



# **NEVADA COUNTY GRAND JURY**

**Final Report  
with  
Responses**

**2010 - 2011**





**GRAND JURY**  
**COUNTY OF NEVADA**  
**Eric Rood Administration Center**  
950 Maidu Avenue  
Nevada City, California 95959  
Phone Number: 530-265-1730  
Email: grandjury@nevadacountycourts.com

November 11, 2011

**The Honorable Thomas M. Anderson**  
**Presiding Judge of Grand Jury**  
201 Church Street  
Nevada City, CA 95959

Dear Judge Anderson:

It is my pleasure to forward to you the enclosed Consolidated Final Report from the 2010/2011 Grand Jury. This consolidated version includes all specific subject reports issued by that Jury and all responses thereto. The individual reports and their responses were released and made available to public officials, the media and the general public as soon as they were approved and are also available at: <http://www.nevadacountycourts.com>.

The Jury's review of the responses was limited to determining whether they complied with the requirements for responses in California Penal Code section 933.05. This review was conducted by the successor Jury, due to the fact that the responses were received after the close of the 2010/2011 Jury.

The original responses to the following reports: (1) November 2010 General Election in Nevada County; (2) Nevada City Police Department Property and Evidence Operation; (3) Nevada County Sheriff's Office Truckee Sub-Station and the Superior Court Holding Facility; (4) Nevada City Police Department Property and Evidence Operation; (5) Nevada County Superior Courthouse Holding Facility; and (6) Wayne Brown Correctional Facility, were determined to be incomplete and follow up responses were requested and received. The final responses were also referred to committees of the current Jury for follow up to ensure the actual implementation of recommendations. However, this activity is not included in this Final Report. This Final Report completes our process of making reports and responses available to the public.

Copies of this Final Report will be placed on file with the Clerk of the Court, who will forward one copy to the California State Archivist. The Clerk of Nevada County will also receive copies. Additional copies will be placed on file in county libraries and made available to the media. The Jury will, as required, send a copy to the University of California Government Studies Library in Berkeley.

In closing, the Jury wishes to express its appreciation to you and your staff for your valuable assistance and support.

Sincerely yours,

**Robert T. Coats, Jr., Foreperson**  
2011/2012 Nevada County Grand Jury



# MEMBERS OF THE NEVADA COUNTY GRAND JURY 2010-2011

Diana Beer  
Foreman

Jim Purcell  
Foreman Pro Tem

Liz Rees  
Secretary

Carolyn Roemelen  
Sergeant-at-Arms

Brenda Herbert  
Business Manager

Barbara Bennette  
Tom Borman  
Tom Brown  
Diane Callahan  
Robert Coats

Sally Gallagher  
Dan Gentile  
Mike Gomez  
Leo Martinez  
Keith Overbey

Dennis Roberts  
Jeff Spirer  
Betty Underwood  
Doug Wight

## RESPONSE REQUIREMENTS

Following are the pertinent excerpts from the current California Penal Code concerning responses to a Grand Jury report:

"Section 933(c) No later than 90 days after the grand jury submits a final report on the operations of any public agency subject to its reviewing authority, the governing body of the public agency shall comment to the presiding judge of the superior court on the findings and recommendations pertaining to matters under the control of the governing body, and every elected county officer or agency head for which the grand jury has responsibility pursuant to Section 914.1 shall comment within 60 days to the presiding judge of the superior court, with an information copy sent to the board of supervisors, on the findings and recommendations pertaining to matters under the control of that county officer or agency head and any agency or agencies which that officer or agency head supervises or controls. In any city and county, the mayor shall also comment on the findings and recommendations. All of these comments and reports shall forthwith be submitted to the presiding judge of the superior court who impaneled the grand jury. A copy of all responses to grand jury reports shall be placed on file with the clerk of the public agency and the office of the county clerk, or the mayor when applicable, and shall remain on file in those offices. One copy shall

be placed on file with the applicable grand jury final report by, and in the control of the currently impaneled grand jury, where it shall be maintained for a minimum of five years.

"Section 933(d) As used in this section, "agency" includes a department.

"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 therefor.

"Section 933.05(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 therefor.

"Section 933.05(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 decisionmaking 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."

The penal code also requires that the Grand Jury be available to the respondents for 45 days to clarify the recommendations of its report.

# **TABLE OF CONTENTS**

## **COMMITTEE REPORTS**

### **AUDIT AND FINANCE**

Nevada County Public Administrator

### **COUNTY GOVERNMENT**

November 2010 General Election in Nevada County

### **HEALTH AND ENVIRONMENT**

Child Protective Services of Nevada County

### **LAW ENFORCEMENT**

Nevada City Police Department Property and Evidence Operation

Nevada County Sheriff's Office Truckee Sub-Station and the  
Superior Court Holding Facility

Nevada County Superior Courthouse Holding Facility

Wayne Brown Correctional Facility

### **SPECIAL DISTRICTS**

Truckee Fire Protection District Board of Directors

Western Gateway Recreation and Park District





# **AUDIT AND FINANCE**

---

**Nevada County Public Administrator**

---

**Nevada County Grand Jury Report with Responses  
2010-2011**



# **Deputy Public Administrator**

## **Summary**

The Nevada County Grand Jury reviewed the activities and responsibilities of the Public Administrator of Nevada County. The Nevada County Grand Jury observed that in a majority of the estates being handled by that office the decedent had died intestate (without a will). If a Nevada County resident who dies has a valid will, the estate would not automatically be within the jurisdiction of the Public Administrator. Other estates were assigned by the Nevada County Superior Court to the office of the Public Administrator when heirs to an estate could not agree mutually how to distribute an estate. A valid will may expedite the closing of an estate and assure that a decedent's wishes are fulfilled. The Nevada County Grand Jury encourages residents to understand the consequences of failing to have a valid will.

## **Reasons for Investigation**

The Nevada County Grand Jury (Jury), exercising its oversight responsibilities pursuant to California Penal Code Section 925, reviewed the administration of estates assigned to the Public Administrator of Nevada County (Public Administrator).

## **Background**

The Public Administrator is a legally mandated office of county government for every county in California. The Public Administrator may be an elected official, a separate department, or housed within another county department such as sheriff-coroner, treasurer, or public guardian-conservator. In Nevada County, the Sheriff is also the Coroner and Public Administrator and has designated a Deputy Public Administrator.

The Public Administrator investigates and administers estates of persons who die intestate. The Nevada County Superior Court may also appoint the Public Administrator to administer an estate where there is a will.

The Public Administrator is to be notified:

- If a public officer or employee knows of property of a decedent that should be in the possession or control of the Public Administrator and is subject to loss, injury, waste or misappropriation.
- By a hospital or other care facility located in the county, if a person dies in the hospital or other care facility without known next of kin.
- By a funeral director in control of a decedent's remains if there is no known next of kin.

The duties of the Public Administrator are to:

- Protect the decedent's property from loss, injury, waste or misappropriation.
- Make appropriate burial arrangements.
- Investigate to discover all property of the decedent.
- Pay decedent's bills and taxes.
- Locate persons entitled to inherit from the estate and ensure that these individuals receive their inheritance.

Whatever the value of a decedent's estate, it must be distributed in the manner required by the California Probate Code.

If the total value in a decedent's estate at the date of death exceeds \$100,000 the estate is subject to probate, i.e., a legal process intended to assure that any creditors of the estate are paid and that the remaining property is distributed to those entitled to receive it. This process is carried out by the executor/administrator of the estate under the supervision of the probate division of the Superior Court.

If the Public Administrator takes possession or control of an estate where the total value at the date of death of the property in a decedent's estate does not exceed:

- \$100,000, the Public Administrator may exercise its authority upon an order of the court.
- \$30,000, the Public Administrator may exercise his authority without court authorization.

In Nevada County, the Public Administrator acts through the Deputy Public Administrator.

Each case is investigated to determine whether or not there is a will. Cases may require that assets be converted to cash to satisfy fees and creditors. If there are known heirs, the Public Administrator may consult with the heirs concerning the distribution of property. The Public Administrator may collect fees based on the value of the assets available.

## **Procedures Followed**

The Jury interviewed members of the County Sheriff's Department and County Counsel staff and also reviewed California Probate Code sections concerning the role and responsibility of the Public Administrator.

## **Facts**

1. The Deputy Public Administrator retired at the end of 2010.
2. The retired Deputy Public Administrator is currently working as a temporary employee in the same position thru the first half of calendar year 2011.

3. The Jury was advised that the retired Deputy Public Administrator spent approximately 60% of the time in that position and the balance of time was spent as Deputy Chief Financial Officer for the Sheriff's Department.
4. There is one full time Legal Office Assistant who works for the Public Administrator.
5. Of the closed cases, an average case took 4.2 years to process and close based on information provided by staff.
6. Of the 39 open cases as of December 31, 2010, the average cases have been open for 8.5 years and the oldest case is 24 years old, based on information provided by staff.
7. If a decedent does not have a will the estate passes to the decedent's heirs as prescribed by Sections 6400-6414 of the California Probate Code.
8. If a decedent has no heirs and no will, Section 6800 (a) of the California Probate Code provides that the estate escheats (reverts) to the State of California effective on the date of death.

### **Findings**

1. A valid will may expedite the closing of an estate and assure that a decedent's wishes are fulfilled.
2. Given the limited staffing of the office of the Public Administrator and the complexities of administering some estates, the Public Administrator may take a long time to complete the administration of an estate.

### **Recommendations**

1. The Jury encourages county residents to understand the consequences of not having a valid will.

### **Responses**

None required.



# **COUNTY GOVERNMENT**

---

**November 2010 General Election in Nevada County**

---

**Nevada County Grand Jury Report with Responses  
2010-2011**





# **November 2010 General Election in Nevada County**

## **Summary**

The Nevada County Grand Jury is pleased to report to the citizens of Nevada County that the November 2, 2010 Nevada County General Election ran smoothly, problems were minor, and the election was conducted effectively.

Members of the Grand Jury visited all 57 precincts in Nevada County on Election Day. During interviews conducted with poll workers it was determined that some voters found the instructions for Vote-by-Mail ballots confusing. Some voters wishing to vote in person after having received their Vote-by-Mail ballots were confused as to the location of their precinct.

The Grand Jury also followed up on recommendations from the 2008-2009 Grand Jury Report and found that all had been implemented.

The Grand Jury wishes to commend the Nevada County Elections Office on a job well done.

## **Reasons for Investigation**

The Nevada County Grand Jury (Jury), exercising its oversight responsibilities pursuant to California Penal Code Section 925, conducted an investigation of the November 2, 2010 General Election.

## **Background**

The Nevada County Elections Office has the responsibility to select polling places in accordance with the State of California Election Code (State Code). Each polling place contains one or more precincts. Each precinct is staffed by a Precinct Board (poll workers), consisting of an Inspector and two or more Judges. The Inspector has overall responsibility for the election activities of that precinct. All poll workers are volunteers. They are compensated for their time on Election Day and for training sessions.

Poll workers' duties include:

- Knowing and enforcing State Code and regulations.
- Knowing the voting process.
- Insuring ballot security.
- Instructing voters in the proper operation of electronic voting equipment.
- Answering voter's questions.
- Troubleshooting equipment problems.

The 2008-2009 Jury Report "Nevada County Presidential Election – November 2008" recommended that the Nevada County Board of Supervisors and/or Nevada County Clerk Recorder:

- Expand the use of organized community groups for the purposes of staffing a precinct with poll workers.
- Compensate poll workers for training.
- Insure that all polling places are compliant with State Code Section 12288 regarding polls located in bars.

The California Elections Code describes various types of voters. For the purpose of this report the Jury focused on two types of voters, those registered in Permanent Vote-by-Mail Precincts and voters who choose to vote by mail.

In both cases:

- The ballot must be mailed in time to reach the Elections Office on or prior to Election Day.
- The voter may go to the Elections Office or a designated location in Truckee on or before Election Day, surrender their Vote-by-Mail ballot and vote either on paper or on an electronic voting machine with the ballot for their particular precinct.
- Voters may go to any precinct and vote on a provisional ballot, which may not be the same as the ballot they received in the mail.
- The provisional ballots require special handling, both in the precinct and in the tally of votes.
- Voters may also drop off their completed Vote-by-Mail ballots at any polling place on Election Day.

## **Procedures Followed**

The Jury:

- Interviewed staff of the Nevada County Elections Office prior to and after the election.
- Attended training for poll workers.
- Interviewed Inspectors and Judges.
- Had observers at all 57 of the precincts on Election Day.
- Observed operations at the Elections Office after the polls closed.
- Reviewed the Nevada County Grand Jury report "Nevada County Presidential Election – November 2008."

## **Facts**

1. Some poll workers did not attend training, but had recent election experience.
2. Approximately 70% of Nevada County voters vote by mail.

3. Processing a Vote-by-Mail ballot is more cost effective than voting in person.
4. Vote-by-Mail signatures are verified by computer.
5. Instructions for Vote-by-Mail voters:
  - Do not address all circumstances for return of spoiled or lost ballots.
  - Lack instructions for replacement of spoiled Vote-by-Mail or lost ballots when it is too late to use the U.S. Postal Service.
  - Are not clear if the Vote-by-Mail voter chooses to vote in person.
  - Do not identify the address of the polling place, if applicable.
  - Do not include the phone number for the Elections Office on the Vote-by-Mail envelope.
6. In following up on the 2008-2009 Nevada County Grand Jury Report the current Jury found the following:
  - Compensation is provided for all poll workers attending training.
  - There were no polling places in locations serving alcohol.
  - Eight precincts were staffed by organized community groups.

### **Findings**

1. Instructions accompanying Vote-by-Mail ballots created confusion for some voters.
2. Absence of the phone number of the Elections Office on the Vote-by-Mail envelope inhibits voters from resolving last minute questions concerning spoiled or lost ballots.

### **Recommendations**

1. The Nevada County Clerk Recorder should direct staff to include the following with the Vote-by-Mail ballots:
  - Instructions for replacement of spoiled or lost Vote-by-Mail ballots for those instances when it is too late to use the U.S. Postal Service.
  - Instructions for Vote-by-Mail voters on how and where to vote in person.
  - The phone number of the Elections Office on the Vote-by-Mail envelope.

### **Responses**

Nevada County Clerk Recorder, July 13, 2011



# RESPONSE



KCD 6/20/11

# Nevada County Clerk Recorder/ Registrar of Voters



**County Clerk - Recorder**  
950 Maidu Avenue, Suite 210  
Nevada City, CA 95959  
Phone: (530) 265-1221  
Fax: (530) 265-9842  
[mynevadacounty.com/recorder](http://mynevadacounty.com/recorder)

**Gregory J. Diaz**  
County Clerk - Recorder

**Gail Smith**  
Asst. County Clerk - Recorder

**County Elections**  
950 Maidu Avenue, Suite 250  
Nevada City, CA 95959  
Phone: (530) 265-1298  
Fax: (530) 265-9829  
[mynevadacounty.com/elections](http://mynevadacounty.com/elections)

June 2, 2011

The Honorable Tom Anderson  
Presiding Judge of the Grand Jury  
201 Church Street  
Nevada City, California 95959

**RE: Clerk-Recorder's Response to Nevada County Grand Jury Report Regarding the November 2010 General Election in Nevada County**

Dear Judge Anderson,

As required by California Penal Code Section 933, the Clerk-Recorder hereby submits its response to the 2010-2011 Nevada County Civil Grand Jury report on the November 2010 General Election in Nevada County.

