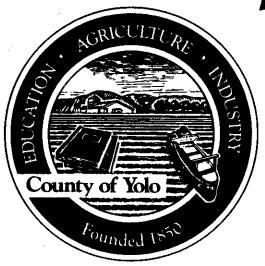
1998-1999 Yolo County Grand Jury

Final Report



A Report for the Citizens of Yolo County



COUNTY OF LOLO Woodland, California, 95(595)

P.O. BOX 2142 GRAND JURY

Honorable William S. Lebov Advisory Judge to the Grand Jury Superior Court, County of Yolo Courthouse Woodland, CA 95695

Dear Judge Lebov:

It is a pleasure to present to you the 1998-99 Yolo County Grand Jury Final Report. The Grand Jury consisted of citizens from Clarksburg, Davis, El Macero, Esparto, Knights Landing, West Sacramento, and Woodland. During the one-year term, three alternates were required.

The Grand Jury received several citizens' complaints and studied several County facilities and agencies. We also did follow-up studies on the 1997-98 Yolo County Grand Jury Final Report.

I would like to extend my appreciation on behalf of the Grand Jury to you and your staff for your assistance. You and your staff were particularly helpful with the physical relocation of the Grand Jury office during our term. Although this move was disruptive to the Grand Jury, you and your staff were very helpful in providing clear delineation of the responsibility for different aspects of the Grand Jury's needs. Appreciation should also be given to the staff and offices of the Jury Commissioner, County Counsel, District Attorney, Auditor-Controller, and General Services for being available upon request. All county offices accommodated the Grand Jury by releasing employees asked to appear.

After having served two consecutive years as a Grand Juror, I can fully appreciate the process by which a citizen can bring a complaint before the Grand Jury, and the mechanisms used to reach a fair and impartial resolution. This has been a sometimes frustrating but certainly, a very educational and fulfilling experience.

Sincerely,

Linda L. Herbst Foreperson

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The 1998-1999 Yolo County Grand Jury* resolves that the attached report is adopted as the Final Report of the 1998-1999 Yolo County Grand Jury. Steve Boschken, Davis Laurie Caldwell, El Macero Rush Darigan, Davis (Treasurer) Susan B. Eager, Woodland Shannon P. Geary, Woodland Michelle E. Goodrich, West Sacramento Sham S. Goyal, Davis Ernest E. Head, Davis Linda L. Herbst, Esparto (Foreperson) Arden Hill, West Sacramento Ted M. Holtry, Woodland Deryl W. Nelson, Davis Dennis R. Ojakangas, Davis William J. Owen, Davis (Foreman Pro Tem) Gale Pérez, Davis Joan Randall, Davis (Secretary) deceased 6/14/99 Howard Reese, Davis Elmer "Rip" Roelling, Woodland J. Donald Shebert, Clarksburg (Sergeant at Arms)

^{*} The following were sworn in as grand jurors but were unable to complete their terms: Morton Rothstein (Davis), Lawrence Howell (Knights Landing), and Donna Franco (Woodland).

What is the Grand Jury?

The California Constitution requires each county to appoint a Grand Jury. Grand Juries guard the public interest and provide citizens with a means to participate in oversight of local government. The Yolo County Superior Court appoints 19 grand jurors each year. The Yolo County Grand Jury is an official body of the Court and is an independent authority, not answerable to administrators or the Board of Supervisors.

Promote honesty and efficiency in government

The California Grand Jury process was established by statute in 1880. Unlike Grand Juries in other states, a California Grand Jury's primary responsibility is to promote honesty and efficiency in government by reviewing the operations and performance of county government, city governments, school districts, and special districts. Based on these reviews, the Grand Jury issues a final report that may recommend changes in the way government conducts its business. Copies are distributed to public officials, county libraries and the news media. The Board of Supervisors or the governing board of each government agency reviewed must respond to the Grand Jury findings and recommendations within 90 days after publication.

Consider complaints from citizens

Another Grand Jury responsibility is to consider complaints submitted by private citizens, local government officials or government employees. Complaints must be in writing and should include any supporting evidence available. Grand jurors are sworn to secrecy and, except in rare circumstances, records of their meetings may not be subpoenaed. This secrecy ensures confidentiality of the complainant and any testimony offered to the Grand Jury during its investigations. The Grand Jury exercises its own discretion on whether to conduct an investigation or to report its findings on citizen complaints.

Consider criminal indictments

A third responsibility of the Grand Jury is to consider criminal indictments based on evidence presented by the District Attorney. The Grand Jury does not pass upon the guilt or innocence of the accused. The Grand Jury also investigates charges of malfeasance (wrongdoing) or

misfeasance (a lawful act performed in an unlawful manner) by public officials.

To be eligible for the Grand Jury, a citizen must:

- be at least 18 years of age
- reside in the county for at least one year before selection
- exhibit ordinary intelligence and good character
- possess a working knowledge of the English language, and
- not have served on the Grand Jury within one year, although the Court may choose to hold over up to 10 jurors to ease transition

Following a screening process by the Court, grand jurors are selected by lottery. If you are interested in becoming a grand juror, submit your name to the Jury Commissioner, 725 Court Street, Room 303, Woodland, California, 95695, or telephone (530) 666-8600.

Public Notice

The findings in this document report the conclusions reached by the Grand Jury. Although all the findings are based on evidence, they are the product of the Grand Jury's independent judgment; some findings are the opinion of the Grand Jury rather than indisputable statements of fact.

