

Placer County

Responses to the



Grand Jury Final Report



2003-2004



PLACER COUNTY GRAND JURY

(530) 889-7469
Mailing Address:

FAX (530) 889-7447
11490 C Avenue, Auburn, CA 95603

December 2004

Honorable Alan Pineschi
Honorable Larry D. Gaddis
Placer County Superior Court
Auburn, CA 95603

Subject: Responses to the 2003-2004 Grand Jury Final Report

Eleven years ago the Grand Jury commenced the practice of publishing and distributing the responses to the Final Report. We believe the decision to print and publish the responses has a continued beneficial effect. Responses have been more substantive and, with distribution to all affected county offices and agencies, the public and private sector is better informed with respect to certain activities of local government.

The 2004-2005 Placer County Grand Jury has complied and published the responses received. These responses are from the county, city and special district agencies, which were cited to respond in the Final Report. Where a response was not received this report so indicates.

Sincerely,

PLACER COUNTY GRAND JURY 2004-2005

By
Dennis Valentine, Foreman

INTRODUCTION

The Placer County Grand Jury Report 2003 – 2004 was published and distributed in June 2004. Copies may be found in all public libraries.

State law regarding responses to Grand Jury reports is spelled out in the California Penal Code, Section 993 (3).

The government offices, agencies, and local entities cited in the Final Report for a Response, are required to respond to the Final Report within 60 days (elected officials who head county agencies) or 90 days (governing bodies of public agencies).

This book contains all of the Responses received to the 2003-2004 report.

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City Manager's Office
311 Vernon Street
Roseville, CA 95678

July 12, 2004

The Presiding Judge Superior Court
110 Maple Street
Auburn, CA 95603

Dear Judge:

Below are responses to the recommendations made by the 2003-2004 Placer County Grand Jury from the City of Roseville's Finance Director and City Manager.

Grand Jury Recommendation	City Response
1. Re-evaluate and restrict the issuance of Cal Cards.	The City agrees with this recommendation. The City is in the process of reviewing all Cal Cards. Cards that have not been used in over 18 months will be canceled. On an annual basis, we ask Department Heads to review the need for individual employees to have a Cal Card. We are also evaluating other purchase-card programs as a part of an overall banking services request for proposal.
2. Analyze expenditure reimbursement costs including consideration of the program rebates to justify the use of personal credit cards rather than Cal Cards.	The City agrees with the recommendation. The City has taken steps to reduce the use of Cal Cards and encourage other payment options. We do believe that the Cal Card program is a valid and valuable procurement option for the City and plan to continue its use. We agree that ongoing critical analysis of all procurement programs is a necessary and prudent business practice.

Sincerely,

W. Craig Robinson
City Manager

Russ Branson
Finance Director

Cc: Foreperson, Placer County Grand Jury



City Manager's Office

Gerald F. Johnson
City Manager
916-645-4070 x211
Fax: 916-645-8903

August 10, 2004

The Honorable Alan V. Pineschi
Presiding Judge, Superior Court
County of Placer
Historic Courthouse
110 Maple Street
Auburn, CA 95603

RE: City of Lincoln Responses to 2003-2004 Placer County Grand Jury
Final Report

Honorable Judge Pineschi:

The following letter is the City of Lincoln's response to the 2003-2004
Placer County Grand Jury Final Report.

Specifically, this letter is in response to the following findings and
recommendations in which the City of Lincoln was listed as a respondent.

CITY OF LINCOLN PURCHASING PRACTICES

FINDING #1: The City has not implemented Chapter 3.24. Instead, it has appointed a clerk to also function as a Purchasing Clerk with limited duties and responsibilities limited primarily to the Department of Finance with other departments functioning independently. This is far less than what is contained in Chapter 3.24.

The City agrees with Finding #1.

FINDING #2: The City has not negotiated volume discounts even though records reviewed by the Grand Jury indicate hundreds of purchases a year are made from the same vendors, which should entitle the City to such discounts.