**FINDINGS**

1. Instructions accompanying Vote-by-Mail ballots created confusion for some voters.  
**Agree.**
2. Absence of the phone number of the Elections Office on the Vote-by-Mail envelope inhibits voters from resolving last minute questions concerning spoiled or lost ballots.  
**Agree.**

**RECOMMENDATIONS**

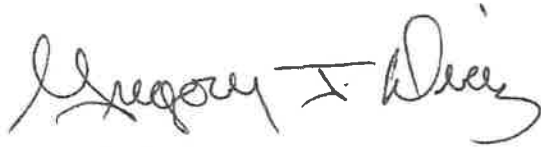
1. The Nevada County Clerk Recorder should direct staff to include the following with the Vote-by-Mail Ballots:
  - Instructions for replacement of spoiled or lost Vote-by-Mail ballots for those instances when it is too late to use the U.S. Postal Service.
  - Instructions for Vote-by-Mail voters on how and where to vote in person.
  - The phone number of the elections Office on the Vote-by-Mail Envelope.

***This recommendation will be implemented during the next election cycle.***  
Nevada County Elections will create a leaflet containing a list of Nevada County polling places, information on resources a voter may use to locate his or her

polling place, and a list of Frequently Asked Questions addressing replacement of spoiled or lost Vote-by-Mail ballots and other topics of interest to Vote-by-Mail voters. This information pamphlet will be mailed to every Vote-by-Mail voter, along with their Vote-by-Mail ballot; this information will also be available on the Elections Website. In addition, at the next printing run of Vote-by-Mail envelopes, the Elections Office phone number will be added to the envelope, located underneath the return address.

On behalf of the Nevada County Elections Office, I would like to thank the Civil Grand Jury for their efforts in conducting this investigation.

Sincerely,

A handwritten signature in black ink that reads "Gregory J. Diaz". The signature is written in a cursive style with a large, stylized initial "G".

Gregory J. Diaz  
Nevada County Clerk-Recorder/  
Registrar of Voters





# Nevada County Clerk Recorder/ Registrar of Voters

**County Clerk - Recorder**  
950 Maidu Avenue, Suite 210  
Nevada City, CA 95959  
Phone: (530) 265-1221  
Fax: (530) 265-9842  
[mynevadacounty.com/recorder](http://mynevadacounty.com/recorder)

**Gregory J. Diaz**  
County Clerk - Recorder

**Gail Smith**  
Asst. County Clerk - Recorder

**County Elections**  
950 Maidu Avenue, Suite 250  
Nevada City, CA 95959  
Phone: (530) 265-1298  
Fax: (530) 265-9829  
[mynevadacounty.com/elections](http://mynevadacounty.com/elections)

August 18, 2011

The Honorable Tom Anderson  
Presiding Judge of the Grand Jury  
201 Church Street  
Nevada City, California 95959

AUG 18 2011  
28

## **RE: Clerk-Recorder's Amended Response to Nevada County Grand Jury Report Regarding the November 2010 General Election in Nevada County**

Dear Judge Anderson,

As required by California Penal Code Section 933, the Clerk-Recorder hereby submits its amended response to the 2010-2011 Nevada County Civil Grand Jury report on the November 2010 General Election in Nevada County, as requested by the members of the Grand Jury.

### **FINDINGS**

1. Instructions accompanying Vote-by-Mail ballots created confusion for some voters.  
**Agree.**
2. Absence of the phone number of the Elections Office on the Vote-by-Mail envelope inhibits voters from resolving last minute questions concerning spoiled or lost ballots.  
**Agree.**

### **RECOMMENDATIONS**

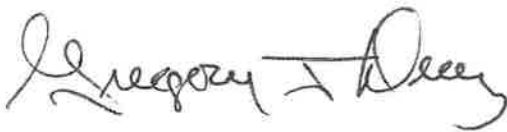
1. The Nevada County Clerk Recorder should direct staff to include the following with the Vote-by-Mail Ballots:
  - Instructions for replacement of spoiled or lost Vote-by-Mail ballots for those instances when it is too late to use the U.S. Postal Service.
  - Instructions for Vote-by-Mail voters on how and where to vote in person.
  - The phone number of the elections Office on the Vote-by-Mail Envelope.

***This recommendation will be implemented during the June 2012 Primary Election.***

**Nevada County Elections will create a leaflet containing a list of Nevada County polling places, information on resources a voter may use to locate his or her polling place, and a list of Frequently Asked Questions addressing replacement of spoiled or lost Vote-by-Mail ballots and other topics of interest to Vote-by-Mail voters. This information pamphlet will be mailed to every Vote-by-Mail voter, along with their Vote-by-Mail ballot; this information will also be available on the Elections Website. In addition, within the 2011-2012 fiscal year, the Elections Office phone number will be added to the envelope, located underneath the return address.**

On behalf of the Nevada County Elections Office, I would like to thank the Civil Grand Jury for their efforts in conducting this investigation.

Sincerely,

A handwritten signature in cursive script that reads "Gregory J. Diaz". The signature is written in dark ink and is positioned above the printed name.

Gregory J. Diaz  
Nevada County Clerk-Recorder/  
Registrar of Voters

# **HEALTH AND ENVIRONMENT**

---

**Child Protective Services of Nevada County**

---

**Nevada County Grand Jury Report with Responses  
2010-2011**



# **Child Protective Services of Nevada County**

## **Summary**

A complaint was filed with the Nevada County Grand Jury alleging that Child Protective Services had taken no action to investigate a report of suspected child abuse. It was alleged that the complainant at least twice attempted to provide additional information and received no response.

The Nevada County Grand Jury initiated an investigation of the complaint. The Grand Jury determined that Child Protective Services failed to properly process the report. It was only after the Grand Jury encouraged the complainant to contact Child Protective Services management in August 2010 that an investigation of child abuse was initiated. The reasons for this significant delay are described in this report.

The services provided to children of Nevada County by Child Protective Services are important and valued. However in this instance Child Protective Services failed to comply with its policies and procedures. The Grand Jury recommends Child Protective Services management should immediately introduce controls to ensure adherence to their policies and procedures to protect the safety and well-being of the children of Nevada County.

## **Reasons for Investigation**

A complaint was received by the Nevada County Grand Jury (Jury) describing the possible failure of Child Protective Services (CPS) to investigate a report of alleged child abuse.

## **Background**

### **Nature of Complaint**

The complainant informed the Jury of a visit to the offices of CPS to report child abuse, meeting with a social worker and describing to the social worker the reason for concern. According to the complainant, the social worker gave the complainant the social worker's business card. The complainant was encouraged to call if there was additional information. According to the complainant, two telephone calls were made to the social worker and recorded messages were left. Neither telephone call was returned. The complainant was concerned that no action had been taken by CPS in response to the report.

## **CPS**

CPS is the principal county agency that intervenes in cases of child abuse and neglect. Existing law requires CPS to provide services to abused and neglected children and their families. CPS's goal is to keep a child in his/her own home when it is safe or, if the child is at risk, to develop an alternate plan as quickly as possible. If it is determined that a child cannot remain in the home, the child is placed in foster care. Whenever a report indicates the need for protection, CPS will: (a) accept the case; (b) intervene in a crisis; (c) initiate family preservation and support services; (d) assess problems and gather facts; (e) plan and provide services, set goals, and identify resources and timeframes; (f) document the case; and (g) terminate the case or transfer it to another program.

The Child Welfare Services/Case Management System (CWS/CMS) was created by California SB 370, Chapter 1294, Statutes of 1989. The database links all reports of suspected child abuse and neglect throughout the State. CPS policies require the use of CWS/CMS to record all reports of alleged child abuse and neglect.

### **Procedures Followed**

The Jury:

- Conducted interviews with the complainant, a witness and with various CPS management staff.
- Visited the CPS facility.
- Reviewed various CPS policies and procedures and the organization chart.
- Reviewed California Penal Code, Section 273a (Willful Harm or Injury to a Child, etc.) and California Penal Code Sections 11164-11174.3 (Child Abuse and Neglect Reporting Act).
- Reviewed the California Department of Social Services web page describing the development and implementation of CWS/CMS.

### **Facts**

1. The Jury was advised that the complainant walked into the CPS facility to report incidents of suspected child abuse. After screening by a security guard, the complainant was admitted to an office and reported the information to a CPS social worker, who listened to the report, took notes and instructed the complainant to call if there was additional information.
2. The complainant provided the Jury with the business card that the complainant said was received from the CPS social worker during the visit.
3. CPS management stated it is standard practice for social workers to hand their business cards to clients.

4. CPS management provided the Jury with its policies and procedures and social worker performance standards, which clearly describe the requirement that all reports of suspected child abuse/neglect be entered into CWS/CMS. This required use of CWS/CMS applies to reports received telephonically, in writing or in person.
5. During this investigation the Jury was advised by CPS management that the complainant's initial report had not been entered into CWS/CMS.
6. CPS management stated that during the time period under investigation, no complaint was received regarding a lack of response on the part of CPS to any report of child abuse.
7. The complainant advised the Jury that two follow-up phone calls to the social worker were not returned. As a result, the Jury encouraged the complainant to contact CPS management.
8. During this investigation the Jury observed that CPS had no log, recording or other process to determine whether an individual visited the CPS office.
9. There is no procedure at the CPS facility for management to reconcile the total number of reported cases with the number of cases entered into CWS/CMS.
10. CPS management provided the Jury with certain CPS policies and procedures and other administrative documents (see Appendix A for a list of documents relevant to this report).
11. It was reported to the Jury by CPS management that during the time period under investigation, there was no CPS procedure to verify that telephone calls, or voice mails, had been responded to per CPS policy.

### **Findings**

1. The Jury concludes that the visit to CPS took place and the complainant reported suspected child abuse to a CPS social worker.
2. The Jury concludes that a breakdown in the walk-in reporting process allowed this report, and may have allowed other reports, of suspected child abuse to go unrecorded in CWS/CMS.
3. CPS does not have a process in place that would confirm a report is entered into CWS/CMS when an individual visits the CPS facility to file a report of abuse or neglect.
4. CPS failed to document, by entry into CWS/CMS, this complainant's initial report of suspected child abuse.

5. Since the report was not entered into CWS/CMS, CPS took no action to investigate the allegations until the Jury encouraged the complainant to contact CPS management.
6. The actions of CPS personnel, relative to the complainant's initial report, were not in accordance with CPS policies requiring that all reports of suspected child abuse be entered into CWS/CMS.
7. Children remain at risk if CPS fails to reliably record and investigate reports of suspected child abuse or neglect.

### **Recommendations**

The Board of Supervisors should direct staff to:

1. Implement a process to confirm that, if an individual visits the CPS facility and reports suspected abuse or neglect, the report is recorded in CWS/CMS.
2. Review with social workers their responsibilities as users of CWS/CMS. The review should be conducted at least annually.

### **Responses**

Nevada County Board of Supervisors – September 6, 2011



## **Appendix A**

### **I. Policies and Procedures**

<b>Title of Document</b>	<b>Issue Date</b>	<b>Effective Date</b>
CPS Hotline Basics	05/04/09	07/01/09
Hotline: Cross-Reporting Responsibilities	05/04/09	07/01/09
Emergency Response Investigation	03/15/10	03/15/10
Differential Response Path I & Path II	05/01/09	02/16/10
Child Abuse & Reporting Act – Who Must Report	09/01/09	09/01/09
Confidentiality Policy Overview	03/01/10	03/01/10

### **II. General Administrative Documents**

- A. Child Welfare Overview
- B. New Employee Orientation
- C. Nevada County Performance Expectations – Social Worker
- D. Nevada County Performance Expectations – Social Worker Ongoing
- E. Nevada County Performance Expectations – Supervisor
- F. Nevada County Performance Expectations – Office Assistant



# RESPONSE



GJ filed 8/23/11  
bu

# COUNTY OF NEVADA

STATE OF CALIFORNIA

950 Maidu Avenue, Suite 200 • Nevada City, California 95959-8617

## BOARD OF SUPERVISORS

Nathan Beason, 1st District  
Ed Scofield, 2nd District (Chair)  
Terry Lamphier, 3rd District  
Wm. "Hank" Weston, 4th District  
Ted S. Owens, 5th District (Vice Chair)



Telephone: (530) 265-1480  
Fax: (530) 265-9836  
Toll-Free Telephone: (888) 785-1480

Cathy R. Thompson  
Clerk of the Board

E-Mail: [bdofsupervisors@co.nevada.ca.us](mailto:bdofsupervisors@co.nevada.ca.us)  
Web: [www.mynevadacounty.com/clerkofboard](http://www.mynevadacounty.com/clerkofboard)

August 16, 2011

The Honorable Thomas Anderson  
Presiding Judge of the Nevada County Grand Jury  
Nevada County Courthouse  
201 Church Street  
Nevada City, CA 95959

Re: Board of Supervisors' Responses to the 2010-2011 Nevada County Civil Grand Jury Report,  
*Child Protective Services of Nevada County.*

Dear Judge Anderson:

As required by California Penal Code Section 933, the Board of Supervisors hereby submits its responses to the 2010-2011 Nevada County Civil Grand Jury Report, dated June 6, 2011, entitled *Child Protective Services of Nevada County.*

These responses to the Grand Jury's Findings and Recommendations were approved by the Board of Supervisors at their regular meeting on August 16, 2011. The Responses are based on either personal knowledge, examination of official County records, information received from the Human Services Agency Director, the County Executive Officer, or the Board of Supervisors and County staff members.

The Board of Supervisors would like to thank the members of the 2010-2011 Grand Jury for their participation and effort in preparing their Reports, and their participation in the Grand Jury process.

Sincerely,

Edward C. Scofield  
Chairman, Board of Supervisors

cc: Robert T. Coats, Jr., Foreman, Grand Jury  
Rick Haffey, County Executive Officer  
Jeffrey Brown, Human Services Agency Director

**NEVADA COUNTY BOARD OF SUPERVISORS RESPONSES TO  
2010-2011 Nevada County Civil Grand Jury Report  
DATED JUNE 2, 2011**

*Child Protective Services of Nevada County*

Responses to findings and recommendations are based on either personal knowledge, examination of official county records, review of the responses by the County Executive Officer, or testimony from the Board of Supervisors and county staff members.
---

**A. RESPONSES TO FINDINGS**

**1. The Jury concludes that the visit to CPS took place and the complainant reported suspected child abuse to a CPS social worker.**

Agree.

**2. The Jury concludes that a breakdown in the walk-in reporting process allowed this report, and may have allowed other reports, of suspected child abuse to go unrecorded in CWS/CMS.**

Partially Agree.

We agree that the visit to CPS took place and the complainant reported suspected child abuse to a CPS social worker and the report was not entered into the CWS/CMS system.

There is inconclusive evidence that other reports of suspected child abuse may have gone unrecorded in CWS/CMS.

**3. CPS does not have a process in place that would confirm a report is entered into CWS/CMS when an individual visits the CPS facility to file a report of abuse or neglect.**

Partially Agree.

CPS does have a procedure in place to ensure that all reports of child abuse and neglect are entered into the system. The procedure directs staff to enter all reports into CWS/CMS regardless if the report was made by someone who came to the CPS facility or if a report was made in the field.

The procedure will be expanded to include a visitors log located at the reception of the CPS facility. Visitors will document purpose of their visit. A CPS Social Worker will reconcile the reports made by individuals by cross referencing the visitor's log with entries made into the CWS/CMS system each day.

**4. CPS failed to document, by entry into CWS/CMS, this complainant's initial report of suspected child abuse.**

Agree.

**5. Since the report was not entered into CWS/CMS, CPS took no action to investigate the allegations until the Jury encouraged the complainant to contact CPS management.**

Partially Agree.

It is impossible to determine what investigation took place. The report could have been evaluated out upon in-take without further investigation which would have required only one entry into the CWS/CMS system. The entry that was not made.

**6. The actions of CPS personnel, relative to the complainant's initial report, were not in accordance with CPS policies requiring that all reports of suspected child abuse be entered into CWS/CMS.**

Agree.