The California Penal Code* specifies the duty, timeframe and format for responding to the Grand Jury reports. The governing board of the public agency, which is the subject of the report, must respond within 90 days of the date the Grand Jury submits its report to the Court. Other named respondents must comment within 60 days. Respondents must state whether or not they agree with each finding. If the responding person or entity disagrees with a Grand Jury finding, the respondent is required to explain the reason(s) for disputing the finding. In responding to each Grand Jury recommendation, the person or entity must report a summary regarding the implemented action, the timeframe for implementation, or an explanation if the recommendation will not be implemented or requires further analysis. If the recommendation requires further analysis, the respondent must identify the scope and parameters of the analysis and a timeframe for completion, not to exceed six months after publication of the report.

^{*} Sections 933 and 933.05

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Animal Services

Background

As part of its elective investigative duties, the Grand Jury examined the operation of the Yolo County Animal Services and toured the shelter.

- 1. Animal Services is a section of the Administrative and Special Services Division of the Sheriff's Department.
- 2. The shelter has a capacity of up to 100 dogs and 50 or more cats. In addition, the shelter can board horses, goats, reptiles, emus, and other exotic species.
- 3. The staff consists of nine Animal Control Officers, three clerical staff, and one supervisor. Inmates from the Monroe Detention Center assist in maintaining the grounds and cleaning cages.
- 4. Animal Control Officers are authorized to make arrests but do not normally take anyone into custody. Officers do carry a weapon in their vehicles.
- 5. During the past year, Animal Control Officers picked up 3,468 animals. The public brought to the shelter another 3,642. Over one-half of the animals were disposed of and roughly one-third were adopted. Nine hundred forty-eight were returned to their owners.
- 6. Euthanized animals are picked up by a private rendering company at a cost of \$600 per month.
- 7. Animal Services issued 12,403 licenses this year.
- 8. A spay/neuter program is operated by Animal Services. A \$20 deposit is required for adopted

- animals. Upon submission of evidence of spay/neuter, the deposit is refunded. Approximately 65-70% of adopted animals are spayed.
- 9. Total operating budget for Animal Services was \$749,159. Income in the amount of \$689,793 was received from licensing fees, the Veterinary Department at the University of California, Davis and from incorporated cities in Yolo County that Animal Services provided services to under contract. In addition, donations of pet food are received from many local businesses.
- 10. Both the office and animal retention facilities are cramped and lacking space.

Recommendations

99-01 Plans should be made for expansion of the Animal Shelter, which should include an animal isolation area, more space for animal retention, and additional office space. [Finding 10]

Respondents

Yolo County Board of Supervisors

Recommendation 99-01 and its corresponding finding

Yolo County Sheriff's Department

Recommendation 99-01 and its corresponding finding

Department of Social Services Turnover Rate

Background

The Grand Jury looked into the high turnover rate in 1998 of personnel at the Yolo County Department of Social Services. The issue surfaced during the interview process of another committee.

- 1. The Department of Social Services is a governmental agency that oversees twenty-two separate programs and their support staff. At the present time, there are approximately 310 positions.
- 2. Historically, there has been a high turnover rate within the Department of Social Services. The largest periods of turnover in Yolo County correspond to the hiring periods in Sacramento County. When Sacramento County experiences hiring freezes, the turnover in Yolo County decreases.
- 3. Traditionally, the highest turnover occurred in two of the largest divisions of Social Services—Child Welfare Services and Income Maintenance. At times, the turnover rate was as high as 50%.
- 4. There are various reasons for the high turnover rates:
 - There has been dissatisfaction with management styles.
 - Sacramento County has had a higher pay scale and better benefits package.
 - c. Approximately 20% of the Yolo County employees live in Sacramento County.
 - d. There is a perception of greater career advancement opportunities in Sacramento County.
 - Yolo County is considered to be a training ground for beginners in the field of social work.

- 5. In 1996, Yolo County surveyed its employees. As a result of the survey, the Department of Social Services was confronted not only with the pay differentials but with having to examine its own management style.
- 6. The Department of Social Services has responded to the survey by undertaking several courses of action:
 - Along with the County Administrator's Office, lobbied the Board of Supervisors for pay and benefit increases;
 - b. Increased the availability of managers and supervisors to staff;
 - Involved staff in the decision making process in a team capacity;
 - d. Encouraged workers who have left Yolo
 County to return by making reinstatement more attractive;
 - e. Worked to create more manageable caseloads;
 - f. Designed training programs that include mentoring with an emphasize on nontechnical as well as the technical aspects of the job;
 - g. Cross-trained employees in other positions to reduce stress caused by high turnover periods;
 - Considered the reinstatement of a continuous recruitment process;
 - Allowed more flexibility on shift times and job sharing;
 - Increased the role of supervisors in the hiring process.

Recommendations

- 99-02 Management should continue to address management style issues with their staff. [Findings 4, 5, and 6]
- 99-03 The Department of Social Services and the County Administrator's Office should continue to lobby the Board of Supervisors for better pay and benefits for employees. [Finding 6a]

- 99-04 Management should continue to look for ways to improve morale and include staff in decision making. [Finding 6]
- 99-05 The Department of Social Services should continue looking into an attractive reinstatement program for employees who may wish to return to Yolo County. [Findings 2, 3, and 6d]

Respondents

Yolo County Department of Social Services
All recommendations and their corresponding findings

Yolo County Board of Supervisors

Recommendations 99-03 and 99-05 and their corresponding findings

Yolo County Chief Administrative Officer
Recommendations 99-03 and 99-05 and their corresponding findings

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Investigation of Child Sexual Abuse Cases

Background

As part of its oversight duties, the Grand Jury elected to investigate the handling of child sexual abuse cases by the involved agencies in Yolo County. Particular emphasis in this study was placed on the degree in which these agencies follow the protocol of the countywide Multi-Disciplinary Interview Center for the investigation of child sexual abuse cases. Law enforcement representatives from the cities of Davis, West Sacramento, Winters, and Woodland, and the Sheriff's Department were interviewed, in addition to representatives from Child Protective Services, the Sexual Assault and Domestic Violence Center, the District Attorney's office, and private citizens.