The City agrees with Finding #2. The City does purchase many items through State contracts that do take advantage of high volume State purchases.

FINDINGS #3: An interview with the Placer County Purchasing Director verified significant savings could be obtained by implementing an organized and coordinated purchasing process. In the case of Placer County, savings exceeded the operating costs of the department.

The City agrees with Finding #3, however, it must be acknowledged that Placer County with an annual budget of ten times that of the City enjoys economies of scale far in excess of those available to the City.

RECOMMENDATION #1: The City of Lincoln should implement Chapter 3.24 of the Lincoln Municipal Code as soon as possible. There is every indication a Purchasing Officer would save individual staff time by accumulating purchases. Also by negotiating volume discounts, and taking advantage of purchasing cooperatives the City may reduce costs.

The City agrees with Recommendation #1. In recognition of the need to provide centralized purchasing for the City, a Purchasing Officer position was included and approved as part of the FY 2004-05 budget. A request to recruit for and to fill this position was submitted to the Human Resources Division on June 10, 2004 two days after approval of the FY 2004-05 budget by the Council. It is anticipated that this position will be filled and in place by October 1, 2004.

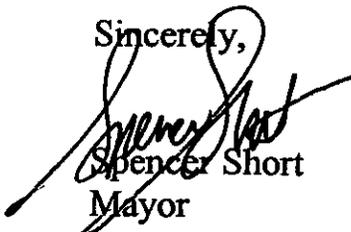
As soon as this position is filled, the City of Lincoln Finance Director will work directly with the Purchasing Officer and department heads to implement a citywide purchasing program. We will start with an analysis of current supply costs so we will have a baseline of costs. The first

deliverable will be a report that reflects savings to the City as a result of implementing this program. The goal will be to achieve savings in excess of the cost of the new position.

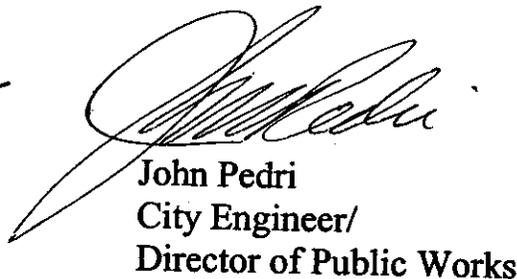
In addition to a citywide purchasing program, the City of Lincoln Finance Director will work with department heads and staff in the Central Services Division to consolidate the City's inventory of vehicles and capital equipment. By doing so, the insurance coverage and costs can be effectively coordinated. An additional savings as a result of centralizing vehicle/equipment inventory and insurance services in the Central Services Division is anticipated. Service agreements and consultant service contracts will also be centralized under the new Purchasing Officer.

The City of Lincoln appreciates the time and effort spent by the Grand Jury and its thoughtful report.

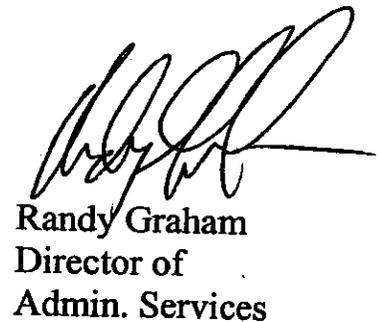
Sincerely,



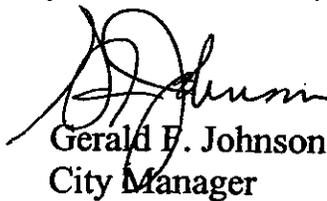
Spencer Short
Mayor



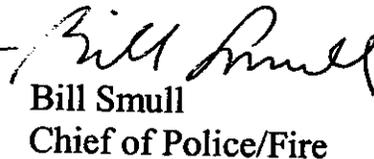
John Pedri
City Engineer/
Director of Public Works



Randy Graham
Director of
Admin. Services



Gerald F. Johnson
City Manager



Bill Smull
Chief of Police/Fire



City Manager's Office

Gerald F. Johnson
City Manager
916-645-4070 x211
Fax: 916-645-8903

August 10, 2004

MUNICIPAL TRANSIT SYSTEM – CITY OF LINCOLN

FINDINGS #1: The City of Lincoln has been re-evaluating transit routes for the last four years.