**7. Children remain at risk if CPS fails to reliably record and investigate reports of suspected child abuse or neglect.**

Agree.

## **B. RESPONSES TO RECOMMENDATIONS**

The Board of Supervisors should direct staff to:

**1. Implement a process to confirm that, if an individual visits the CPS facility and reports suspected abuse or neglect, the report is recorded in CWS/CMS.**

The recommendation has not yet been implemented, but will be implemented by September 30, 2011.

The CPS Policy and Procedure on child abuse and neglect referrals will be expanded to provide specific procedures on accepting reports that are made from individuals who come to the CPS office and entering this information into the CWS/CMS system. Staff will be trained to the new procedures and it will fully implemented by September 30, 2011.

**2. Review with social workers their responsibilities as users of CWS/CMS. The review should be conducted at least annually.**

This recommendation has been implemented.

When a social worker begins work at CPS the worker's responsibilities as users of CWS/CMS are reviewed. They receive a procedural manual that they are trained to and the worker signs the procedural manual stating they understand and agree to follow the policies and procedures defined.

At each social worker's annual evaluation, responsibilities as users of CWS/CMS are reviewed with their supervisor.





# **LAW ENFORCEMENT**

---

**Nevada City Police Department Property  
and Evidence Operation**

---

**Nevada County Grand Jury Report with Responses  
2010-2011**



# **NEVADA CITY POLICE DEPARTMENT PROPERTY AND EVIDENCE OPERATION**

## **Summary**

The Nevada County Grand Jury's inspections of the Nevada City Police Department revealed a failure to handle property and evidence correctly. The Nevada City Police Department did not have a Property/Evidence technician trained in a California Commission on Peace Officers Standards and Training certified training course. The duties have been assigned to a sworn officer who acts as the evidence custodian. The Nevada County Grand Jury found improper handling of evidence and dangerous situations which exist due to the improper storage of hazardous materials. In the absence of the assigned custodian, it would be difficult for any other officer to locate evidentiary items.

The Nevada County Grand Jury strongly urges the Nevada City Police Department to contract for a performance audit of evidence handling and control. The Nevada City Police Department should also designate two employees as alternates to the primary evidence custodian. The primary custodian and alternates should complete training in evidence management certified by the California Commission on Peace Officers Standards and Training. Until the evidence custodians have completed training, the Nevada City Police Department should request temporary assistance in evidence management from an outside law enforcement agency.

The Nevada County Grand Jury recognizes and commends the Nevada City Police Department for beginning to address these issues subsequent to inspections.

## **Reasons for Investigation**

The Nevada County Grand Jury (Jury) inquires into the operations of law enforcement agencies in Nevada County. An element of these inquiries is an inspection tour of each facility and a review of the department's property and evidence (evidence) handling procedures and operations. The evidence operation of the Nevada City Police Department (NCPD) has not been previously inspected by the Jury.

## **Background**

The NCPD is a municipal police department within the State of California and the County of Nevada. The NCPD consists of eight police officers, two sergeants, one lieutenant, three reserve officers, a records clerk and a police chief. The NCPD serves an estimated 3000 residents and covers an area of approximately two square miles.

The NCPD is headquartered in the City Hall building in Nevada City. The City Hall also houses several other city agencies and city employees and is open to the general public. The area where the evidence room is located was originally designed to be a booking facility.

### **Procedures Followed**

The Jury toured and inspected the NCPD facilities and reviewed various documents including Lexipol<sup>1</sup> *Policy 804, Property Procedures*. The Jury also interviewed representatives from the NCPD.

### **Facts**

The Jury inspected the evidence management operation of the NCPD on October 26, 2010 and on February 10, 2011. The facts listed were gathered from information received and observations made during the inspections. The Jury recognizes the NCPD has begun to address some of the issues subsequent to the Jury's inspections.

1. The NCPD did not have a trained evidence technician.
2. The responsibility for evidence-handling procedures and operations was assigned to a sworn officer, acting as the evidence custodian in addition to other duties.
3. The evidence custodian had no formal training in evidence/property room management and operations.
4. The evidence custodian was the only person in the NCPD to have access to the locked evidence storage area.
5. There was no other person assigned responsibility for evidence handling procedures and operations within the NCPD.
6. An officer had been designated to attend the California Commission on Peace Officers Standards and Training (POST) certified training in evidence management.
7. The NCPD had budgeted funds for said training in the current year's budget.
8. The NCPD has not had an outside audit of its evidence handling procedures and operations for at least ten years.
9. The NCPD currently uses Lexipol Policy 804, Property Procedures for evidence handling and control.

---

<sup>1</sup> Lexipol is a risk management company that provides public safety policy manuals.

10. The NCPD had not updated or revised this policy for the years 2010 and 2011.
11. The Jury was advised that the NCPD did not follow all the procedures in the aforementioned policy.
12. There were no procedures in place for the disposition of adjudicated evidence.
13. NCPD officers sat in an open, unsecured area and processed evidence to submit for storage and then took the item(s) to the preliminary evidence storage area located outside of the locked evidence room.
14. The evidence was placed in a preliminary locker. The key to said locker is placed in a locked wooden box.
15. The wooden box sat on a counter top and was not secured to the counter top.
16. The evidence custodian was the only NCPD employee with access to the keys in the wooden box.
17. The NCPD has a secured, locked gun cabinet which serves as the NCPD's armory in an area located outside of the evidence room.
18. All sworn NCPD officers have access to the NCPD armory.
19. Some evidence, mainly weapons, may be temporarily stored in the NCPD armory.
20. The evidence room was observed to be in disarray, and contained non-evidentiary items such as city records and lost and found property.
21. There was no sign-in/sign-out procedure for persons entering and leaving the locked evidence room.
22. There was no master evidence log maintained.
23. The evidence room did not have a dedicated security alarm system.
24. There was no video surveillance inside the locked evidence room.
25. There was a small refrigerator in the evidence room used to store items requiring temperature control.
26. The refrigerator had no alarm to signal a power loss and/or a change in temperature.
27. There was no identified storage area for hazardous material.

28. The custodian stated any explosive material was maintained by the Placer County Sheriff's Department.
29. There was no air-drying facility for wet evidence items.
30. Narcotic evidence was unsecured in the evidence room.
31. Weapons of all types were stored in an open, unsecured shelf area in the evidence room.

## **Findings**

1. Training deficiencies may result in evidence being improperly processed.
2. The absence of designated trained alternates may impact the handling of evidence as to timeliness and security.
3. Failure to adhere to policies and procedures may lead to improper processing of evidence.
4. Evidence may be compromised due to co-mingling with non-evidentiary items.
5. Employees and visitors at City Hall could be placed at risk due to improper handling, control and storage of hazardous materials.
6. Regular external audits would identify deficiencies in evidence management practices.

## **Recommendations**

The City Council of Nevada City should direct NCPD to:

1. Contract for a performance audit of evidence handling and control.
2. As a temporary measure, immediately assign an officer to back up the current evidence custodian.
3. Designate a trained employee as the primary evidence custodian.
4. Designate two additional employees as alternates to the primary evidence custodian.
5. Ensure the primary evidence custodian and alternates complete the POST certified training.

6. Until evidence custodians are fully trained in proper procedures, request temporary assistance in evidence management from an outside law enforcement agency.
7. Immediately verify, log and store all evidence items.
8. Ensure that adjudicated evidence items are verified, logged, removed from the evidence area and disposed of in accordance with proper evidence-handling procedures.
9. Immediately remove all non-evidentiary items from the secured evidence area.
10. Immediately cease using the NCPD armory for evidence storage.
11. Immediately establish a hazardous material storage area. Once established, identify and store any hazardous material per state standards.

## **Responses**

The City Council of Nevada City – August 30, 2011





# RESPONSE





# City of Nevada City

Nevada County  
Civil Grand Jury  
950 Main Ave.  
Nevada City, CA 95959

*Rec'd 8/23/11 Ben*

AUG 18 2011  
*28*

August 15, 2011

The Honorable Thomas M. Anderson, Presiding Judge  
Nevada County Courts  
201 Church Street  
Nevada City, CA 95959

Dear Judge Anderson,

On behalf of the City Council of Nevada City I am transmitting to your attention our response to the Grand Jury's report in regard to the Grand Jury's findings and recommendations. As you will see from the report prepared by the Nevada City Police Department, all of the recommendations that are being implemented have already been completed.

We appreciate the time and effort put forth by the Grand Jury to provide these useful recommendations to improve our police services.

Yours Truly,

David McKay  
Mayor



# NEVADA CITY POLICE DEPARTMENT

---

## Nevada City, California



July 20, 2011

Response to the 2011 Grand Jury Report

Re: Nevada City Police Department/Property and Evidence Operation

### **BACKGROUND:**

It is reported the location the Secure Property Room is located was originally designed to be a booking facility.

Response: The Secure Property Room and pre-evidence area were designed and built to be a Secure Property Room and Pre-evidence area. At one time a Capture Station was going to be placed in the pre-evidence area however it never came to fruition.

### **FINDINGS:**

1. Training deficiencies may result in evidence being improperly processed.

**Partially agree**

Training deficiencies could theoretically result in evidence being improperly processed, but there is no indication that this has occurred and training is consistent with size and resources of this department.

2. The absence of designated trained alternates may impact the handling of evidence as to timeliness and security.

**Partially agree**

**At the time this finding was made, there was a Property Custodian and an alternate in place, with a second alternate identified.**

3. Failure to adhere to policies and procedures may lead to improper processing of evidence.

**Agree**

4. Evidence may be compromised due to co-mingling with non-evidentiary items.

**Disagree**

**The area in question is a secure property room which houses both items for safekeeping as well as evidence. Each item is individually packaged with no threat of compromise to any evidence.**

5. Employees and visitors at City Hall could be placed at risk due to improper handling, control and storage of hazardous materials.

**Disagree**

**The Police Department does not store hazardous materials in the secure property room that would be flammable or explosive. Blood, ammunition and drugs are stored in the secure property room adhering to policy.**

6. Regular external audits would identify deficiencies in evidence management practices.

**Agree**

## **RECOMMENDATIONS**

1. Contract for a performance audit of the evidence handling and control.

**The recommendation has already been implemented.**

**A three member group from the Police Officer Standards and Training made the initial inspection and review of the property room on June 7, 2011, with follow-ups to come.**

2. As a temporary measure, immediately assign an officer to back up the current evidence custodian.

**The recommendation has already been implemented**

**A sergeant completed the Property Room Management Course March 2, 2011, and is now the primary custodian. We have a police officer certified in Property Room Management to act as back-up.**

3. Designate a trained employee as the primary evidence custodian.

**The recommendation has already been implemented.**

**See # 2 supra.**

4. Designate two additional employees as alternates to the primary custodian.

**The recommendation will not be implemented at the present time.**

**Due to our agency size and budget, it is more appropriate to have only one primary and (1) alternate.**

5. Ensure the primary evidence custodian and alternates complete the POST certified Training.

**Recommendation has already been implemented.**

**Sgt. Rohde Completed training on March 2, 2011 and was assigned as the primary Property Room Custodian.**

6. Until evidence custodians are fully trained in proper procedures, request temporary assistance in evidence management from and outside law enforcement agency.

**The recommendation will not be implemented because it is not warranted.**

**At the time of the report the primary property custodian was fully trained as well as (1) alternate**

7. Immediately verify, log and store all evidence items.

**The recommendation has been implemented.**

**The primary custodian has worked back through three (3) years of evidence, verifying, logging and storing it in assigned bins. Work will continue to identify and purge adjudicated cases.**

8. Ensure that adjudicated evidence items are verified, logged, removed from the evidence area and disposed of in accordance with proper evidence handling procedures

**The recommendation has been implemented**

**Over 100 cases have been identified and removed from the property room. This will be an ongoing process.**

9. Immediately remove all non-evidentiary items from the secure evidence area.

**The recommendation will not be implemented because it is not warranted or reasonable.**

**The area is a Secure Property Room which will store both valuable items for safekeeping as well as items of evidence. Individual packaging and labeling adequately protects from compromising of evidence so that the expense of a separate facility is not justified for the small volume of property involved.**

10. Immediately cease using the NCPD armory for evidence storage.

**The recommendation has been implemented.**

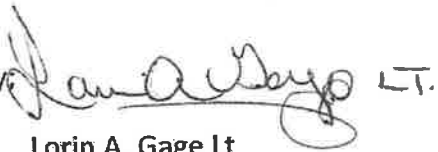
**The armory was only used for temporary storage of long guns. If a property custodian is not on duty one will be called in to place the item into the secure property room.**

11. Immediately establish a hazardous material storage area. Once established, identify and store any hazardous materials per state standards.

**The recommendation will not be implemented because it is not warranted.**

**The Nevada City Police Department does store certain hazardous materials, i.e. narcotics, ammunition, and syringes. The items are stored in accordance with state standards. Flammables, explosives etc... are referred to the proper authority. State Fire Marshal, E.O.D. and certified Hazardous Material collection and storage agencies.**

Prepared By:

 LT.

Lorin A. Gage Lt

Nevada City Police Department





**NEVADA CITY POLICE DEPARTMENT**  
Nevada City, California



**LOUIS A. TROVATC**  
Chief of Police

October 13, 2011

Robert T. Coats  
Foreperson, 2011-2012 Grand Jury  
950 Maidu Avenue  
Nevada City, California 95959

Dear Foreperson Coats:

Below are the corrections required to bring this Department's August 15, 2011 response to the Grand Jury's Report in compliance with Penal Code Section 933.05.

- (1) The response to recommendation 5 ["...ensure the primary evidence custodian and alternates..."] does not address the certification of alternates(s).

The recommendation has been implemented.

Sergeant Rohde completed the POST training and obtained certification in March. He is assigned as the primary Property Room Custodian. The alternate officer has a lifetime certification from the International Association for Property and Evidence. Although this is not a POST certification, it is recognize and accepted by POST. Additionally, we will send another officer to the next POST course offered. POST advises that will be in the first part of 2012.

- (2) The response to recommendation 7 ["...Ensure that adjudicated evidence..."] does not include a timeframe for completion (as required by 933.05(b)(2)).

The recommendation has been implemented.

All evidence has been verified, logged and stored.

Grand Jury Second Response  
Nevada City Police Department  
October 13, 2011  
Page 2 of 2

- (3) The response to recommendation 8 [“...Ensure that adjudicated evidence...”] does not include either (a) a timeframe for completion of the removal of adjudicated evidence currently held (as required by Section 933.05(b)(2)) or (b) a statement that adjudicated evidence has been removed.

The recommendation has been implemented.

Disposal of approximately half of the adjudicated case items has been completed. It is anticipated all items will be disposed of by the end of the current year. Computerized procedures are in place to ensure current and future adjudicated cases are disposed of in accordance with proper evidence handling procedures.

I apologize for our previous incomplete responses and am available if you require further information.

Very truly yours,

  
LOUIS A. TROVATO  
Chief of Police

# **LAW ENFORCEMENT**

---

**Nevada County Sheriff's Office Truckee Sub-Station  
and Superior Court Holding Facility**

---

**Nevada County Grand Jury Report with Responses  
2010-2011**



# **Nevada County Sheriff's Office Truckee Sub-Station and the Superior Court Holding Facility**

## **Summary**

The Nevada County Grand Jury is statutorily required to annually inspect public prisons within Nevada County. The Nevada County Sheriff's Office has responsibility for the management of county correctional facilities, including inmate-holding facilities at the Nevada County Sheriff's Office, Truckee Sub-Station and at the Nevada County Superior Court, Truckee Branch.