- Multi-Disciplinary Interview Center Memorandum of Understanding, March 1996
- 1. Early in 1996, the District Attorney's office established a countywide Multi-Disciplinary Interview Center (MDIC). A representative from each law enforcement jurisdiction in the county, including the District Attorney's office, Yolo County Department of Social Services, Yolo County Sheriff's Department, Woodland Police Department, West Sacramento Police Department, Davis Police Department, and Winters Police Department participated in the steering committee. The stated goals of the MDIC are¹:
 - To reduce the number of interviews of a child victim.
 - To promote interagency cooperation between agencies for criminal and dependency investigations.
 - To reduce potential trauma to child victims by using a child-friendly environment for forensic interviews.
 - To maximize opportunities to obtain valid and reliable information from child victims through the use of forensically-sound, and developmentally appropriate interview techniques.

- 2. The March 1996 MDIC Memorandum of Understanding also specifies:
 - The Steering Committee of the MDIC, comprised of representatives from each of the participating agencies, serves as the administrative body.
 - The District Attorney's office is responsible for scheduling and chairing the Steering Committee's meetings.
 - c. The Multi-Disciplinary Interview Team (MDIT) is comprised of representatives from the District Attorney's office, law enforcement agencies and the Department of Social Services. These representatives are to participate in an approved MDIC training program for forensic interviewing of children and the coordination of investigative procedures.
 - The MDIT is responsible for working together to arrange, conduct, or observe the MDIC interview.
 - e. The MDIT interview is conducted by a MDIC trained child sexual abuse interviewer and is observed by the investigating law enforcement officer and a representative from the District Attorney's office.
 - f. The purpose of the monthly MDIT meetings is to share information, review cases and discuss issues related to MDIC procedures.
- 3. Two Multi-Disciplinary Interview Centers have been established in Yolo County, one in Woodland and one in West Sacramento.
- 4. MDIC recommended training for forensic interviewing of children and the coordination of investigative procedures is periodically available.
- 5. At the time of this review, the City of West Sacramento Police Department and the City of Davis Police Department, Child Protective Services and the District Attorney's office have personnel that are specially trained in MDIC investigative procedures and who are assigned to those duties. This enhances

- the MDIT's ability to conduct a successful interview with a child and may also increase the chances for a successful prosecution.
- 6. Initial contact with victims and/or families of a child sexual abuse complaint is often made by a patrol officer or a representative of Child Protective Services.
- 7. Representatives of agencies interviewed were aware of the MDIC protocol of keeping initial contact with the alleged victim minimal and soliciting only enough information to determine the necessity for further action.
- 8. Forensic physical examinations for alleged child sexual abuse victims are performed at the UCD Medical Center at the discretion of the appropriate law enforcement jurisdictions.
- 9. Most law enforcement agencies in the county rotate assignments of their investigators about every two years. This rotation of trained investigators has resulted in having designated child sexual abuse investigators who are not fully trained in the MDIT interview and investigative techniques. An exception is the City of West Sacramento Police Department, which has been consistent in maintaining a trained investigator for more than three years.
- 10. The MDIC Steering Committee lacks leadership and cohesiveness.
- Until recently, MDIT meetings were not held on a regular basis and when meetings were held, there was not full attendance by all the participating agencies.
- At the present time, a police detective is chair of the MDIC Steering Committee.
- 13. As with most criminal cases, child sexual abuse cases are resolved prior to actual jury trial.

- 14. There is no computerized case management system to track child sexual abuse cases between participating county agencies.
- 15. Families of alleged child sexual abuse cases are not always informed of the disposition of their case.
- 16. The MDIT has developed The Multi-Disciplinary Interview—A Parent's Guide: How Can I Help My Child Through the MDI? brochure for parents and/or caretakers of sexually abused children. This guide informs them of the MDIC interview procedure and the investigative process in child sexual abuse cases and available support services.
- 17. The Yolo County Victim-Witness Program is under the jurisdiction of the District Attorney's office. This program serves as a liaison between the District Attorney's office and the victim to assist people who have cases pending in the courts.
- 18. The Sexual Assault and Domestic Violence Center is a privately funded agency that provides advocacy, counseling, and treatment for victims and families of sexual abuse.
- 19. In certain circumstances, there is a lack of support services for families and victims of child sexual abuse between the time of reporting of the incident and determination of charges.
- 20. The Yolo County Board of Supervisors has approved the formation of the Yolo County Child Molestation Task Force. The task force is charged with the following:
 - Continue to examine the current procedures and protocols for handling alleged child molestation cases
 - b. Review the experience of the Yolo County Multi-Disciplinary Interview Team
 - Investigate Sacramento/UC Davis protocols and others as appropriate
 - d. Make recommendations for change and possible grant funding sources²

