influence Speedway operations through the AAO, the County continues to find it unnecessary to complete the Initial EIR.

R2. The county should assess whether or not the failure to complete the EIR has adversely affected the public, and take any remedial action warranted.

This recommendation has been implemented. Placer County engaged the public, completed the Noise Study, and implemented multiple recommendations. The County routinely monitors PVSC's compliance with AAO provisions, and addresses public inquiries relating to Fairgrounds and Speedway operations. These actions addressed concerns voiced by the community. The County believes no remedial action is warranted.

Sincerely,



Todd Leopold, County Executive Officer
Placer County

Cc: Placer County Board of Supervisors
Karin Schwab, Placer County Counsel

Placer County Juvenile Detention Facility

2018-19 Annual Inspection

Findings

The Grand Jury found:

- F1. Information on technical trainings and other career opportunities is not currently provided.
- F2. Technical educational programs for youth are not offered.

Recommendations

The grand jury recommends:

- R1. Educational opportunities for youth are expanded to include technical training programs.
- R2. Provide information on career and technical training opportunities.

Request for Responses

	<u>Recommendations</u>	<u>Response Due Date</u>
	<u>Requiring Response</u>	
Mr. Joseph Netemeyer, Superintendent Placer County Juvenile Detention Facility 11260 B Avenue Auburn, CA 95603	R1, R2	July 30, 2019

Marshall Hopper
Chief Probation Officer

David McManus
Assistant Chief Probation
Officer

Auburn Justice Center
2929 Richardson Drive, Suite B
Auburn CA 95603
(530) 889-7900
(530) 889-7950 (Fax)



Santucci Justice Center
10810 Justice Center Dr. Suite 170
Roseville CA 95678
(916) 543-7400
(916) 543-7472 (fax)

Juvenile Detention Facility
11260 "B" Avenue
Auburn CA 95603
(530) 886-4850
(530) 886-4588 (fax)

COUNTY OF PLACER

PROBATION DEPARTMENT

July 16, 2019

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JUL 23 2019

**PLACER COUNTY
GRAND JURY**

The Honorable Alan V. Pineschi
Presiding Judge of the Superior Court
County of Placer County
PO Box 619072
Roseville, CA 95661

Re: **2018-2019 Grand Jury Final Report – Annual Inspection of the Juvenile Detention Facility**

Dear Judge Pineschi,

I would like to thank the 2018-2019 Grand Jury for their continued efforts with the annual inspection of the Placer County Juvenile Detention Facility (JDF). I have thoroughly reviewed the final report, findings and recommendations of the Grand Jury and have submitted my response below.

Findings of the Grand Jury

I partially agree with the following findings, numbered F1 and F2:

- F1. Information on technical trainings and other career opportunities is not currently provided.
- F2. Technical education programs for youth are not offered.

Last year, PCOE assigned an Employment Placement Specialist-Prevention Supports and Services staff to work with our youth on building resumes, providing information on career opportunities, and job readiness skills for high school students. Vista Workers interviewed our youth in custody and developed a resource guide that was specific to their needs including employment services. Placer Re-Entry Program (PREP) is also providing services for our youth who have graduated and/or are 18 years of age to assist them with transitioning out into the community including finding the appropriate employment opportunities. PREP also works with the Northern California Construction Training program (NCCT) which can help youth become certified in basic construction, plumbing, forklift operation, First Aid and CPR, as well as OSHA certification for safety.

Recommendation of the Grand Jury

R1. Educational opportunities for youth are expanded to include technical training programs.

Response:

- In January of 2018, Placer County Office of Education (PCOE) began providing services on youth employment needs through their Workability program. They have had a staff meet with all qualified youth in the facility to discuss their employment interests and needs. This staff meets with them during school hours to discuss employment opportunities and a transition plan once they are released.
- In addition, an onsite Transition Specialist from PCOE is currently working with students on getting their junior college financial aid paperwork (FAFSA) completed along with looking at enrolling at Sierra College by either signing up for classes on their campus or taking classes on line. Depending on the length of stay for the youth, they can either attend classes while in custody or utilize a laptop provided by PCOE to complete their classes.
- Last year, a team of Vista Workers from PCOE were assigned to the JDF to determine the appropriate services and resources that needed to be made available to the youth based on the desires and needs of the youth. They updated the Placer County Network of Care and provided a Resource Guide (list with brochures) to the staff and youth at the JDF. The list of resources is provided to the youth prior to their release.
- PCOE and Probation are still actively engaging with Los Rios, Sierra College and Golden Sierra to start a program at the juvenile hall that would include vocational and educational services for our youth in custody to where they can participate in classes onsite and online with an instructor from the school. However, the majority of our youth do not have the opportunity for long term programming as the average length of stay is 19 days.