The Truckee Sub-Station was built in the early 1960s and has an inmate capacity of twelve. It is used to temporarily house persons arrested in the Truckee area and inmates who are transported daily from the Wayne Brown Correctional Center for court appearances. There is also an inmate holding facility at the Nevada County Superior Court, Truckee Branch used to briefly hold inmates awaiting court appearances.

The Nevada County Grand Jury recommends that certain improvements should be made as soon as possible. These include:

- Increased supervision of the inmate workers housed at the Truckee Sub-Station.
- Additional cameras to better observe the activities of inmates, both inside and outside of the facilities.
- Bringing the Truckee Sub-Station into compliance with the State Fire Marshal inspection.
- Replacement of the evidence/property lockers currently in use at the Truckee Sub-Station.
- Expedite construction of a secure inmate loading/unloading area at the Nevada County Superior Court with a secure enclosure, commonly known as a sally port.
- Expedite construction of a secure enclosed walkway area used to transport inmates into the Nevada County Superior Court.

## **Reasons for Investigation**

California Penal Code section 919(b) requires: "The grand jury shall inquire into the condition and management of the public prisons within the county." The Nevada County Grand Jury (Jury) defines public prisons as any adult or juvenile correction or detention facility within the county.

## **Background**

The Nevada County Sheriff's Office (NCSO) is a county sheriff's department within the State of California as defined by the California Penal Code. The NCSO is responsible for the management of the county correctional facilities located at the Truckee Sub-Station (Sub-Station) and the Nevada County Superior Court, Truckee Branch (Truckee Court). The Sub-Station also houses the NCSO law enforcement operations in the Truckee area.

The Sub-Station and the Truckee Court are Type 1 facilities as defined by the Corrections Standards Authority, a sub-agency of the California Department of Corrections and Rehabilitation. The Sub-Station and the Truckee Court are low security risk, temporary holding facilities. Inmate confinement is limited to ninety-six hours. The Sub-Station is used to house persons arrested in the Truckee area and inmates who are transported daily from the Wayne Brown Correctional Center for court appearances. The Truckee Court is used to briefly hold inmates awaiting court appearances.

## **Procedures Followed**

On September 28, 2010, the Jury inspected the Sub-Station located at 10879 Donner Pass Road, Truckee, California and a second holding facility located within the Truckee Court located at 10075 Levon Avenue, Truckee, California. The Jury toured the facilities, interviewed representatives from the NCSO and reviewed documentation received from the following public agencies:

- Nevada County Sheriff's Office
- California Department of Corrections and Rehabilitation, Corrections Standards Agency
- California Department of Forestry, Office of the State Fire Marshal

## **Facts**

### **Nevada County Sheriff's Office Truckee Sub-Station**

1. The existing surveillance camera system at the Sub-Station does not:
  - Completely monitor all inmate-housing areas.
  - Monitor the hallway adjacent to a work sink and an exterior door.
  - Allow adequate monitoring of the inmate worker when outside of the Sub-Station.
2. The evidence/property lockers are made of wood with a non-keyed locking system.
3. At the time of the inspection, per the *Fire Safety Correction Notice* prepared by the Office of the State Fire Marshal dated and signed on May 24, 2010, the Sub-Station had six listed deficiencies, one of which remains outstanding since May 2007.

4. "Fire clearance" has been withheld by the State Fire Marshal, pending correction of all the listed items.
5. At the time of the inspection, there were two inmate workers housed in the Sub-Station.
6. One inmate worker, a Placer County inmate, was transported to Placer County facilities by Placer County Sheriff's Office personnel each morning and returned to the Sub-Station each evening. The Jury was told the inmate was not searched for contraband by Sub-Station personnel on return from the Placer County facilities.
7. The second inmate worker was a Nevada County inmate responsible for meal preparation, general cleaning and other duties as assigned at the Sub-Station. This inmate worker was:
  - Unsupervised when outside in the area adjacent to the Sub-Station, including the parking area, the public library and the Truckee Court.
  - Not always searched for contraband on his return from outside of the Sub-Station.
  - Observed to lack overall cleanliness as required in the Wayne Brown Correctional Facility County of Nevada Inmate Informational Handbook.
8. The inmate workers' cell was observed by the Jury to lack cleanliness and did not comply with the *Wayne Brown Correctional Facility County of Nevada Inmate Informational Handbook*.

#### **Nevada County Superior Court, Truckee Branch**

9. There is a holding facility in the Truckee Court for inmates awaiting court appearances.
10. Inmates are transported in a secure vehicle by an armed correctional officer between the Wayne Brown Correctional Center, the Sub-Station and the Truckee Court.
11. At the Truckee Court inmates are moved from the secure vehicle in an outdoor, unsecured, open area located in close proximity to a public library and county offices.
12. Inmates are moved from the secure vehicle to the Truckee Court through an outdoor, unsecured, open walkway utilized by court and county employees and the public.
13. There are no surveillance cameras in the inmate loading/unloading area or in the outdoor, unsecured, open walkway through which inmates are moved in and out of the Truckee Court.
14. Inmates at the Truckee Court are moved through an unsecured, open area located in close proximity to the courtroom, the judge's chamber, the jury deliberation room and offices housing court employees.

## **Findings**

### **Nevada County Sheriff's Office Truckee Sub-Station**

1. Employees and inmates at the Sub-Station may be exposed to potentially dangerous situations as surveillance cameras do not monitor all inmate areas.
2. The lack of secure handling, storage and control may lead to loss, contamination, degradation and/or destruction of evidence/property.
3. The deficiency documented in the State Fire Marshal's inspection of the Sub-Station may expose employees, inmates and the public to potentially dangerous situations.
4. Employees, inmates and the public may be exposed to potentially dangerous situations because inmate workers are unsupervised when outside of the Sub-Station.
5. Employees and inmates may be exposed to potentially dangerous situations when inmate workers are not searched on return to the Sub-Station.
6. The guideline for dorms and individual housing units and the statement on hygiene in the *Wayne Brown Correctional Facility County of Nevada Inmate Informational Handbook* are not being enforced at the Sub-station.

### **Nevada County Superior Court, Truckee Branch**

7. There is concern regarding officer and public safety, as well as potential prisoner escape, when transferring inmates between vehicles and the Truckee Court.
8. There is concern regarding employee and public safety when moving inmates within the building housing the Truckee Court.

## **Recommendations**

The Nevada County Sheriff should initiate procedures to:

1. Ensure monitoring of all inmate areas at the Sub-Station.
2. Ensure the safety and secure storage of evidence and property. The NCSO should replace the existing wooden, non-keyed lockers with metal lockers equipped with a keyed locking system.
3. Ensure full compliance with the State Office of the Fire Marshal.
4. Supervise the inmate worker's activities when the inmate worker is outside of the Sub-Station.



5. Search inmate workers for contraband upon return from outside of the Sub-Station.
6. Ensure inmate workers are clean and properly groomed and their quarters are kept clean and orderly.

The Nevada County Sheriff should open dialogue with the Nevada County Superior Court to:

7. Secure the open inmate loading/unloading area at the Truckee Court with a sally port.
8. Secure the open walkway area used to transport inmates into the Truckee Court with a secure enclosure.
9. Review the process for the movement of inmates through unsecured areas of the building housing the Truckee Court.

## **Responses**

Nevada County Sheriff, August 29, 2011



# **RESPONSE**



**NEVADA COUNTY  
SHERIFF'S OFFICE**



Nevada County  
Civil Grand Jury  
950 Maidu Ave.  
Nevada City, CA 95959

*REC 8/23/11*  
*[Signature]*  
**KEITH ROYAL  
SHERIFF/CORONER  
PUBLIC ADMINISTRATOR**

August 17, 2011

Honorable Judge Tom Anderson  
Presiding Judge of the Grand Jury  
201 Church Street  
Nevada City, CA 95959

**AUG 18 2011**  
*28*

RE: Response to 2010-2011 Nevada County Sheriff's Office Truckee Sub-station and Superior Courthouse Holding Facility

Dear Honorable Judge Anderson:

In response to the Grand Jury Report dated June 24, 2011 on the Nevada County Sheriff's Office Truckee Sub-station and Superior Courthouse Holding facility.

**Findings:**

1. Employees and inmates at the Sub-station may be exposed to potentially dangerous situations as surveillance cameras do not monitor all inmate areas.

**Partially Agree**

**We are unable to completely monitor inmate housing areas with cameras as the cells incorporate toilet commodes (privacy issues); however these housing areas are visually monitored and checked by Sheriff's Office personnel hourly.**

**Additionally there are cameras located in the hallway that allow for visual monitoring in front of the cells.**

**Added surveillance cameras on the exterior of the building could assist Sheriff's Office personnel in monitoring the inmate workers while they are outside the facility.**

2. The lack of secure handling, storage, and control may lead to loss, contamination, degradation, and/or destruction of evidence/property.

**Disagree**

---

ADMINISTRATION: 950 MAIDU AVENUE, NEVADA CITY, CA 95959 - (530) 265-1471  
ANIMAL CONTROL: 14647 MCCOURTNEY ROAD, GRASS VALLEY, CA 95949 (530) 273-2179  
CORRECTIONS: P.O. BOX 928, NEVADA CITY, CA 95959-0928 - (530) 265-1291  
TRUCKEE: P.O. BOX 699, TRUCKEE, CA 96160 - (530) 582-7838  
KEITH.ROYAL@CO.NEVADA.CA.US

Currently, the patrol sergeant assigned to our Truckee substation is responsible for ensuring the timely transfer of booked in evidence from Truckee to Nevada City.. Personnel who have access to the contents of the evidence storage lockers in Truckee is limited to the sergeant assigned to the station. In the sergeant's absence, transfer of this responsibility is made on a case by case basis. The Sheriff's Office is not aware of any successful challenges to the evidence chain of custody in Truckee. Furthermore, the Truckee substation is access controlled as to who is allowed within the facility, especially after hours. Considering the fact the evidence locker is located directly outside the 24 hour operated 911 Dispatch Center in full view, monitored by Dispatch utilizing CCTV, the likelihood of an evidence locker breach is extremely remote.

However, as the Sheriff's Office is always looking to improve its function and considering any modification is a budgetary issue, planning for an upgrade will be considered for the FY 12/13 budget cycle.

3. The deficiency documented in the State Fire Marshal's inspection of the Sub-station may expose employees, inmates and the public to potentially dangerous situations.

#### **Agree**

However, after the Grand Jury's inspection, a Deputy State Fire Marshal re-inspected the Truckee Sub-Station and issued a Fire Clearance on May 27, 2011.

4. Employees, inmates and the public may be exposed to potentially dangerous situations because inmate workers are unsupervised when outside of the Sub-station.

#### **Disagree**

We currently house two inmate workers at the Truckee Sub-station; one inmate is from the Wayne Brown Correctional Facility and the other is housed under contract with Placer County. The Nevada County inmate worker is responsible for cleaning the entire Sheriff's Sub-station, including the jail, administrative offices, outside grounds, parking areas, washing vehicles, clearing snow, preparing meals for inmates, and raising and lowering of the American flags at both the Joseph Center (Truckee Courthouse) and the Sheriff's Office.

The inmate workers are sentenced to jail times and chosen from a pool of potential inmates from the Wayne Brown Correctional Facility. They are carefully selected and only inmates classified as very low security risk are accepted. The inmate worker is monitored by Sheriff's Office personnel, however, due to their low security classification; it is not feasible for staff to constantly monitor their work. Sheriff's Office personnel require that the inmate worker advise of their whereabouts at all times. When the worker is at the Joseph Center, they are supervised by other County employees.

As in Nevada City, it is very common for sentenced inmates to leave the facility without constant monitoring in order to conduct work for other County departments. Sheriff's Office personnel randomly search the inmates and their housing areas, as well as administering drug testing when appropriate.

5. Employees and inmates may be exposed to potentially dangerous situations when inmate workers are not searched on return to the Sub-station.

### **Partially Agree**

**Sheriff's Office personnel randomly search inmates and their housing areas; however, on the day of the Grand Jury inspection, one officer indicated they never searched the inmate workers. There are established Jail Directives regarding searching of inmates and the officers need to be more diligent in conducting searches on inmate workers. Additionally, there are cameras that monitor areas inhabited by both inmate workers and the general inmate population to ensure no contraband is being held or passed between inmates.**

6. The guidelines for dorms and individual housing units and the statement on hygiene in the Wayne Brown Correctional Facility County of Nevada Inmate Informational Handbook are not being enforced at the Sub-station.

### **Partially Agree**

**Sheriff's Office personnel randomly search inmates and their housing areas, however, on the day of the Grand Jury inspection, the inmate worker housing area lacked cleanliness and the inmate worker's hygiene was described as dirty. There are established guidelines for searching and requirements of personal hygiene standards for the workers as they handle food. Prior to being assigned as the inmate worker, the inmates are screened and approved to handle food by the contracted medical team at the Wayne Brown Correctional Facility. The officers have been instructed to be more diligent in conducting searches of the inmate worker housing area and assuring their hygiene standards are kept.**

7. There is concern regarding employee and public safety as well as potential prisoner escape when transferring inmates between vehicles and the Truckee Court.

### **Agree**

8. There is concern regarding employee and public safety when moving inmates within the building housing the Truckee Court.

### **Agree**

## **RECOMMENDATIONS:**

1. The Nevada County Sheriff should initiate procedures to ensure monitoring of all inmate areas at the Sub-station.

**The recommendation has already been implemented by use of Sheriff's Office personnel rather than surveillance cameras. We are looking into increasing the number of surveillance cameras on the exterior of the building pending cost analysis and funding resources.**

2. The Nevada County Sheriff should ensure the safety and secure storage of evidence and property. The NCSO should replace the existing wooden, non-keyed lockers with metal lockers equipped with a keyed locking system.

**The recommendation has not yet been implemented but will be implemented in the future pending cost analysis and funding resources.**

3. The Nevada County Sheriff should ensure full compliance with the State Office of the Fire Marshal.

**The recommendation has already been implemented. A Fire Clearance was issued on May 27, 2011 by a Deputy State Fire Marshal.**

4. The Nevada County Sheriff should supervise the inmate worker's activities when the inmate worker is outside of the Sub-station.

**The recommendation has already been implemented; however, constant monitoring is not feasible with the number of staff currently assigned.**

5. The Nevada County Sheriff should search inmate workers for contraband upon return from outside of the Sub-station.

**The recommendation has already been implemented. Sheriff's Office staff randomly search inmates and their housing areas.**

6. The Nevada County Sheriff should ensure inmate workers are clean and properly groomed and their quarters are kept clean and orderly.

**The recommendation has already been implemented. Officers have been instructed to be more diligent in ensuring inmate workers are clean and properly groomed and that their quarters are kept clean.**

7. The Nevada County Sheriff should open dialogue with the Nevada County Superior Court to secure the open inmate loading/unloading area at the Truckee Court with a Sally port.

**The recommendation has been implemented in that the discussion has taken place, although the California Administrative Office of the Courts does not have any funding sources to cover the costs of building a Sally port.**

8. The Nevada County Sheriff should open dialogue with the Nevada County Superior Court to secure the open walkway area used to transport inmates into the Truckee Court with a secure enclosure.

**The recommendation has been implemented in that the discussion has taken place, although the California Administrative Office of the Courts does not have any funding sources to cover the costs of building a secure enclosure.**

9. The Nevada County Sheriff should open dialogue with the Nevada County Superior Court to review the process for the movement of inmates through unsecured areas of the building housing the Truckee Court.

**The recommendation has been implemented in that the discussion has taken place, although the California Administrative Office of the Courts does not have**



**any funding sources to cover the construction costs that would be necessary to move judge's chambers and offices at the Truckee Superior Court.**

The Sheriff's Office would like to thank the members of the 2010-2011 Grand Jury for their participation and effort in preparing their Reports. We are committed to providing the highest level of safety and security to our employees, the public, and inmates.