² Yolo County Board of Supervisors Minutes, February 16, 1999

Recommendations

- 99-06 All law enforcement agencies should participate fully in the MDIT in order to maximize the effectiveness and proficiency of Yolo County's Multi-Disciplinary Interview Center. [Finding 5]
- 99-07 All participating agencies should give high priority to providing MDIC approved training for child sexual abuse investigators. Prior to personnel changes, the replacement investigator should be trained in MDIC approved protocol and procedures. [Findings 5 and 9]
- 99-08 As recommended by the Child Victim Witness
 Investigative Pilot Project, Research and Evaluation Final
 Report³, the MDIC should be staffed with a
 permanent, trained, interview specialist. Grant
 funding should be sought for this position. [Findings
 5 and 9]
- 99-09 To provide management and continuity, the District Attorney's office should resume direction of the MDIT and the MDIC Steering Committee. [Findings 10, 11, and 12]
- 99-10 A uniform countywide data collection system should be established to track child sexual abuse cases and to provide case management information and statistics. [Finding 14]
- 99-11 All law enforcement agencies should keep families of child sexual abuse victims informed of the progress and disposition of their case. [Finding 15]
- 99-12 The Multi-Disciplinary Interview—A Parent's Guide:
 How Can I Help My Child Through the MDI? brochure
 should be distributed to the concerned parent and/
 or guardian upon initiation of the investigation and
 prior to the MDI process. [Finding 16]
- 99-13 The Multi-Disciplinary Interview—A Parent's Guide:
 How Can I Help My Child Through the MDI? brochure
 should contain a contact phone number for further
 information. [Finding 16]

³ California Attorney General's Office, Daniel E. Lundgren, Attorney General, Child Victim Witness Investigative Pilot Project, Research and Evaluation Final Report, June 1994 (Recommendations continued)

- 99-14 Parents of alleged child sexual abuse victims should be informed of support services available to them between the time the incident is reported and the time charges are determined. [Finding 19]
- 99-15 The Yolo County Child Molestation Task Force should examine the MDIC Memorandum of Understanding and make recommendations for amendments where it deems necessary. [Finding 20]
- 99-16 The resources of the Sexual Assault and Domestic Violence Center should be more fully utilized by the MDIC. [Findings 18 and 19]

Respondents

Police Departments: City of Davis

City of West Sacramento

City of Winters
City of Woodland

University of California, Davis

All recommendations and their corresponding findings except Recommendation 99-15

Yolo County Sheriff's Department
All recommendations and their corresponding findings
except Recommendation 99-15

Yolo County District Attorney
All recommendations and their corresponding findings
except Recommendation 99-15

Yolo County Board of Supervisors

Recommendations 99-06, 99-08, 99-09, 99-10, and 99-16 and their corresponding findings

Yolo County Child Protective Services
All recommendations and their corresponding findings
except Recommendation 99-15

Sexual Assault and Domestic Violence Center
Recommendations 99-10, 99-13, and 99-16 and their corresponding findings

Yolo County Child Molestation Task Force Recommendations 99-08, 99-12, 99-13, 99-14, 99-15, and 99-16 and their corresponding findings

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Yolo County Public Health Laboratory

Background

The Yolo County Public Health Laboratory is one of forty city and county facilities, which works closely with the California Department of Health Services State Laboratories. These laboratories identify pathogens and participate in epidemiological investigations. The Yolo County Public Health Laboratory is a division of the Yolo County Health Department. The Laboratory works in conjunction with other divisions of the Yolo County Health Department especially the Nursing and the Environmental Health divisions.

- Employees of the Yolo County Public Health
 Laboratory include one full-time Microbiologist/
 Laboratory Director, one half-time Microbiologist,
 and one half-time Laboratory Technician.
- 2. The Laboratory Director reports to the Health Officer of Yolo County.
- 3. Work performed at the Laboratory includes testing for rabies, tuberculosis, HIV and other sexually transmitted diseases, and food and water contamination.
- 4. Quality control monitoring is conducted by the California Department of Health Services.
- 5. The Laboratory occupies approximately 700 square feet. Due to the size of the Laboratory, the addition of new testing categories is prohibited; however the Laboratory can increase the volume of its current testing categories.
- 6. Future demands on the Laboratory are expected to increase with population growth and other demographic changes. Another issue that could impact the demands on the Laboratory is bioterrorism preparedness.

- 7. The Laboratory's autoclave is forty years old. A grant has been submitted for a rebuilt autoclave to replace it.
- 8. The Laboratory's computer is outdated. A statewide networked Public Health Laboratory computer system is in progress and when completed, the Yolo County Public Health Laboratory computer will not be compatible with this new system.
- 9. The Laboratory performs services for a fee. The Laboratory's fee schedule is approved by the Yolo County Board of Supervisors.
- 10. Some facilities that use the Laboratory include the School of Veterinary Medicine and the Cowell Student Health Center at UC Davis, local hospitals, and community clinics in Davis, West Sacramento, and Woodland.
- 11. There is a Memorandum of Understanding between the Yolo County Public Health Laboratory and other public entities to perform and obtain services.
- 12. The presence of a local public health laboratory in the county promotes consistent testing and control, provides a quick turnaround of results, and increases the ability of the County's Health Officer to direct the Laboratory's resources to local priorities.