Recommendation: R1 has been partially implemented and we will continue to strengthen the opportunities for our youth while continuing to operate a safe and secure institution.

R2. Provide information on career and technical training opportunities.

Response:

- We have been working with staff from the Placer County Re-Entry Program (PREP) for any youth over the age of 18 who risk appropriately. Youth have been able to meet with a Transition Specialist prior to leaving the facility to discuss their re-entry into the community. This has included setting up classes to complete any cognitive behavior or court ordered classes needed and employment services. They work with Golden Sierra and Northern California Construction Training (NCCT) who provide training and job placement for construction opportunities.
- The PREP Center staff have now extended their program to include working with youth who are in need of transition services once released. A Transition Specialist works with the identified youth one on one to provide resources and a transition plan to support the youth once they are released. In the future, the goal is to provide life skills classes to all youth at the facility.

- Weekly Transition team meetings have been occurring at the juvenile hall since the beginning of the year. At this meeting, we discuss the needs and transition plans for all youth at the facility. This can include ensuring the youth is connecting to the appropriate employment and school resource providers.
- In May of this year, the juvenile facility began an individualized re-entry program for our youth in custody called the Youth Rehabilitation Program (YRP). The program assists the youth in transitioning back into the community with the services they need prior to release. The goal of the program is to either transition a youth with family reunification and/or independent living skills. The youth participates in services (on or offsite) focusing on the following: family reunification, independent living, parenting classes, mental health and substance use needs, school, work and vocational, cognitive behavior skills, transition planning, and positive intervention responses including home passes, work furlough, release for school or vocational programming. The youth have the opportunity to work, attend school and receive home passes as ordered by the court. The Court reviews each case biweekly with set reviews as each case is individualized.
- In July of this year, Golden Sierra Employment Services started providing services at the juvenile facility. A Business and Employment Specialist began coming in to meet with our school graduates for employment services. The Specialist comes in weekly to meet with the youth to conduct assessments, resume building, career development, interview skills and possible placement at a paid internship. The youth have the opportunity to participate in these services on and offsite. The Specialist has also provided information for our youth on their program and the following service providers: Placer Adult School services, ITap electrician training, Career Ed Tech at Sierra College, American River College Career Ed Tech, cosmetology schools, and Med certifications. Our Probation Officers in custody are working with the Specialist to ensure our youth are provided the above information.
- Unity Care also will start coming into the juvenile facility to provide services in August. They will be working with youth on transitioning back into the community with the appropriate employment, education and housing services. They will be working with the Transition teams and providers to ensure the youth have the resources once they are released. They will also be providing court approved field trips to allow for the youth to have positive engagements while in the community.

Recommendation: R2 has been partially implemented and we will continue to strengthen the opportunities for our youth while continuing to operate a safe and secure institution.

Respectfully submitted,



Joseph Netemeyer
Superintendent

cc: Placer County Grand Jury
Placer County Board of Supervisors
Todd Leopold, County Executive Officer, Placer County

Placer County Jails and Holding Facilities

2018-2019 Annual Inspections

Findings

The Grand Jury found:

Auburn Historic Courthouse

- F1. The three doors of the holding cells slide from side-to-side. There is no grab handle to securely close the door on the outside. There is only a small indentation that one must use their fingers to slide close the door.
- F2. The locks of the three sliding holding cell doors are not self-locking when slid closed. The deputy must insert a small key in the lock and turn it to secure and lock the door.
- F3. There is no camera in the hallway between the three holding cells and the jail office.

Placer County Main Jail

- F4. The floor in the booking area of the jail is industrial rolled out vinyl with sealed seams that is about five years old. The vinyl floor is separating and rising from the concrete slab, creating large bumps on the surface of the floor in many locations. The bumps or bubbles bulging on the vinyl floor can create a tripping hazard if allowed to continue to degenerate.

Recommendations

The grand jury recommends:

Auburn Historic Courthouse

- R1. Install a strong grab handle on the outside of each sliding holding cell door.
- R2. Install self-latching locks that are engaged when the sliding holding cells doors are slid shut.
- R3. Install video camera to monitor holding cell hallway (common area).

Placer County Main Jail

- R4. Repair vinyl floor in booking area.