Sincerely,



Keith Royal  
Sheriff-Coroner

CC: CEO Rick Haffey  
Board Analyst, Eve Diamond

---

**NEVADA COUNTY  
SHERIFF'S OFFICE**



**KEITH ROYAL  
SHERIFF/CORONER  
PUBLIC ADMINISTRATOR**

---

August 17, 2011 (updated September 30, 2011)

Honorable Judge Tom Anderson  
Presiding Judge of the Grand Jury  
201 Church Street  
Nevada City, CA 95959

RE: Response to 2010-2011 Nevada County Sheriff's Office Truckee Sub-station and Superior Courthouse Holding Facility

Dear Honorable Judge Anderson:

In response to the Grand Jury Report dated June 24, 2011 on the Nevada County Sheriff's Office Truckee Sub-station and Superior Courthouse Holding facility.

**Findings:**

1. Employees and inmates at the Sub-station may be exposed to potentially dangerous situations as surveillance cameras do not monitor all inmate areas.

**Partially Agree**

**We are unable to completely monitor inmate housing areas with cameras as the cells incorporate toilet commodes (privacy issues); however these housing areas are visually monitored and checked by Sheriff's Office personnel hourly.**

**Additionally there are cameras located in the hallway that allow for visual monitoring in front of the cells.**

**Added surveillance cameras on the exterior of the building could assist Sheriff's Office personnel in monitoring the inmate workers while they are outside the facility.**

2. The lack of secure handling, storage, and control may lead to loss, contamination, degradation, and/or destruction of evidence/property.

**Disagree**

---

ADMINISTRATION: 950 MAIDU AVENUE, NEVADA CITY, CA 95959 - (530) 265-1471  
ANIMAL CONTROL: 14647 MCCOURTNEY ROAD, GRASS VALLEY, CA 95949 (530) 273-2179  
CORRECTIONS: P.O. BOX 928, NEVADA CITY, CA 95959-0928 - (530) 265-1291  
TRUCKEE: P.O. BOX 699, TRUCKEE, CA 96160 - (530) 582-7838  
KEITH.ROYAL@CO.NEVADA.CA.US

Currently, the patrol sergeant assigned to our Truckee substation is responsible for ensuring the timely transfer of booked in evidence from Truckee to Nevada City.. Personnel who have access to the contents of the evidence storage lockers in Truckee is limited to the sergeant assigned to the station. In the sergeant's absence, transfer of this responsibility is made on a case by case basis. The Sheriff's Office is not aware of any successful challenges to the evidence chain of custody in Truckee. Furthermore, the Truckee substation is access controlled as to who is allowed within the facility, especially after hours. Considering the fact the evidence locker is located directly outside the 24 hour operated 911 Dispatch Center in full view, monitored by Dispatch utilizing CCTV, the likelihood of an evidence locker breach is extremely remote.

However, as the Sheriff's Office is always looking to improve its function and considering any modification is a budgetary issue, planning for an upgrade will be considered for the FY 12/13 budget cycle.

3. The deficiency documented in the State Fire Marshal's inspection of the Sub-station may expose employees, inmates and the public to potentially dangerous situations.

#### **Agree**

However, after the Grand Jury's inspection, a Deputy State Fire Marshal re-inspected the Truckee Sub-Station and issued a Fire Clearance on May 27, 2011.

4. Employees, inmates and the public may be exposed to potentially dangerous situations because inmate workers are unsupervised when outside of the Sub-station.

#### **Disagree**

We currently house two inmate workers at the Truckee Sub-station; one inmate is from the Wayne Brown Correctional Facility and the other is housed under contract with Placer County. The Nevada County inmate worker is responsible for cleaning the entire Sheriff's Sub-station, including the jail, administrative offices, outside grounds, parking areas, washing vehicles, clearing snow, preparing meals for inmates, and raising and lowering of the American flags at both the Joseph Center (Truckee Courthouse) and the Sheriff's Office.

The inmate workers are sentenced to jail times and chosen from a pool of potential inmates from the Wayne Brown Correctional Facility. They are carefully selected and only inmates classified as very low security risk are accepted. The inmate worker is monitored by Sheriff's Office personnel, however, due to their low security classification; it is not feasible for staff to constantly monitor their work. Sheriff's Office personnel require that the inmate worker advise of their whereabouts at all times. When the worker is at the Joseph Center, they are supervised by other County employees.

As in Nevada City, it is very common for sentenced inmates to leave the facility without constant monitoring in order to conduct work for other County departments. Sheriff's Office personnel randomly search the inmates and their housing areas, as well as administering drug testing when appropriate.

5. Employees and inmates may be exposed to potentially dangerous situations when inmate workers are not searched on return to the Sub-station.

### **Partially Agree**

**Sheriff's Office personnel randomly search inmates and their housing areas; however, on the day of the Grand Jury inspection, one officer indicated they never searched the inmate workers. There are established Jail Directives regarding searching of inmates and the officers need to be more diligent in conducting searches on inmate workers. Additionally, there are cameras that monitor areas inhabited by both inmate workers and the general inmate population to ensure no contraband is being held or passed between inmates.**

6. The guidelines for dorms and individual housing units and the statement on hygiene in the Wayne Brown Correctional Facility County of Nevada Inmate Informational Handbook are not being enforced at the Sub-station.

### **Partially Agree**

**Sheriff's Office personnel randomly search inmates and their housing areas, however, on the day of the Grand Jury inspection, the inmate worker housing area lacked cleanliness and the inmate worker's hygiene was described as dirty. There are established guidelines for searching and requirements of personal hygiene standards for the workers as they handle food. Prior to being assigned as the inmate worker, the inmates are screened and approved to handle food by the contracted medical team at the Wayne Brown Correctional Facility. The officers have been instructed to be more diligent in conducting searches of the inmate worker housing area and assuring their hygiene standards are kept.**

7. There is concern regarding employee and public safety as well as potential prisoner escape when transferring inmates between vehicles and the Truckee Court.

### **Agree**

8. There is concern regarding employee and public safety when moving inmates within the building housing the Truckee Court.

### **Agree**

## **RECOMMENDATIONS:**

1. The Nevada County Sheriff should initiate procedures to ensure monitoring of all inmate areas at the Sub-station.

**The recommendation has already been implemented by use of Sheriff's Office personnel rather than surveillance cameras. We are looking into increasing the number of surveillance cameras on the exterior of the building pending cost analysis and funding resources.**

2. The Nevada County Sheriff should ensure the safety and secure storage of evidence and property. The NCSO should replace the existing wooden, non-keyed lockers with metal lockers equipped with a keyed locking system.

**The recommendation will not be implemented as it is not reasonable as referenced in our response to the grand jury findings. We feel our current evidence procedures and storage facilities are adequate to maintain Chain of Custody. At such time as new lockers rise to the level of priority that can be accommodated by our allocated budget, we will consider ordering new evidence lockers for the Truckee Substation.**

3. The Nevada County Sheriff should ensure full compliance with the State Office of the Fire Marshal.

**The recommendation has already been implemented. A Fire Clearance was issued on May 27, 2011 by a Deputy State Fire Marshal.**

4. The Nevada County Sheriff should supervise the inmate worker's activities when the inmate worker is outside of the Sub-station.

**The recommendation Will not be implemented as it is not reasonable as referenced in our response to the grand jury findings. We feel we are providing adequate supervision of the inmate trustee with the given number of correctional staff assigned to the Truckee substation and the criteria used to select the inmate trustee.**

5. The Nevada County Sheriff should search inmate workers for contraband upon return from outside of the Sub-station.

**The recommendation will not be implemented as it is not reasonable to search the inmate worker everytime they reenter any of the buildings at the Truckee Substation. We simply do not have the staff to implement this procedure. Sheriff's Office staff randomly search inmates and their housing areas.**

6. The Nevada County Sheriff should ensure inmate workers are clean and properly groomed and their quarters are kept clean and orderly.

**The recommendation has already been implemented. Officers have been instructed to be more diligent in ensuring inmate workers are clean and properly groomed and that their quarters are kept clean.**

7. The Nevada County Sheriff should open dialogue with the Nevada County Superior Court to secure the open inmate loading/unloading area at the Truckee Court with a Sally port.

**The recommendation has been implemented in that the discussion has taken place, although the California Administrative Office of the Courts does not have any funding sources to cover the costs of building a Sally port.**

8. The Nevada County Sheriff should open dialogue with the Nevada County Superior Court to secure the open walkway area used to transport inmates into the Truckee Court with a secure enclosure.


**The recommendation has been implemented in that the discussion has taken place, although the California Administrative Office of the Courts does not have any funding sources to cover the costs of building a secure enclosure.**

9. The Nevada County Sheriff should open dialogue with the Nevada County Superior Court to review the process for the movement of inmates through unsecured areas of the building housing the Truckee Court.

**The recommendation has been implemented in that the discussion has taken place, although the California Administrative Office of the Courts does not have any funding sources to cover the construction costs that would be necessary to move judge's chambers and offices at the Truckee Superior Court.**

The Sheriff's Office would like to thank the members of the 2010-2011 Grand Jury for their participation and effort in preparing their Reports. We are committed to providing the highest level of safety and security to our employees, the public, and inmates.

Sincerely,



Keith Royal  
Sheriff-Coroner

CC: CEO Rick Haffey  
Board Analyst, Eve Diamond

# **LAW ENFORCEMENT**

---

**Nevada County Superior Courthouse Holding Facility**

---

**Nevada County Grand Jury Report with Responses  
2010-2011**





# **Nevada County Superior Courthouse Holding Facility**

## **Summary**

The replacement of the Nevada County Courthouse in Nevada City has long been a topic of discussion. Recently, the California Administrative Office of the Court prepared a feasibility report and held meetings on the subject. The California Penal Code requires the Nevada County Grand Jury to inspect annually the holding facility located in the Courthouse as to its condition and management.

Although the holding facility at the Courthouse was determined to be adequate for its purpose, the Nevada County Grand Jury found several issues in need of attention. These issues primarily revolve around security of inmates and the safety of the public and Courthouse employees. Since the timeframe for replacement of the current Courthouse has not been fully defined, the Nevada County Grand Jury recommends that the items of concern noted during their inspection should be addressed immediately.

## **Reasons for Investigation**

California Penal Code Section 919(b) requires: "The grand jury shall inquire into the condition and management of the public prisons within the county." The Nevada County Grand Jury (Jury) defines public prisons as any adult or juvenile correction or detention facility within the county.

## **Procedures Followed**

The Jury inspected the holding facility at the Nevada County Courthouse (Courthouse) in Nevada City on October 12, 2010 and interviewed the staff of the holding facility. The Jury reviewed the Nevada County Sheriff's Office Court Holding Division Directive 18, dated August 11, 2000, and the Administrative Office of the Court, Superior Court of California, County of Nevada, New Nevada City Courthouse Project Feasibility Report, dated June 9, 2010. [http://www.courts.ca.gov/xbcr/cc/nevada\\_pfr.pdf](http://www.courts.ca.gov/xbcr/cc/nevada_pfr.pdf)

## **Background**

The Courthouse has occupied the present location since 1855. The current courthouse was completed in 1865 replacing the previous one destroyed by fire. In 1900, the building was remodeled and in 1936-37, an extensive renovation of the building was done under the

depression-era Works Project Administration (WPA). The courthouse annex was added in 1963. It housed the county jail until the building of the Wayne Brown Correctional Facility (WBCF) in 1992 and still houses the court holding facility. The Courthouse is jointly owned by the State of California and Nevada County.

The Jury is aware that the California Administrative Office of the Court is in the early stages of planning the replacement of the Courthouse. However, the Jury concludes it is important to highlight relevant findings concerning the current courthouse and make recommendations to improve conditions.

### **Facts**

- 1.** There is a holding facility in the Courthouse for inmates transported from WBCF for court appearances and meetings with attorneys.
- 2.** The external doors of vans transporting inmates from WBCF are equipped with standard factory-installed locks.
- 3.** Transport vans are driven into the enclosed parking garage located below the Courthouse holding facility.
- 4.** The parking garage entrance and exit have remote-access, roll-up security gates.
- 5.** The Jury observed that the timing cycle allows roll-up gates in the parking garage to remain open longer than necessary for a vehicle to enter or exit.
- 6.** The fenced and gated enclosure, commonly known as a sally port, allows inmates to be loaded and unloaded in a secure area before being taken by elevator to the holding cells.
- 7.** At the time of inspection, the Jury was told the roll-up security gate on the sally port is not always lowered and secured during movement of the inmates.
- 8.** If there is a transport van parked in the sally port, additional transports load and unload inmates in the non-secured area of the parking garage.
- 9.** Several surveillance cameras, recommended in previous Jury reports, have been installed in the Courthouse and are monitored by Sheriff's personnel.
- 10.** The surveillance cameras installed in the parking garage do not provide viewing of all sections of the garage.
- 11.** The inmate transport elevator does not have a surveillance camera installed.

12. There is a surveillance camera blind spot in an area of the Courthouse used by both the public and inmates.
13. In-custody inmate movement between the holding facility and courtrooms takes place in unsecured public corridors.

### **Findings**

1. Standard factory-installed locks on inmate transportation vans do not provide sufficient safety and security for inmates and Sheriff's personnel.
2. The length of time the parking garage gates are open could allow unauthorized individuals to enter or exit the garage.
3. Inconsistent use of the sally port increases the possibility of security issues.
4. The inability to monitor all sections of the parking garage endangers those using the garage.
5. The absence of a surveillance camera in the inmate transport elevator may jeopardize the safety of Sheriff's personnel and inmates.
6. The surveillance camera blind spot in the Courthouse may jeopardize the safety of individuals in that area.
7. Employees, inmates and the public may be at risk when hallways are not cleared before moving inmates to courtrooms.

### **Recommendations**

The Nevada County Sheriff should direct staff to:

1. Install upgraded locks controlled by the driver in all inmate transport vans.
2. Properly use the sally port for loading and unloading of all inmates.
3. Clear individuals from hallways when inmates are moved to courtrooms.

The Nevada County Sheriff should negotiate with the Nevada County Superior Court to:

4. Reduce the length of time the parking garage roll-up gates remain open.
5. Install additional surveillance cameras in the parking garage.

6. Install surveillance cameras in the inmate transport elevator.
7. Install additional surveillance cameras to eliminate the Courthouse blind spot.

## **Responses**

Nevada County Sheriff' Office – August 8, 2011



# **RESPONSE**



**NEVADA COUNTY  
SHERIFF'S OFFICE**



**KEITH ROYAL  
SHERIFF/CORONER  
PUBLIC ADMINISTRATOR**

July 29, 2011

Honorable Judge Tom Anderson  
Presiding Judge of the Grand Jury  
201 Church Street  
Nevada City, CA 95959

Nevada County  
Civil Grand Jury  
950 Maidu Ave.  
Nevada City, CA 95959

*Rec'd 8/8/11  
B*

RE: Response to 2010-2011 Nevada City Court Holding Grand Jury Report

Dear Honorable Judge Anderson:

In response to the Grand Jury Report dated June 6, 2011 on the Nevada City Court Holding facility, seven findings were noted.

**Findings:**

1. Standard factory-installed locks on inmate transportation vans do not provide sufficient safety and security for inmates and Sheriff's personnel.

**Disagree**

Inmates and Sheriff's personnel are provided sufficient safety and security regarding the locks on the transportation vans.

The locks are industry standard; the same as equipped on our marked Patrol vehicles. We feel the locks on our transportation vans provide adequate safety and security.

2. The length of time the parking garage gates are open could allow unauthorized individuals to enter or exit the garage.

**Partially Agree**

We feel the length of time the garage gates are open is necessary to provide a safe ingress and egress from the parking garage. Sheriff's Office personnel practice measures to ensure unauthorized individuals cannot enter or exit the garage.