Recommendations

- 99-17 A plan needs to be developed addressing how the Laboratory will meet the growing and changing needs of the county. [Finding 6]
- 99-18 Efforts to replace the autoclave should continue. [Finding 7]
- 99-19 The Laboratory's computer and software should be consistent with the statewide Public Health Laboratory computer network. [Finding 8]

Respondents

Yolo Courty Health Department, Director
All recommendations and their corresponding findings

Yolo County Public Health Laboratory
All recommendations and their corresponding findings

Yolo County Board of Supervisors
All recommendations and their corresponding findings

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City of Davis Traffic Light

Background

The Grand Jury received a citizen's complaint expressing concern that the City of Davis, and not the developer, paid for the signal lights at the intersection of Cowell at Valdora. The complainant was also concerned that the signal light was installed prior to the year 2008, the projected installation date.

- 1. Project Number A46, also known as Capital Improvement Project (CIP) 85-83, involves the installation of new signal lights at the following intersections:
 - Cowell at Valdora
 - Cowell at Research Park Drive
 - Cowell at Pole Line
 - Cowell at Drew
- 2. The total cost estimate for Project Number A46 is \$596,858. The budget expectation for the signal lights at the intersection of Cowell at Valdora is \$143,400.
- 3. The February 1996 traffic study performed by kdAnderson Transportation Engineers concluded that ultimately a traffic signal would be needed at the intersection of Cowell at Valdora to ease traffic.
- 4. An occupant of the Oakshade Shopping Complex required that signal lights be installed at the intersection of Cowell at Valdora prior to their opening. During the construction of the Oakshade Shopping Complex, the City of Davis found that it was an appropriate time to install signal lights at the intersection.
- Typically impact fees are collected from developers to finance a project such as Project Number A46. Impact fees are collected upon issuing certificates of

- occupancy. Initially, the City of Davis paid for the cost of Project Number A46. All fees are being recovered from the Oakshade Shopping Complex and any new developments in the surrounding area.
- 6. The Oakshade Shopping Complex impact fees total \$351,621. The remaining balance of the impact fees will be paid by future developments in the surrounding area.
- 7. At the time of our review, 79% of the Oakshade Shopping Complex impact fees had been collected.
- 8. At the time of our review, the signal lights at the intersections of Cowell at Valdora, Cowell at Research Park Drive, and Cowell at Pole Line had been installed. The signal lights at the intersection of Cowell at Drew had not been installed.
- 9. The City of Davis does have a policy on handling public inquiries. City staff directs all public inquiries to the appropriate department.

Recommendations

None.

Correctional Officers

Background

The Grand Jury received a complaint stating that Correctional Officers at the Monroe Detention Center do not receive safety retirement benefits as do Deputy Sheriffs at the facility. In addition, the complainant felt that Correctional Officers were not treated with respect by the Deputy Sheriffs.

Findings

- 1. Correctional Officers at the Monroe Detention
 Center do not receive the same retirement benefits as
 Deputy Sheriffs.
- 2. During the last 10 years, only 4 minor incidents occurred between inmates and Correctional Officers. There were no serious injuries.
- 3. While the complaint noted disrespect between the Deputy Sheriffs and Correctional Officers, this was not apparent to the Grand Jury during its investigation.
- 4. There is a low turnover rate among the Correctional Officers at the Center.
- 5. While opportunities exist for training and promotion to Deputy Sheriff, few Correctional Officers have taken advantage of this program.

Recommendations

- 99-20 Safety retirement is a benefit that could be pursued by the Correctional Officer's bargaining unit.
 [Finding 1]
- 99-21 Any complaints of disrespect arising between employees should be handled through the established chain of command. [Finding 3]

Respondents

Yolo County Board of Supervisors
Recommendation 99-21 and its corresponding finding

Yolo County Sheriff's Department
Recommendation 99-21 and its corresponding finding

County Counsel's Role in Juvenile Dependency Representation

Background

In response to a citizen's complaint, the Grand Jury examined the role of the County Counsel representing both the child and the Department of Social Services in some juvenile proceedings.

- Dual representation in Yolo County occurs in Welfare and Institutions Code Section 300 cases. Juveniles can come before the court in Section 300 cases when they are abused, neglected, or in danger of becoming so.
- Juvenile 300 petitions are filed in the court after review and investigation by the Department of Social Services. Once the petition is filed, the attorney for County Counsel represents both the Department of Social Services and the minor in cases where the child is under the age of four, has no older siblings, and the court has not declared an actual conflict. This dual representation causes a perceived conflict of interest.
- 3. If the court finds there is an actual conflict of interest, separate counsel is appointed for the minor to serve as a conflict attorney. Conflict attorneys are appointed from a group of private attorneys.
- 4. The Public Defender's office represents the parents of the minor and therefore can not represent the minor.
- 5. In Sacramento County, County Counsel represents the Department of Social Services and conflict attorneys are appointed for all minors. Sacramento County pays for all the conflict attorneys and is reimbursed from the State through the State Trial Court Funding Measure.

6. Yolo County also receives reimbursements from the State Trial Court Funding Measure; however, the County may not be currently receiving all of the funding that is available through the Measure.

Recommendations

- 99-22 Yolo County should provide separate counsel from the County Counsel for all minors in Welfare and Institutions Code Section 300 cases. [Finding 2]
- 99-23 Yolo County should evaluate the need to increase the number of conflict attorneys if there is an increased caseload. [Findings 3 and 6]
- 99-24 Yolo County should appropriately budget all juvenile dependency cases so that the county will be reimbursed properly out of the State Trial Court Funding Measure. [Finding 6]

Respondents

Yolo County Superior Court

All recommendations and their corresponding findings

Yolo County Counsel

All recommendations and their corresponding findings

Yolo County Board of Supervisors

All recommendations and their corresponding findings

Knights Landing Cemetery

Background

A citizen's complaint was received regarding the Knights Landing Cernetery District. The Grand Jury investigated the policies and procedures of the District.