Request for Responses

	<u>Recommendations</u> <u>Requiring Response</u>	<u>Response Due Date</u>
Sheriff Devon Bell 2929 Richardson Drive Auburn, CA 95603	R1, R2, R3, R4	July 30, 2019



EST. 1851

PLACER COUNTY SHERIFF CORONER-MARSHAL

MAIN OFFICE
2929 RICHARDSON DRIVE
AUBURN, CA 95603
PH: (530) 889-7800 FAX: (530) 889-7899

SOUTH PLACER STATION
6140 HORSESHOE BAR ROAD, SUITE D
LOOMIS, CA 95650
PH: (916) 652-2400 FAX: (916) 652-2424

NORTH LAKE TAHOE STATION
P.O. BOX 1710
TAHOE CITY, CA 96145
PH: (530) 581-6300 FAX: (530) 581-6377



DEVON BELL
SHERIFF-CORONER-MARSHAL

WAYNE WOO
UNDERSHERIFF

RECEIVED

July 17, 2019

JUL 22 2019

Placer County Grand Jury
11532 B Avenue
Auburn, CA 95603

PLACER COUNTY
GRAND JURY

Re: Response to the 2018-19 Grand Jury Final Report – Placer County Jails, Holding and Associated Facilities 2018-19 Annual Inspection

Dear Grand Jury Foreman:

After careful review of the findings and recommendations of the Placer County Grand Jury, I am pleased to submit the following responses to the Grand Jury Final Report – Placer County Jails, Holding and Associated Facilities 2018-19 Annual Inspection.

FINDINGS

Auburn Historic Courthouse:

I agree with the findings, numbered F1 through F3.

- **F1.** The three doors of the holding cells slide from side-to-side. There is no grab handle to securely close the door on the outside. There is only a small indentation that one must use their fingers to slide close the door.
- **F2.** The locks of the three sliding holding cell doors are not self-locking when slid closed. The deputy must insert a small key in the lock and turn it to secure and lock the door.
- **F3.** There is no camera in the hallway between the three holding cells and the jail office.

Placer County Main Jail:

I agree with the finding, numbered F4.

- **F4.** The floor in the booking area of the jail is industrial rolled out vinyl with sealed seams that is about five years old. The vinyl floor is separating and rising from the concrete slab, creating large bumps on the surface of the floor in many locations. The

bumps or bubbles bulging on the vinyl floor can create a tripping hazard if allowed to continue to degenerate.

RECOMMENDATIONS

Auburn Historic Courthouse:

- **R1.** Install a strong grab handle on the outside of each sliding holding cell door.

Response: Recommendation R1 requires further analysis.

The Sheriff's Office defers to the Administrative Office of the Courts (AOC) for further analysis on this issue, as they are responsible for the Auburn Historic Courthouse facility. The Sheriff's Office has advised the AOC of the Grand Jury's recommendation to install a grab handle on the outside of the sliding holding cell doors. Jake Chatters, the Court CEO, indicated that the Court and Judicial Council will work with the Sheriff's Court Security Unit on implementation efforts.

- **R2.** Install self-latching locks that are engaged when the sliding holding cell doors are slid shut.

Response: Recommendation R2 requires further analysis.

The Sheriff's Office defers to the AOC for further analysis on this issue, as they are responsible for the Auburn Historic Courthouse facility. The Sheriff's Office has advised the AOC of the Grand Jury's recommendation to install self-latching locks on the sliding holding cell doors. Jake Chatters, the Court CEO, indicated that the Court and Judicial Council will work with the Sheriff's Court Security Unit on implementation efforts.

- **R3.** Install video camera to monitor holding cell hallway (common area).

Response: Recommendation R3 requires further analysis.

The Sheriff's Office defers to the AOC for further analysis on this issue, as they are responsible for the Auburn Historic Courthouse facility. The Sheriff's Office has advised the AOC of the Grand Jury's recommendation to install a video camera to monitor the holding cell hallway. Jake Chatters, the Court CEO, indicated that the Court and Judicial Council will work with the Sheriff's Court Security Unit on implementation efforts.

Placer County Main Jail

- **R4.** Repair vinyl floor in booking area.

Response: Recommendation R4 has not yet been implemented but will be implemented in the future.

The Sheriff's Office had identified the issues with the vinyl flooring in the Booking Unit prior to the Grand Jury's Final Report, and we have been working with Placer County Facility Services toward a solution. The Corrections Division is currently awaiting bids on different flooring options. Until the most durable flooring option is determined, we are unable to provide an estimated time frame for completion.

I wish to thank the members of the 2018-19 Placer County Grand Jury for their dedication to the community, and for their work during the past year.

Sincerely,

A handwritten signature in blue ink that reads "Deva Bell". The signature is written in a cursive, flowing style.

DEVON BELL
Sheriff-Coroner-Marshal

cc: Placer County Presiding Judge Alan V. Pineschi
Board of Supervisors via Clerk of the Board
Todd Leopold, Placer County Executive Officer
Karin Schwab, Interim Placer County Counsel