ADMINISTRATION: 950 MAIDU AVENUE, NEVADA CITY, CA 95959 - (530) 265-1471  
ANIMAL CONTROL: 14647 MCCOURTNEY ROAD, GRASS VALLEY, CA 95949 (530) 273-2179  
CORRECTIONS: P.O. BOX 928, NEVADA CITY, CA 95959-0928 - (530) 265-1291  
TRUCKEE: P.O. BOX 699, TRUCKEE, CA 96160 - (530) 582-7838  
KEITH.ROYAL@CO.NEVADA.CA.US

3. Inconsistent use of the sally port increases the possibility of security issues.

**Agree**

After the inspection by the Grand Jury of the Sallyport area, repairs have been made to a gate and Sheriff's Office personnel have begun to consistently use the gate on all movements.

4. The inability to monitor all sections of the parking garage endangers those using the garage.

**Partially Agree**

We feel adequate security is being provided although if funding was available in the future, the Administrative Office of the Courts might consider installing additional cameras.

5. The absence of a surveillance camera in the inmate transport elevator may jeopardize the safety of Sheriff's personnel and inmates.

**Agree**

If funding was available in the future, the Administrative Office of the Courts might consider installing a camera in the transport elevator.

6. The surveillance camera blind spot in the Courthouse may jeopardize the safety of individuals in that area.

**Agree**

If funding was available in the future, the Administrative Office of the Courts might consider installing additional cameras in the Courthouse.

7. Employees, inmates and the public may be at risk when hallways are not cleared before moving inmates to courtrooms.

**Agree**

Due to the design of the building, there will be movement of prisoners in hallways open to the public. Sheriff's Office personnel are diligent in having adequate staff to conduct the movement regardless of the number of inmates moved and practice measures to ensure the public's safety and security.

**RECOMMENDATIONS:**

1. The Nevada County Sheriff should direct staff to install upgraded locks controlled by the driver in all inmate transport vans.

**The recommendation will not be implemented at this time.**



This is not necessary as factory installed locks are already controlled by driver.

2. The Nevada County Sheriff should direct staff to properly use the Sallyport for loading and unloading of all inmates.

**The recommendation has already been implemented.**

3. The Nevada County Sheriff should direct staff to clear individuals from hallways when inmates are moved to courtrooms.

**The recommendation has already been implemented.**

4. The Nevada County Sheriff should negotiate with the Nevada County Superior Court to reduce the length of time the parking garage roll-up gates remain open.

**The recommendation will not be implemented at this time.**

The Sheriff's Office personnel will be more diligent in utilizing the inner Sallyport for inmate movement and continue to monitor when the gates are open to stop unauthorized traffic.

5. The Nevada County Sheriff should negotiate with the Nevada County Superior Court to install additional surveillance cameras in the parking garage.

**The recommendation will not be implemented at this time.**

Discussions with court Executive Officer Sean Metroka, found that the Administrative Office of the Courts does not have the funds to purchase any additional cameras at this time.

6. The Nevada County Sheriff should negotiate with the Nevada County Superior Court to install surveillance cameras in the inmate transport elevator.

**The recommendation will not be implemented at this time.**

Discussions with court Executive Officer Sean Metroka, found that the Administrative Office of the Courts does not have the funds to purchase any additional cameras at this time.

7. The Nevada County Sheriff should negotiate with the Nevada County Superior Court to install additional surveillance cameras to eliminate the Courthouse blind spot.

**The recommendation will not be implemented at this time.**

Discussions with court Executive Officer Sean Metroka, found that the Administrative Office of the Courts does not have the funds to purchase any additional cameras at this time.

The Sheriff's Department appreciates the concerns of the Grand Jury and is committed to providing the highest level of security for all who enter the Court House. The Administrative Office of the Courts is in the early stages of planning the replacement of the Nevada City Courthouse and Sheriff's Department personnel have been providing invaluable input regarding safety and security of the design.

Sincerely,

A handwritten signature in cursive script, appearing to read "Keith Royal".

Keith Royal  
Sheriff-Coroner

CC: CEO Rick Haffey  
Board Analyst, Eve Diamond

**NEVADA COUNTY  
SHERIFF'S OFFICE**



Nevada County  
Civil Grand Jury  
950 Maidu Ave.  
Nevada City, CA 95959

REC'D 8/23/11  
bu  
**KEITH ROYAL  
SHERIFF/CORONER  
PUBLIC ADMINISTRATOR**

July 29, 2011 (*amended response 8/17/11*)

Honorable Judge Tom Anderson  
Presiding Judge of the Grand Jury  
201 Church Street  
Nevada City, CA 95959

AUG 18 2011  
28

RE: Response to 2010-2011 Nevada City Court Holding Grand Jury Report

Dear Honorable Judge Anderson:

In response to the Grand Jury Report dated June 6, 2011 on the Nevada City Court Holding facility, seven findings were noted.

**Findings:**

1. Standard factory-installed locks on inmate transportation vans do not provide sufficient safety and security for inmates and Sheriff's personnel.

**Disagree**

Inmates and Sheriff's personnel are provided sufficient safety and security regarding the locks on the transportation vans.

The locks are industry standard; the same as equipped on our marked Patrol vehicles. We feel the locks on our transportation vans provide adequate safety and security.

2. The length of time the parking garage gates are open could allow unauthorized individuals to enter or exit the garage.

**Partially Agree**

We feel the length of time the garage gates are open is necessary to provide a safe ingress and egress from the parking garage. Sheriff's Office personnel practice measures to ensure unauthorized individuals cannot enter or exit the garage.

ADMINISTRATION: 950 MAIDU AVENUE, NEVADA CITY, CA 95959 - (530) 265-1471  
ANIMAL CONTROL: 14647 MCCOURTNEY ROAD, GRASS VALLEY, CA 95949 (530) 273-2179  
CORRECTIONS: P.O. BOX 928, NEVADA CITY, CA 95959-0928 - (530) 265-1291  
TRUCKEE: P.O. BOX 699, TRUCKEE, CA 96160 - (530) 582-7838  
KEITH.ROYAL@CO.NEVADA.CA.US

3. Inconsistent use of the sally port increases the possibility of security issues.

**Agree**

After the inspection by the Grand Jury of the Sallyport area, repairs have been made to a gate and Sheriff's Office personnel have begun to consistently use the gate on all movements.

4. The inability to monitor all sections of the parking garage endangers those using the garage.

**Partially Agree**

We feel adequate security is being provided although if funding was available in the future, the Administrative Office of the Courts might consider installing additional cameras.

5. The absence of a surveillance camera in the inmate transport elevator may jeopardize the safety of Sheriff's personnel and inmates.

**Agree**

If funding was available in the future, the Administrative Office of the Courts might consider installing a camera in the transport elevator.

6. The surveillance camera blind spot in the Courthouse may jeopardize the safety of individuals in that area.

**Agree**

If funding was available in the future, the Administrative Office of the Courts might consider installing additional cameras in the Courthouse.

7. Employees, inmates and the public may be at risk when hallways are not cleared before moving inmates to courtrooms.

**Agree**

Due to the design of the building, there will be movement of prisoners in hallways open to the public. Sheriff's Office personnel are diligent in having adequate staff to conduct the movement regardless of the number of inmates moved and practice measures to ensure the public's safety and security.

**RECOMMENDATIONS:**

1. The Nevada County Sheriff should direct staff to install upgraded locks controlled by the driver in all inmate transport vans.

**The recommendation will not be implemented at this time.**

This is not necessary as factory installed locks are already controlled by driver.

2. The Nevada County Sheriff should direct staff to properly use the Sallyport for loading and unloading of all inmates.

**The recommendation has already been implemented. Sheriff's Office personnel have been instructed to be more diligent in utilizing the inner Sallyport for inmate movement, and continue to recognize the dangers when the gates are open to stop unauthorized traffic.**

3. The Nevada County Sheriff should direct staff to clear individuals from hallways when inmates are moved to courtrooms.

**The recommendation has already been implemented. Sheriff's Office personnel have been instructed to be more diligent in clearing the public from hallways when inmates are moved to courtrooms.**

4. The Nevada County Sheriff should negotiate with the Nevada County Superior Court to reduce the length of time the parking garage roll-up gates remain open.

**The recommendation will not be implemented at this time.**

The Sheriff's Office personnel will be more diligent in utilizing the inner Sallyport for inmate movement and continue to monitor when the gates are open to stop unauthorized traffic.

5. The Nevada County Sheriff should negotiate with the Nevada County Superior Court to install additional surveillance cameras in the parking garage.

**The recommendation will not be implemented at this time.**

Discussions with court Executive Officer Sean Metroka, found that the Administrative Office of the Courts does not have the funds to purchase any additional cameras at this time.

6. The Nevada County Sheriff should negotiate with the Nevada County Superior Court to install surveillance cameras in the inmate transport elevator.

**The recommendation will not be implemented at this time.**

Discussions with court Executive Officer Sean Metroka, found that the Administrative Office of the Courts does not have the funds to purchase any additional cameras at this time.

7. The Nevada County Sheriff should negotiate with the Nevada County Superior Court to install additional surveillance cameras to eliminate the Courthouse blind spot.

**The recommendation will not be implemented at this time.**

Discussions with court Executive Officer Sean Metroka, found that the Administrative Office of the Courts does not have the funds to purchase any additional cameras at this time.

The Sheriff's Department appreciates the concerns of the Grand Jury and is committed to providing the highest level of security for all who enter the Court House. The Administrative Office of the Courts is in the early stages of planning the replacement of the Nevada City Courthouse and Sheriff's Department personnel have been providing invaluable input regarding safety and security of the design.

Sincerely,

A handwritten signature in black ink, appearing to read 'Keith Royal', with a long horizontal flourish extending to the right.

Keith Royal  
Sheriff-Coroner

CC: CEO Rick Haffey  
Board Analyst, Eve Diamond

# **LAW ENFORCEMENT**

---

**Wayne Brown Correctional Facility**

---

**Nevada County Grand Jury Report with Responses  
2010-2011**





# Wayne Brown Correctional Facility

## Summary

California Penal Code Section 919(b) requires the Nevada County Grand Jury to inquire annually into the condition and management of the public prisons within the county. As a result, members of the Nevada County Grand Jury inspected the Wayne Brown Correctional Facility on October 5, 2010.

The Wayne Brown Correctional Facility, administered by the Nevada County Sheriff's Office, was dedicated on December 17, 1991. It has the capacity to hold 274 inmates with adjacent land available for expansion.

While the Wayne Brown Correctional Facility is well-managed, the Nevada County Grand Jury found that security improvements should be made as soon as possible. These include:

- Upgrading the security system.
- Providing centralized control of visiting-room and multi-purpose-room doors.
- Adding several cameras to the video surveillance system.
- Upgrading the recording function of the video surveillance system.
- Replacing the drop-down ceilings in the minimum-security dormitories.

The Nevada County Grand Jury is aware that a comprehensive study regarding the security system at Wayne Brown Correctional Facility was conducted by an outside consultant. The report, *A Study of the Security & Control Systems in the Wayne Brown Correctional Facility*, was submitted to the Nevada County Sheriff's Office in February 2010. The Nevada County Grand Jury is also aware that the Nevada County Board of Supervisors recently approved a Request for Proposal, soliciting bids for the work needed to implement the report's recommendations. The Nevada County Board of Supervisors should be commended for taking this step.

## Reasons for Investigation

California Penal Code section 919(b) requires the Nevada County Grand Jury (Jury) to inquire annually into the condition and management of the public prisons within the county. A critical part of any such inquiry involves a physical inspection of each facility. The Jury inspected the Wayne Brown Correctional Facility (WBCF) on October 5, 2010.

## **Background**

The WBCF was dedicated on December 17, 1991. It has a capacity to hold 274 inmates with adjacent land available for expansion. It is a Type II facility that houses those pending arraignment or trial, as well as those who have been sentenced.

The following classification elements are used to determine the housing of all inmates: gender, age, criminal sophistication, type of crime, assaultive/non-assaultive behavior and physical or mental health needs, among others. This system provides a greater level of safety for both the inmates and the staff.

The Jury is aware that a comprehensive study regarding the security system at WBCF was conducted by an outside consultant. The report, *A Study of the Security & Control Systems in the Wayne Brown Correctional Facility* was submitted to the Nevada County Sheriff's Office in February 2010. The Jury is also aware that the Nevada County Board of Supervisors recently approved a Request for Proposal, soliciting bids for the work needed to implement the report's recommendations.

## **Procedures Followed**

The Jury inspected the WBCF. This inspection included a tour of the facility, a review of documents and interviews with representatives of the Nevada County Sheriff's Office.

## **Facts**

1. The centralized security system used by the WBCF controls the movement of staff and inmates throughout the facility.
2. The security system's controls are operated at four locations: the central control room, the minimum-security area and in inmate housing pods A and B.
3. The controls located in the central control room can override those at all other locations.
4. The controls are attended by officers at all times.
5. Officers use the system to lock and unlock doors to secured areas.
6. The security system currently in use was installed when the facility was built in 1991.
7. The Jury was advised that the security system occasionally fails to operate properly.
8. WBCF procedures require a written incident report when the security system malfunctions.

9. An internal department memorandum stated that the malfunctions of the security system's control panels were happening so frequently that the staff often did not report incidents.
10. The same memorandum stated that the unreliability and inconsistency of the control panels posed a bigger safety and security issue than if they were not used at all.
11. The same memorandum stated, in the worst-case scenario, continued failures of the control panels could jeopardize the safety of the staff, inmates and public.
12. The recording function of the video camera surveillance system is not used.
13. The doors to the multi-purpose rooms are not controlled by the security system. They can only be secured with a key.
14. The minimum-security dormitories have drop-down ceilings made of removable tiles.
15. The Jury was advised that the visiting-room door locks are not controlled by the security system and often malfunction.
16. The Jury observed and was told that many areas in the facility are not covered by the video surveillance system, including the minimum-security dormitories, the library, the kitchen, the laundry, the multi-purpose rooms, the recreation area, as well as much of pods A and B, including the housing and day-use areas.

## **Findings**

1. The number of control board malfunctions is considerable. As a result, the WBCF has an immediate need to upgrade its security control system. This same finding has been made in the past, but the need has grown much more serious as the equipment ages.)
2. Failure to use the recording function of the current surveillance system could preclude the capture of vital evidence in any incident at the facility.
3. Contraband could be hidden above the ceiling tiles in the minimum-security dormitories.
4. Staff and inmates could be at risk due to faulty locks on visiting-room doors.
5. All of the doors to the multi-purpose and visitors' rooms need to be controlled centrally to prevent potential confrontations between inmates or between inmates and members of the staff and public.
6. Many critical areas of the facility need to be monitored by video cameras to ensure the safety of the staff, inmates and public.

## **Recommendations**

1. The Nevada County Board of Supervisors and the Nevada County Sheriff's Office should immediately approve the funds needed to upgrade the security system at the WBCF.
2. A comprehensive security system upgrade should be given a high priority and be completed as soon as possible.
3. The upgrade of the security system should include video recording and playback capabilities.
4. The Nevada County Sheriff's Office should re-configure the ceilings in the minimum-security dormitory areas so that they cannot be used to hide contraband.
5. The visiting room and multi-purpose room doors should be brought under central control as part of the upgrade to the security system.