- Cemetery plots cannot be reconciled with the current plot maps. The District lacks a comprehensive and detailed plot map showing the accurate location of all interred human remains.
- 2. In the past, burials have been performed in plots belonging to parties other than the person being buried therein.
- The District is hampered by lack of personnel and resources to reconcile plot maps with actual burial sites.
- 4. The March 7, 1997 Auditor-Controller's Report recommended that the Cemetery District contract with an engineering firm to update the cemetery map and the plot lot book to be consistent with the actual layout of the cemetery.
- The Cemetery District contracted with an engineering firm to survey and update the cemetery map.
- 6. The most recent audit (October 1998) of the District's records by the County Auditor-Controller's office has ascertained that proper management practices are now in effect.

Recommendations

- 99-25 The Knights Landing Cemetery District should continue their efforts to update the cemetery map to correctly show the identity and location of all interred remains. [Findings 1 and 5]
- 99-26 The District Board should insure that the engineering firm completes the update to the cemetery map as soon as possible. [Finding 5]
- 99-27 The Knights Landing Cemetery District should continue to follow the procedures outlined in the Auditor-Controller's Report of October 1998, in all future proceedings. [Finding 6]

Respondents

Knights Landing Cemetery Board

All recommendations and their corresponding findings

Rights of Victims of Crimes in Yolo County

Background

A citizen's complaint was received asking if victims of violent crimes have any rights such as notification of case progress. Representatives from local law enforcement agencies were interviewed to ascertain if any policies are available outlining the rights of victims of crimes and informing them of the procedures to seek help.

Findings

- 1. There are services available to victims once the case has gone to prosecution. The District Attorney's office makes available information on the Victim-Witness Assistance Program.
- 2. If cases do not reach the District Attorney's office, there are no policies about keeping victims informed or disseminating information on counseling.
- 3. Each agency has its own ideas on how to respond to victims. In addition, the responses of individual officers may vary.
- 4. Transfers and shortages of personnel have hampered the flow of information to victims in the past.
- 5. Lack of funds, manpower, procedures, and training are often mentioned as problem areas.
- 6. Grants, V.I.P. (Volunteers in Police) programs, and Police Chaplaincy programs have been used in some agencies. These programs have helped to reduce the workload of officers by providing telephone answering, records updating, and follow-up calls to victims of crimes.

Recommendations

- 99-28 A standard procedure should be developed by all law enforcement agencies in the County to inform victims of case progress and provide information on the Victim-Witness Assistance Program. A guidebook with sources of assistance should be given to the victims whether the crime is prosecuted or not. [Findings 1, 2, and 3]
- 99-29 Officers should attend victim-sensitivity training to better understand the needs of victims of violent crimes and to help the victims cope with the situation. [Finding 5]
- 99-30 Law enforcement agencies should consider using grants and volunteer citizens groups. [Findings 4, 5, and 6]

Respondents

Police Departments: City of Davis

City of West Sacramento

City of Winters
City of Woodland

All recommendations and their corresponding findings

Yolo County Sheriff's Department

All recommendations and their corresponding findings

Yolo County Flooding Problems

Background

A citizen's complaint was received asking if the county could help in any way to lower the water levels during flood periods and repair damaged roads when the waters recede.

Findings

- 1. There is no city or county entity responsible for flood prevention and control in Yolo County; however, city or county departments may respond to problems caused by flooding, depending upon the nature of the problem.
- 2. There is no central place for citizens to inquire about flood issues.
- 3. Some areas of the county flood nearly every year.
 Without major changes, these areas will continue to flood and without proper mitigation efforts, the number of residents impacted by the flooding will grow as development continues in flood plain areas.
- 4. The Yolo County Flood Control and Water Conservation District is not responsible for flood control. The name of the District is misleading. The purpose of the District is to sell water.
- The Yolo County Flood Control and Water Conservation District does not receive any money for flood control purposes.
- Some of the flooding occurs around privately owned sloughs, ditches, and creeks. In some areas, private landowners are protecting their property by diverting sloughs, which is legal with proper permits.
- 7. Building of berms by property owners is acceptable in Yolo County with the appropriate permits.

(Findings continued)

- 8. The Yolo County Planning and Public Works
 Department is responsible for the maintenance of
 county roads and ditches that are next to county
 roads. This includes road or bridge damage caused
 by flooding.
- 9. The annual budget for new roads and the maintenance of existing roads and bridges in Yolo County is approximately \$6 million.
- 10. The County does not have adequate funds for properly maintaining all of the roads that flood. Due to the lack of funding, there is a backlog of work on the existing 800 miles of our county road system. This backlog is estimated to be as high as 15-20 years and \$100 million behind in maintenance.
- 11. The Yolo County Planning and Public Works Department's flood control related activities includes cleaning ditches, replacing culverts, and maintaining bridges. The main goal is to keep water flowing.
- 12. There are currently no discretionary county funds designated for preventative flood control efforts in Yolo County.
- 13. Due to limited resources, flood damage repairs are prioritized by the number of people who will benefit and the cost of the project.
- 14. There is cooperative use of equipment during emergency situations between the Yolo County Flood Control and Water Conservation District and the Yolo County Planning and Public Works Department.
- 15. Impact fees are collected by the county on all new commercial and residential developments. These fees are intended to cover the cost of increased county services. However, none of the impact fees collected are designated for flood control or county road maintenance.