## **Responses**

Nevada County Board of Supervisors: Recommendations 1, 2 & 3 – September 8, 2011

Nevada County Sheriff's Office: Findings, and Recommendations 4 & 5 – August 8, 2011



# **RESPONSE**



---

# NEVADA COUNTY SHERIFF'S OFFICE



KEITH ROYAL  
SHERIFF/CORONER  
PUBLIC ADMINISTRATOR

---

August 1, 2011

Honorable Judge Tom Anderson  
Presiding Judge of the Grand Jury  
201 Church Street  
Nevada City, CA 95959

Nevada County  
Civil Grand Jury  
950 Maidu Ave.  
Nevada City, CA 95959

*lead 8/8/11  
bc*

RE: Response to 2010-2011 Nevada County Sheriff's Office Wayne Brown Correctional Facility

Dear Honorable Judge Anderson:

The following is our response to the Grand Jury Report dated June 6, 2011 on the Wayne Brown Correctional Facility.

## Findings:

1. The number of control board malfunctions is considerable. As a result, the WBCF has an immediate need to upgrade its security control system. This same finding has been made in the past but the need has grown much more serious as the equipment ages.

### Agree

2. Failure to use the recording function of the current surveillance system could preclude the capture of vital evidence in any incident at the facility.

### Agree

3. Contraband could be hidden above the ceiling tiles in the minimum-security dormitories.

### Agree

4. Staff and inmates could be at risk due to faulty locks on visiting-room doors.

### Agree

---

ADMINISTRATION: 950 MAIDU AVENUE, NEVADA CITY, CA 95959 - (530) 265-1471  
ANIMAL CONTROL: 14647 MCCOURTNEY ROAD, GRASS VALLEY, CA 95949 (530) 273-2179  
CORRECTIONS: P.O. BOX 928, NEVADA CITY, CA 95959-0928 - (530) 265-1291  
TRUCKEE: P.O. BOX 699, TRUCKEE, CA 96160 - (530) 582-7838  
KEITH.ROYAL@CO.NEVADA.CA.US

5. All of the doors to the multi-purpose and visitors' rooms need to be controlled centrally to prevent potential confrontations between inmates or between inmates and members of the staff and public.

**Agree**

6. Many critical areas of the facility need to be monitored by video cameras to ensure the safety of the staff, inmates and public.

**Agree**

## **RECOMMENDATIONS:**

Please note recommendations 1 through 3 are being responded to by the Board of Supervisors.

4. The Nevada County Sheriff's Office should re-configure the ceilings in the minimum-security dormitory areas so that they cannot be used to hide contraband.

**This recommendation has been partially implemented.**

**We recognize that the drop ceilings have been an issue as a location to conceal contraband. The upcoming security upgrade will include the installation of cameras in the minimum security dormitories. The addition of cameras should serve as a deterrent to the inmates attempting to conceal contraband in the ceiling. Additionally, with the recording capability we will be able to determine the responsible individual(s) should we discover contraband hidden in the drop ceiling.**

5. The visiting room and multi-purpose room doors should be brought under central control as part of the upgrade to the security system.

**This recommendation has been implemented.**

**Part of the planned Security Upgrade includes the addition of electromagnetic locks installed on the visitation room and multi-purpose room doors. These locks will be controlled by either Central Control or the appropriate officer's station with an override capability to be totally controlled by Central Control. It is anticipated that we will be bringing a contract for a comprehensive upgrade to the security system for approval by the Board of Supervisors by the end of September 2011.**

The Sheriff's Office would like to thank the members of the 2010-2011 Grand Jury for their participation and effort in preparing their Reports and their participation in the Grand Jury process.

Sincerely,



Keith Royal  
Sheriff-Coroner

CC: CEO Rick Haffey  
Board Analyst, Eve Diamond



**NEVADA COUNTY  
SHERIFF'S OFFICE**



Nevada County  
Civil Grand Jury  
950 Maidu Ave.  
Nevada City, CA 95959

*Rec'd 8/23/11  
Dor*

**KEITH ROYAL  
SHERIFF/CORONER  
PUBLIC ADMINISTRATOR**

August 1, 2011 (*amended response 8/17/11*)

Honorable Judge Tom Anderson  
Presiding Judge of the Grand Jury  
201 Church Street  
Nevada City, CA 95959

AUG 18 2011  
*28*

RE: Response to 2010-2011 Nevada County Sheriff's Office Wayne Brown Correctional Facility

Dear Honorable Judge Anderson:

The following is our response to the Grand Jury Report dated June 6, 2011 on the Wayne Brown Correctional Facility.

**Findings:**

1. The number of control board malfunctions is considerable. As a result, the WBCF has an immediate need to upgrade its security control system. This same finding has been made in the past but the need has grown much more serious as the equipment ages.

**Agree**

2. Failure to use the recording function of the current surveillance system could preclude the capture of vital evidence in any incident at the facility.

**Agree**

3. Contraband could be hidden above the ceiling tiles in the minimum-security dormitories.

**Agree**

4. Staff and inmates could be at risk due to faulty locks on visiting-room doors.

**Agree**

ADMINISTRATION: 950 MAIDU AVENUE, NEVADA CITY, CA 95959 - (530) 265-1471  
ANIMAL CONTROL: 14647 MCCOURTNEY ROAD, GRASS VALLEY, CA 95949 (530) 273-2179  
CORRECTIONS: P.O. BOX 928, NEVADA CITY, CA 95959-0928 - (530) 265-1291  
TRUCKEE: P.O. BOX 699, TRUCKEE, CA 96160 - (530) 582-7838  
KEITH.ROYAL@CO.NEVADA.CA.US

5. All of the doors to the multi-purpose and visitors' rooms need to be controlled centrally to prevent potential confrontations between inmates or between inmates and members of the staff and public.

**Agree**

6. Many critical areas of the facility need to be monitored by video cameras to ensure the safety of the staff, inmates and public.

**Agree**

## **RECOMMENDATIONS:**

Please note recommendations 1 through 3 are being responded to by the Board of Supervisors.

4. The Nevada County Sheriff's Office should re-configure the ceilings in the minimum-security dormitory areas so that they cannot be used to hide contraband.

**This recommendation has been partially implemented.**

**We recognize that the drop ceilings have been an issue as a location to conceal contraband. The upcoming security upgrade will include the installation of cameras in the minimum security dormitories. The addition of cameras should serve as a deterrent to the inmates attempting to conceal contraband in the ceiling. Additionally, with the recording capability we will be able to determine the responsible individual(s) should we discover contraband hidden in the drop ceiling.**

***The Jail Security Upgrade is expected to be completed by May 31, 2012.***

5. The visiting room and multi-purpose room doors should be brought under central control as part of the upgrade to the security system.

**This recommendation has been implemented.**

**Part of the planned Security Upgrade includes the addition of electromagnetic locks installed on the visitation room and multi-purpose room doors. These locks will be controlled by either Central Control or the appropriate officer's station with an override capability to be totally controlled by Central Control.**

***The Jail Security Upgrade is expected to be completed by May 31, 2012.***

Sincerely,



Keith Royal  
Sheriff-Coroner

# COUNTY OF NEVADA

STATE OF CALIFORNIA

950 Maidu Avenue, Suite 200 • Nevada City, California 95959-8617

## BOARD OF SUPERVISORS

Nathan Beason, 1st District  
Ed Scofield, 2nd District (Chair)  
Terry Lamphier, 3rd District  
Wm. "Hank" Weston, 4th District  
Ted S. Owens, 5th District (Vice Chair)

Cathy R. Thompson  
Clerk of the Board



Telephone: (530) 265-1480  
Fax: (530) 265-9836  
Toll-Free Telephone: (888) 785-1480

E-Mail: [bdofsupervisors@co.nevada.ca.us](mailto:bdofsupervisors@co.nevada.ca.us)  
Web: [www.mynevadacounty.com/clerkofboard](http://www.mynevadacounty.com/clerkofboard)

August 16, 2011

The Honorable Thomas Anderson  
Presiding Judge of the Nevada County Grand Jury  
Nevada County Courthouse  
201 Church Street  
Nevada City, CA 95959

Re: Board of Supervisors' Responses to the 2010-2011 Nevada County Civil Grand Jury Report,  
*Wayne Brown Correctional Facility.*

Dear Judge Anderson:

As required by California Penal Code Section 933, the Board of Supervisors hereby submits its responses to the 2010-2011 Nevada County Civil Grand Jury Report, dated June 8, 2011, entitled *Wayne Brown Correctional Facility.*

These responses to the Grand Jury's Findings and Recommendations were approved by the Board of Supervisors at their regular meeting on August 16, 2011. The Responses are based on either personal knowledge, examination of official County records, information received from the Sheriff, the County Executive Officer, or the Board of Supervisors and County staff members.

The Board of Supervisors would like to thank the members of the 2010-2011 Grand Jury for their participation and effort in preparing their Reports, and their participation in the Grand Jury process.

Sincerely,

Edward C. Scofield  
Chairman, Board of Supervisors

cc: Robert T. Coats, Jr., Foreman, Grand Jury  
Keith Royal, Sheriff  
Rick Haffey, County Executive Officer

**NEVADA COUNTY BOARD OF SUPERVISORS RESPONSES TO  
2010-2011 Nevada County Civil Grand Jury Report  
DATED JUNE 8, 2011**

*Wayne Brown Correctional Facility*

Responses to findings and recommendations are based on either personal knowledge, examination of official county records, review of the responses by the County Executive Officer, or testimony from the Board of Supervisors and county staff members.

**A. RESPONSES TO FINDINGS**

None required.

**B. RESPONSES TO RECOMMENDATIONS 1, 2, 3 as required**

- 1. The Nevada County Board of Supervisors and the Nevada County Sheriff's Office should immediately approve the funds needed to upgrade the security system at the WBCF.**

The recommendation has been partially implemented.

Funds have been set-aside in the facilities planning reserve and are available for jail security upgrades. It is anticipated that the Sheriff will bring a contract for a comprehensive upgrade to the WBCF security system for the approval of the Board of Supervisors by the end of September. At that time, funds will be released from the facilities planning reserve and budgeted for this expenditure.

- 2. A comprehensive security system upgrade should be given a high priority and be completed as soon as possible.**

This recommendation has been implemented.

It is anticipated that the Sheriff will bring a contract for a comprehensive upgrade to the WBCF security system for approval by the Board of Supervisors by the end of September. Work will commence once the contract is fully executed.

- 3. The upgrade of the security system should include video recording and playback capabilities.**

The recommendation has been implemented.

Design requirements for this project, resolution 09-533 included digital video recording, storage and playback capabilities and bid documents, resolution 11-308, specify high quality recording of all cameras in the facility and remote playback of selected cameras from an authorized terminal on the video network.

# **SPECIAL DISTRICTS**

---

**Truckee Fire Protection District Board of Directors**

---

**Nevada County Grand Jury Report with Responses  
2010-2011**



# **Truckee Fire Protection District Board of Directors**

## **Summary**

The Truckee Fire Protection District is an independent special district responsible for fire protection and emergency medical transportation services in and around Truckee, California. The Truckee Fire Protection District is governed by a Board of Directors elected by the district's voters.

The Nevada County Grand Jury received a citizen's complaint regarding the Truckee Fire Protection District. In the process of investigating this complaint, the Nevada County Grand Jury found the Truckee Fire Protection District Board of Directors lacked education and training in the roles and responsibilities of a board member. The Board of Directors failed to follow their policies and procedures. The Board of Directors lacked personal engagement, independent thinking and had insufficient communication with the district staff and the public.

The Nevada County Grand Jury recommends the members of the Board of Directors attend training regarding the roles and responsibilities of board members in a special district. The Board of Directors should augment existing policies and procedures, particularly in the areas of finance and roles and responsibilities. The Board of Directors should improve existing policies to facilitate open communication among the Board of Directors, district staff and the public. Finally, the Nevada County Grand Jury recommends the Board of Directors, the management and staff of the district work together to restore the public trust and rebuild the image of the Truckee Fire Protection District.

## **Reasons for Investigation**

On June 23, 2010, the Nevada County Grand Jury (Jury) received a complaint regarding the Truckee Fire Protection District (TFPD). The Complainant requested the Jury review the actions of the TFPD Board of Directors (Board) and the Fire Chief. The Complainant also alleged possible violations of open meeting laws by the Board.

The Jury has the authority to investigate special purpose assessment or taxing districts, including those commonly known as special districts, in Nevada County.

## **Background**

Special districts are a form of local government created by a community to meet a specific need. Most of California's special districts perform a single function such as sewage, water,

fire protection, pest management or cemetery management. There are approximately 2,300 independent special districts in California, each governed by an independent board of directors elected by the voters of their district or appointed to a fixed term of office by either a city council or a county board of supervisors. There are twenty-four independent special districts in Nevada County.

The TFPD is an independent special district supported by public funds. The TFPD is made up of forty-nine full-time personnel and nine part-time and/or volunteer members. The TFPD's budget for the 2010-2011 fiscal year is approximately \$9,000,000. The TFPD is responsible for 125 square miles and is one of the oldest fire districts in the Truckee-Tahoe area of Northern California.

The TFPD is governed by a five-member Board elected by district voters during the general elections held in November. The members of the Board serve four-year terms.

The Board is responsible for setting policy and general administrative procedures. The Board meets in regular session every month. These meetings take place at 5:30 p.m. on the third Tuesday of each month and are open to the public.

In the general election held in November 2010, three new members were elected to the Board.

### **Procedures Followed**

The Jury interviewed personnel from the TFPD, members of the Board, TFPD legal counsel and citizens from the community. The Jury also reviewed related documents and attended scheduled public meetings of the Board.

The Jury's investigation focused on the time period of 2009-2010.

### **Facts**

1. The TFPD is governed by a five-member Board.
2. There is a document entitled, *Truckee Fire Protection District Board of Directors Policies and Procedures*.
3. The Fire Chief is responsible for the day-to-day operations of the TFPD.
4. The Fire Chief is selected and appointed by the Board and is accountable to the Board. The Fire Chief administers the policies and procedures of the TFPD as set forth by the Board.



5. The Fire Chief was in the position from July 1, 2006 until June 15, 2010, at which time he was placed on administrative leave.
6. An acting Fire Chief was named by the Board on June 16, 2010 and appointed as Interim Fire Chief on July 20, 2010.
7. The California Special Districts Association provides education and information to board members and staff of special districts in California on their roles and responsibilities.
8. The *Truckee Fire Protection District Board of Directors Policies and Procedures* encourages Board members "...to attend educational conferences and professional meetings when the purpose of such activities is to improve District operation."
9. The TFPD budgets monies for the education and training of Board members.
10. All members of the Board completed ethics training in compliance with the state requirements for local officials.
11. Some members of the Board stated they knew of other educational and training opportunities, but chose not to attend.
12. Members of the Board did not complete formal education and training on their roles and responsibilities as board members.
13. A member of the Board believed the Fire Chief's employment contract did not allow the Board to question the Fire Chief's operational decisions.
14. The Fire Chief made a public statement in a Board meeting which a member of the Board knew to be false. The Board member did not divulge his knowledge to the Board, to TFPD staff or to the public attending the Board meeting.
15. The Board entered into agreements with private attorneys to provide legal counsel to the Board and to TFPD staff.
16. The Board did not utilize its legal counsel for advice regarding the creation of the Fire Chief's employment agreements.
17. The Board's legal counsel had no knowledge of the content of the Fire Chief's employment contract prior to the Fire Chief being placed on administrative leave.
18. The employment agreement between the Fire Chief and the Board prohibited the Fire Chief from acting independently in the purchase, rental or leasing of any real property on behalf of the TFPD without prior Board approval.