Recommendations

- 99-31 Although flood control is not a function of city, county, or local government in Yolo County the dissemination of information regarding flooding can be centralized and coordinated locally. Citizens should be able to contact one agency that can assist with flood-related questions and problems.

 [Findings 1 and 2]
- 99-32 The cities and county should continue to mitigate and/or guide development away from high floodrisk areas. [Finding 3]
- 99-33 The Yolo County Flood Control and Water
 Conservation District should consider changing
 their name so that there is no confusion about their
 responsibility for flood control. [Finding 4]
- 99-34 The County should aggressively solicit grants and other funding from federal, state, and local sources to help finance preventative flood control projects. [Finding 12]

Respondents

Yolo County Flood Control and Water Conservation District Recommendation 99-33 and its corresponding finding; Finding 5

Yolo County Board of Supervisors
All recommendations and their corresponding findings

Yolo County Planning and Public Works Department Recommendations 99-31, 99-32, and 99-34 and their corresponding findings THIS PAGE **32** IS INTENTIONALLY BLANK THE NEXT PAGE IS PAGE 33

Follow-up Reports

The following five reports are follow-up reviews conducted on last year's studies. Unlike a full investigation, a follow-up review is a status check on the recommendations made by the previous Grand Jury.

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Department of Social Services Special Investigative Unit

Follow-up report

The Grand Jury conducted a follow-up review of the Department of Social Services Special Investigative Unit.

The philosophical and personal differences remain a problem between the Welfare Fraud Investigators in the District Attorney's office and the Early Welfare Fraud Investigators and staff of the Department of Social Services. Because of the differences between the offices, the free flow of information and ideas continue to be hindered.

The Department of Social Services and the District Attorney's office should act to resolve these differences before the situation gets worse.

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Esparto Community Services District

Follow-up report

The Grand Jury conducted a follow-up review of the Esparto Community Services District. Many of the recommendations, including providing instruction and training for directors in the provisions of the Brown Act, reconciling the financial problem regarding the PERS contribution, and completing the policy manual, have been implemented. Since last year's investigation, a new General Manager/Superintendent has been hired.

Public Defender's Office

Follow-up report

The Grand Jury conducted a follow-up review of the Office of the Public Defender. The Chief Assistant Public Defender position was recently filled. There has been an increase in funding and staff positions. A review is being conducted by the County to determine if Yolo County is comparable to similar counties in pay scale and caseload.

Due to the complexity of felony cases and the high number of cases handled by the Public Defender's office, the County needs to do more to attract experienced attorneys. The annual caseload per attorney should be lowered.

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Woodland Police Department

Follow-up report

The Grand Jury conducted a follow-up review of the Woodland Police Department. Since last year's review, the Chief of Police has retired and a new Chief has not yet been recruited. A Captain of the police force is currently serving as acting Chief of Police.

The Department provides training opportunities to management and supervisorial staff in order to maintain consistent philosophies in command and leadership. The leadership philosophy has also incorporated input from line level officers. The turnover rate has dropped. As of June 1998, only one officer left the department and this was due to health reasons.

A review is being conducted comparing the Department's salary scale to cities similar to Woodland. Incentive programs are being developed to encourage officers to reside in the community. A Community Oriented Program has been in place since January 1999.

A new performance evaluation system is being developed with an emphasis on problem solving methods rather than statistics such as the number of citations and arrests. The City Manager will be conducting an annual performance evaluation of each department head, which includes the acting Chief of Police.

Recommendations

99-35 Filling the position of Chief of Police should be made a priority in order to maintain the quality of leadership.

Respondents

City of Woodland City Council

All recommendations and their corresponding findings

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Yolo County Housing Authority

Follow-up report

The Grand Jury conducted a follow-up review of the Yolo County Housing Authority. Many of the recommendations, including in-service training for new commissioners, special needs accommodations for all commissioners and an update on the Lighthouse Marina project for the residents, have been implemented. Since last year's investigation, a new Executive Director has been appointed.

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Fouts Springs Ranch

Tour

Several members of the Grand Jury toured the Fouts Springs Ranch which is located in the Mendocino National Forest about eight miles outside of Stonyford. Yolo County has two to fourteen juvenile wards assigned to this remote ranch at any given time throughout the year. Yolo County contracts with Solano and Colusa counties who operate this facility. Yolo County wards participate in their Snow Mountain Academy program, which is one of three different programs offered at this facility.

The boot camp program is 3-4 months in duration. Military dress code applies to both the Correctional Officers and the boys. The boys are placed under a strict regimen emphasizing drill and ceremony, proper hygiene, social skills, and physical education. While in this program, the boys are also required to attend an on-premise school designed to encourage effective study techniques. Because of this system, most students show improvement.

The school also provides vocational training with a computer lab, metal and wood shop, welding classes, and career guidance testing and counseling.

The physical regimen includes hands-on team leadership courses on a specially designed area of the ranch resembling military confidence courses. These courses are meant to instill pride, self-esteem, respect, and a sense of responsibility.

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Monroe Dentention Center and the Leinberger Center

Tour

The Grand Jury toured the Monroe Detention Center and the Leinberger Center in October 1998 as part of its annual oversight inspection of county jails. The Monroe Detention Center is the main jail for Yolo County. It is equipped to house virtually any classification of inmate: maximum, medium, protective custody; medical and special housing; male and female.

The Leinberger Center, located adjacent to the Monroe Detention Center, is a minimum security working facility that houses inmates in a dormitory style. The inmates housed in this area work on and off the Yolo County Detention Facility grounds. Leinberger also uses house arrest technology.

Together the facilities have a capacity for 450 inmates. Any time there are more inmates than bed space inmates can be released. The County also has the option of sending them to a Yuba County facility for a fee if needed.

There are educational, counseling, and training programs for inmates that are provided by private volunteers and the Inmate Welfare Fund. The Inmate Welfare Fund is generated by the inmates themselves when they purchase candy, sundries, or use the telephone. The profits from the inmate fund are used for maintenance, supplies, and equipment that directly benefit the inmates.

Both facilities are clean and well lit with carpeting used in some areas to keep the noise level down. Designed for optimum use of fresh air and sunlight, Leinberger, like Monroe, uses muted colors. The design of the facility benefits not only inmates but also staff who work twelve-hour shifts. Overall, the facilities appear to provide a clean, safe environment for staff and inmates.

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Port of Sacramento

Tour

The Yolo County Grand Jury and the Sacramento Grand Jury together attended a presentation and tour of the Port of Sacramento. The Sacramento-Yolo Port District includes all of Sacramento County and the First Supervisorial District of Yolo County. The policy-making body of the District is the Port Commission. The Port is an independent unit of local government.

The Port is an inland river port. It is accessed via the San Francisco Bay, and passage up the Sacramento River and the Sacramento Deep Water Channel. The channel is man-made and measures 47 miles long, 32 feet deep. The goal of the Port is to deepen the channel to 35 feet.

The Port of Sacramento serves agri-business, the forest industry, and industrial bulk shippers. Exports comprise more than 85% of all cargoes. Primary cargoes include rice, wheat, safflower, wood chips, logs, and clay.

The Port's facilities are located on 150 acres of land located in the City of West Sacramento. The Port owns another 420 acres of undeveloped land south of the harbor, 90 acres along the barge canal, and 3,000 acres along the deep-water channel. The area south of the harbor has recently been entitled for development by the City of West Sacramento and the acreage along the channel is being developed as a mitigation bank. The land development will provide a new source of revenue for the Port. It is the intent of the Port to increase its revenue through land development and direct the cash flow and/or debt capacity to finance the deepening of the channel.

The Port does not receive any funds from taxes. Instead, its revenues are derived from the operation of its facilities and the provision of its services. In 1998, the Port had operating revenues of \$10.3 million and a net income of \$153,418.

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Sacramento-Yolo Mosquito and Vector Control District

Tour

The Yolo County Grand Jury along with the Sacramento County Grand Jury toured the Sacramento-Yolo Mosquito and Vector Control District facilities located in Elk Grove, California. The Sacramento-Yolo Mosquito and Vector Control District was established in 1946 by a vote of residents and is funded by property taxes. The district currently serves a 2,013 square mile area with a population of 1.4 million. The district has 50 full time employees and operates on an annual budget of \$4.9 million. Seventy-five vehicles and equipment pieces are used to control these pests.

A vector is any animal that is capable of transmitting a disease or is considered a public health nuisance. The Sacramento-Yolo Mosquito and Vector Control District is concerned primarily with mosquitoes, yellowjackets, bees, ticks, and black gnats. Mosquitoes are the main focus of the abatement program and the technicians concentrate mainly on rice fields, wetlands and other bodies of still water. Control methods include insecticides and integrated pest management techniques.

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Yolo County Juvenile Hall

Tour

One of the Grand Jury's mandated duties is to tour the Juvenile Hall facilities. This tour was made in mid-January and was led by a Juvenile Hall supervisor.

At the time of our tour, the population of the hall was thirty-seven. There are thirty beds in the facility and twenty-two sleeping rooms. Additional beds are set up in the classroom during overflow situations. Forty-seven wards was the highest population in recent history. The age range was 14-17 years old, but younger wards have been housed. Male and female wards are housed separately but eat and attend classes together. Each ward spends approximately four hours in class daily. Meals are prepared by the staff at the Monroe Detention Center and brought to the hall. The average stay is sixteen days, but some had been in the hall up to one year.

The hall is authorized to have fifteen staff members; however, at the time of the tour, there were five vacancies. The staff turnover rate is high due to higher wages and better benefits in surrounding counties.

Security measures seemed to be high. In 1994, nine wards escaped. All but one were found within hours, but due to this event, security measures were increased. No escapes have occurred since that time.

Living conditions at the Juvenile Hall seemed austere at best. Some wards flood their cells. Water is regulated in those cells. Instances of vandalism and disruptive behavior were observed.

The facility is aging physically and there is not adequate space to house the wards.

Recommendations

99-36 The Board of Supervisors should investigate the funding, building, and adequate staffing of a new facility to house juveniles.

(Recommendations continued)

99-37 The 1999-2000 Grand Jury should fully investigate the Yolo County Juvenile Hall.

Respondents

Yolo County Board of Supervisors

All recommendations and their corresponding findings

Yolo County Morgue

Tour

The Grand Jury toured the Yolo County Morgue in November 1998. The morgue, which is adjacent to the Sheriff's Department, was relocated from Yolo County General Hospital in July 1997. During the planning stages of the buildings, staff provided suggestions to make the workspace more functional. The facilities appear clean and well equipped.

The Sheriff-Coroner's staff consists of four Deputy Coroners, two student interns, and five contracted physicians. Not all staff are full-time employees. On average, the Coroner's office handles 550 investigations a year.