19. The employment agreement between the Fire Chief and the Board prohibited the Fire Chief from acting independently in contracting for services, other than for the day-to-day operations of the TFPD, without prior Board approval.
20. The only mention of Finance Committee responsibilities in the *Truckee Fire Protection District Board of Directors Policies and Procedures* states: "...two members as selected by the Board to attend designated finance meetings to review the check register and sign checks with the fire chief or his designee."
21. The Fire Chief entered into an agreement for the rental of real property, specifically the lease of a condominium to house ambulance crews, without prior Board approval.
22. Two Board members of the Finance Committee signed a check paying a private party for the rental of real property, specifically the lease of the condominium contracted by the Fire Chief.
23. The Fire Chief entered into a contractual agreement for the services of outside legal counsel without prior Board approval.
24. Two Board members of the Finance Committee signed a check paying for the outside legal counsel retained by the Fire Chief.
25. The Fire Chief entered into a contractual agreement for the services of a public relations firm without prior Board approval.
26. Two Board members of the Finance Committee signed a check paying for the services of a public relations firm contracted by the Fire Chief.
27. The *Truckee Fire Protection District Board of Directors Policies and Procedures* includes a policy, *Relationship with Staff*, which states: "Directors should maintain an open relationship with all staff of the Fire Department. It is the philosophy of this organization that dialogue between staff and the governing Board will foster a healthy relationship and understanding of each other's roles within the Fire District. At no time shall a director give instructions to or assign District staff to projects or various work related tasks."
28. Members of the TFPD staff stated they were fearful of and intimidated by the Fire Chief and would not question his actions or decisions.
29. A member of the TFPD staff feared employment termination because of intimidation by the Fire Chief. As a result, the employee sought legal assistance from a private attorney.
30. Members of the Board first became aware of the perceived hostile work environment at the TFPD only after the Fire Chief was placed on administrative leave.

31. The *Truckee Fire Protection District Board of Directors Policies and Procedures* includes the following duties of a board member:
  - solicit public opinion.
  - communicate with constituency.
  - represent the District in the community.
  - work cooperatively with other directors, management and the public.
32. A succession of contentious public board meetings and adverse newspaper articles and editorials preceded the Board's June 15, 2010 meeting, at which time the Fire Chief was placed on administrative leave.
33. The Jury was unable to substantiate alleged violations of open meeting laws.

### **Findings**

1. The members of the Board lacked the education and training to perform their roles and responsibilities as Board members.
2. There is education and training available to Board members, regarding the roles and responsibilities of a board member in a special district.
3. The members of the Board knew of education and training opportunities and had budgeted funds for training available to them yet failed to take advantage of many opportunities.
4. The lack of education and training of the Board members in their roles and responsibilities contributed to insufficient oversight and lack of control of the actions and activities of the District.
5. The Financial policy in the *Truckee Fire Protection District Board of Directors Policies and Procedures* does not provide adequate guidance to the Finance Committee in the exercise of due diligence.
6. The Board failed to seek advice and review from its legal counsel regarding the Fire Chief's employment contract.
7. The Board members' lack of education and training allowed ongoing improper actions by the Fire Chief including multiple violations of his employment contract.
8. The Board's failure to follow the policy regarding *Relationship with Staff* resulted in insufficient oversight, control and engagement with the TFPD staff. This permitted an atmosphere of fear and intimidation to exist among the personnel of the TFPD.
9. The lack of communication between the Board and TFPD personnel prevented the Board from recognizing eroding staff morale.

10. The Board members failed to communicate actively with their constituents; as a result, the Board members were unaware of growing negative public opinion.

### **Recommendations**

1. All members of the Board should actively seek out and attend training regarding the roles and responsibilities of board members in special districts.
2. The Board should improve their finance policy to require both the thorough review of checks to be signed and the detailed supporting documentation for all District expenditures.
3. The Board should improve existing policy to facilitate open and ongoing communication with TFPD personnel.
4. The Board, management and staff should forge an active partnership in the rebuilding of the District's public image and should actively communicate with their constituents to restore and maintain the public's trust.

### **Responses**

Truckee Fire Protection District Board of Directors: Date – September 19, 2011

# RESPONSE



1 BRENT P. COLLINSON, Esq. (SBN 088568)  
2 JASON LACHANCE, Esq. (SBN 232397)  
3 LAW OFFICE OF BRENT P. COLLINSON  
4 9709 Highway 267, Suite A  
5 Truckee, CA 96161  
6 (530) 587-9233 Phone  
7 (530) 587-0443 Fax

8 Attorneys for  
9 TRUCKEE FIRE PROTECTION DISTRICT

10 GRAND JURY  
11 IN AND FOR THE COUNTY OF NEVADA

12 )  
13 ) RESPONSE TO GRAND JURY REPORT  
14 ) OF 2010-2011  
15 )  
16 )  
17 )  
18 )  
19 )  
20 )  
21 )  
22 )  
23 )  
24 )  
25 )

To the Honorable Thomas M. Anderson, Presiding Judge:

**I. INTRODUCTION**

TRUCKEE FIRE PROTECTION DISTRICT (through its Board of Directors), hereby submits its response to the Grand Jury Report published on June 21, 2011 at 11:00 a.m. as follows:

**II. RESPONSE TO GRAND JURY FINDINGS**

The following are the responses to the Grand Jury findings:

FINDING NO. 1.: The members of the Board lacked the education and training to perform their roles and responsibilities as Board members.

Response: **The respondent agrees with the finding.**

1  
2 FINDING NO. 2.: There is education and training available to Board members, regarding  
3 the roles and responsibilities of a board member in a special district.

4 Response: **The respondent agrees with the finding.**

5 FINDING NO. 3.: The members of the Board knew of education and training  
6 opportunities and had budgeted funds for training available to them yet failed to take advantage  
7 of many opportunities.

8 Response: **The respondent agrees with the finding.**

9 FINDING NO. 4.: The lack of education and training of the Board members in their roles  
10 and responsibilities contributed to insufficient oversight and lack of control of the actions and  
11 activities of the District.

12 Response: **The respondent agrees with the finding.**

13 FINDING NO. 5.: The Financial policy in the *Truckee Fire Protection District Board of*  
14 *Directors Policies and Procedure* does not provide adequate guidance to the Finance Committee  
15 in the exercise of due diligence.

16 Response: **The respondent agrees with the finding.**

17 FINDING NO. 6.: The Board failed to seek advice and review from its legal counsel  
18 regarding the Fire Chief's employment contract.

19 Response: **The respondent agrees with the finding.**

20 FINDING NO. 7.: The Board members' lack of education and training allowed ongoing  
21 improper actions by the Fire Chief including multiple violations of his employment contract.

22 Response: **The respondent agrees with the finding.**

23 FINDING NO. 8.: The Board's failure to follow the policy regarding *Relationship with*  
24 *Staff* resulted in insufficient oversight, control and engagement with TFPD staff. This permitted  
25 an atmosphere of fear and intimidation to exist among the personnel of the TFPD.



1 Response: **The respondent agrees with the finding.**

2 FINDING NO. 9.: The lack of communication between the Board and TFPD personnel  
3 prevented the Board from recognizing eroding staff morale.

4 Response: **The respondent agrees with the finding.**

5 FINDING NO. 10.: The Board members failed to communicate actively with their  
6 constituents; as a result, the Board members were unaware of growing negative public opinion.

7 Response: **The respondent agrees with the finding.**

8 **III. RESPONSE TO GRAND JURY RECOMMENDATIONS**

9 The following are the responses to the Grand Jury Recommendations:

10 RECOMMENDATION NO. 1: All members of the Board should actively seek out and  
11 attend training regarding the roles and responsibilities of board members in special districts.

12 Response: **The recommendation has been implemented. The Board and District have**  
13 **taken the following actions: in addition to the required AB 1234 training (by outside legal**  
14 **counsel), the Board has met with Pam Hobday, of PK Hurt and Associates, for training on**  
15 **carrying out effective Board Meetings and has obtained additional training from District's**  
16 **General Counsel regarding carrying out effective meetings as well as the Ralph M. Brown**  
17 **Act.**

18 RECOMMENDATION NO. 2: The Board should improve their finance policy to require  
19 both the thorough review of checks to be signed and the detailed supporting documentation for  
20 all District expenditures.

21 Response: **The recommendation has not yet been implemented, but will be**  
22 **implemented in the future. It is expected that the revised policy will be adopted and**  
23 **implemented by October 31, 2011. The District's outside Auditor will be presenting various**  
24 **proposals to the Board to consider and adopt at the District's September 20, 2011 Board**  
25 **Meeting. Pending such formal adoption, the District's Finance Committee is reviewing all**

1 proposed expenditures and supporting documents in significant detail before approving  
2 any such expenditure.

3 RECOMMENDATION NO. 3: The Board should improve existing policy to facilitate  
4 open and ongoing communication with TFPD personnel.

5 Response: **The recommendation has been implemented. Board Members now speak**  
6 **individually with Fire District personnel without the employee's supervisor being present.**

7 RECOMMENDATION NO. 4: The Board, management and staff should forge an active  
8 partnership in the rebuilding of the District's public image and should actively communicate  
9 with their constituents to restore and maintain the public's trust.

10 Response: **The recommendation has been implemented. The Board Members**  
11 **actively discuss the District with their constituents and hosts various "open houses" or**  
12 **other gatherings so that Board Members and staff can meet with members of the public.**  
13 **[Staff has also worked with neighboring agencies to re-establish a good working**  
14 **relationship.]**

15 **IV .CLOSING COMMENTS**

16 The District wishes to acknowledge and thank the Grand Jury for the time and effort devoted to  
17 this investigation and also note that during the time period discussed, although morale at the  
18 District had eroded, the performance of its staff, due to their professionalism and commitment to  
19 serving the public, remained at the highest level and at no time was the safety and well-being of  
20 the public ever compromised.

21  
22 Dated: 8-31-, 2011

  
\_\_\_\_\_  
RON PEREA,  
President, Board of Directors

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

Dated: 8-30, 2011

Robert Bena  
ROBERT BENA,  
Interim Fire Chief

Approved as to Form and Content

Dated: Aug 31, 2011

Brent Collinson  
Brent P. Collinson  
Law Office of Brent P. Collinson,  
Attorneys for Truckee Fire Protection District



# **SPECIAL DISTRICTS**

---

**Western Gateway Recreation and Park District**

---

**Nevada County Grand Jury Report with Responses  
2010-2011**



# **Western Gateway Recreation and Park District**

## **Summary**

Western Gateway Recreation and Park District is a special district in Nevada County. As such, it is governed by a Board of Directors which is responsible for its management.

Two years ago there was public outcry about the condition and management of the Western Gateway Recreation and Park District. Board meetings were contentious, complaints about the upkeep of the park were mounting and negative newspaper articles began appearing.

After the 2008 appointment of the current Board Chair, the Western Gateway Recreation and Park District started to deal systematically with its most important issues. As a result of these efforts, members of the public are now actively involved in all aspects of the Western Gateway Recreation and Park District's governance. Mandatory financial audits are now being completed. A Master Plan was developed and approved by the Nevada County Planning Commission and the Nevada County Board of Supervisors last year. Among other things, this approval allows planned changes to be implemented with proper permits and in compliance with the building code. Management, staff and volunteers are now communicating better and coordinating their efforts much more effectively. The conduct of the Board of Directors is much improved, as is overall management. Personnel policies now exist; financial records are in order and computer systems have been upgraded. Facilities have been expanded and improved.

Overall, the Nevada County Grand Jury found that the governance of the Western Gateway Recreation and Park District has undergone a positive transformation over the past twenty-four months due in large measure to the knowledge, skill and persistence of the Board Chair and new Board members. All of those involved in this transformation, including the public, volunteers and the District staff, should be very proud of this significant accomplishment.

## **Reasons for Investigation**

As part of its oversight function, the Nevada County Grand Jury (Jury) chose to investigate the Western Gateway Recreation and Park District (District).

## **Background**

Special districts are a form of local government created by a community to meet a specific need. Most of California's special districts perform a single function such as sewage, water, fire protection or park management. There are approximately 2,300 independent special

districts in California (twenty-four in Nevada County), each governed by its own board of directors.

The District was formed as a special district in western Nevada County in 1974. This independently-operated District comprises 123 square miles, the core of which is eighty-seven acres known as Western Gateway Park (Park). The District is governed by a five-member Board of Directors (Board), which is responsible to the voters residing in the District. There are four people on staff, all part-time.

Nevada County exercises no direct control over the District except when safety codes, building and construction permits and other legal requirements may apply. The Park is open every day of the year from sunrise to sunset and offers a variety of attractions and amenities.

Two years ago the District was experiencing many problems: the public was not happy with the condition of the Park, complaints about the upkeep of the Park were mounting, Board meetings were contentious and negative newspaper articles began appearing. The Nevada County Board Supervisor representing the 4<sup>th</sup> District mediated the situation and offered guidance to the District's Board. The Park had no master plan, audits had not been done for several years, personnel issues were languishing and volunteers were taking it upon themselves to make improvements to the park without permits and/or Board oversight. Board members did not function as a team and, in fact, one Board member quit in the middle of a public meeting and walked out. If not for a small group of dedicated volunteers, the park could have fallen into further disarray.

## **Procedures Followed**

The Jury's investigation included interviews with members of the District's Board, park users and volunteers and an inspection of park facilities.

## **Facts**

1. The District is governed by a five-member Board, elected to four-year terms.
2. The District's budget is approximately \$160,000. Almost 70% of the budget is funded through a \$12.94 parcel tax on property owners in the District. The remainder of the budget is funded through user fees and mitigation fees.
3. The District received approval of its Master Plan on August 26, 2010. The Master Plan describes existing facilities and planned changes to the Park. All changes to the Park are now done in accordance with the Master Plan.
4. The District qualified for over \$90,000 in Proposition 40 monies as a result of the approval of its Master Plan. The District used those funds to build new Americans with Disabilities Act (ADA) compliant lavatories. This lavatory construction could not



have been done legally without a Master Plan. The new lavatories meet federal regulations and eliminate the current expense for temporary toilets.

5. Other facility improvements at the park include the turf at all ball fields, the off-leash dog park and the repair of the irrigation pumps.
6. Recently the District passed an outside financial audit for fiscal year 2007, its first in several years. Audits will soon be completed for fiscal years 2008-2010.
7. All facility improvements are now made with the required permits.
8. All volunteer activities are now coordinated by the Board.
9. Using an upgraded financial system, the Board Chair reviews and approves expenses and invoices prior to sending them to an outside professional bookkeeper.
10. The District worked with LAFCo<sup>1</sup> to complete a badly-needed update of its Sphere of Influence.
11. The Park has thirteen separate facilities for rent. Rental contracts for Park facilities are projected to increase by 17% during the current fiscal year.
12. Personnel policies and procedures are now in place.
13. Community organizations and the public are now actively engaged in Park activities, including participation on District committees, at public forums, mixers and at budget workshops.

## Findings

The Jury finds that significant, positive changes have taken place at the Western Gateway Recreation and Park District in the following areas:

- **District governance:** a Master Plan has been approved; facility improvement permits are approved and an updated Sphere of Influence is in place.
- **Personnel management:** policies and procedures have been put into effect and communication between staff and volunteers has improved.
- **Financial management:** a new financial system is being used; an independent outside bookkeeper has been hired; the 2007 audit is complete and the audits for 2008-2010 are in process.

---

<sup>1</sup> LAFCo (Local Agency Formation Commission) develops and updates Spheres of Influence for districts. The Commission reviews and updates a district's sphere every five years. A Sphere of Influence considers four factors: present/planned land use, present/probable need for services and facilities, service/facility capacity and relevant social/economic communities of interest.

- **Relations with the public:** the Board encourages the community to volunteer in the maintenance and development of the Park and to participate in District committees and workshops.
- **Facilities:** new ADA-compliant lavatories have been installed; the water pumps have been repaired and the turf at the ball fields is green.
- **Park utilization:** has increased significantly, including a projected 17% increase in rental contracts.

## **Recommendations**

The Jury commends the District for its significant achievements and recommends that the District continue to follow its current positive direction.

No response required