The City agrees with Finding #1. A transit master plan was recently been completed. The master plan includes significant changes to the overall system. These changes will be implemented this fall.

FINDINGS #2: The Lincoln Municipal Transit System is not run in an efficient manner.

The City disagrees with Finding #2. This is a subjective statement without factual substantiation. As a result, it is impossible prepare an appropriate response.

FINDINGS #3: The Transit Bus Manual is not current.

The City agrees with Finding #3. An update is being prepared.

FINDINGS #4: The Transit system continues to primarily transport students to and from school.

The City agrees with Finding #4. Students over the last ten years have been a major part of the City's ridership. As the City continues to grow and add new retail outlets and service oriented businesses, it will be easier to attract non-student transport riders. The City treats all transit riders, whether students, commuters, or seniors as valued customers

FINDINGS #5: The Transit Supervisor does not attend all necessary meetings with the PCTPA, because she is a substitute driver, thus missing the opportunity to provide input as to the current transit needs of the City.

The City agrees with Finding #5. The City of Lincoln has only one transit supervisor. She has done an excellent job in communicating with the PCTPA, both verbally and in writing. The Transit Supervisor does not attend all transit-related meetings conducted by the PCTPA. However, this lack of attendance is caused by the occasional need to cover absences by regularly-scheduled drivers – not by willful disregard for the importance of these meetings. Where appropriate, the City provides PCTPA with written and/or verbal comments regarding transit-related issues of importance to the City. The City will increase efforts to ensure that more PCTPA transit-related meetings are attended.

RECOMMENDATIONS:

1. The City of Lincoln should conduct a survey of citizens. The means for this survey could include the local paper, utility bill flyer and local TV station. This survey would allow potential riders the opportunity to express their opinion.

The City disagrees with Recommendation #1. The City agrees that a comprehensive survey of Lincoln citizens could provide input to the transportation needs of the community. However, general public surveys (particularly statistically-valid telephone surveys) require considerable

resources, both in terms of staff time and funding to conduct the survey and evaluate its findings. It should be noted that mail-in surveys typically face difficulty soliciting sufficient numbers of responses to be statistically valid, and those that do submit responses tend to be on the polar ends of the questions being asked. No other transit system in Western Placer County has conducted a comprehensive general public survey focused on public transit needs in the recent past. Many transit agencies rely upon demand forecasting models that use current demographic and ridership characteristics to develop current and projected transit demand estimates. These methods were used to prepare the City's Short Range Transit Plan. In addition, the City works closely with the PCTPA to determine specific unmet transit needs that are reasonable to meet. For these reasons, the City would rather devote its limited resources on targeted marketing initiatives and on staff support for a citizens' transit advisory committee (discussed later).

2. The advertising budget should be increased to assure all potential patrons have knowledge of the bus system and its schedules.

The City agrees with Recommendation #2. The City has increased its transit marketing budget by \$10,000 in its 2004-05 Budget.

3. The Lincoln Transit Department should adhere to the adopted Rules and Procedures manual.

The City agrees that its Rules and Procedures Manual needs to be updated to conform with current operating procedures. The Grand Jury report identifies as a deficiency the fact that Lincoln Transit provides "off-route" service. However, as detailed in Lincoln's draft Short Range Transit Plan and the City's Internet website, Lincoln Transit purposely provides deviated fixed-route service. Under deviated fixed-route service, the buss will deviate up to ¾ mile from the identified route to pick-up and drop-off passengers. This service model is used by small transit systems throughout the United States in order to conserve limited resources, and is allowed under the Americans with Disabilities Act. For example, this service model is also currently utilized by the City of Auburn. The City herein commits to revising its

Rules and Procedures Manual and all Lincoln Transit marketing materials to include information about how users can access this type of flexible, cost-effective service.

4. The City should consider expanding the Dial-A-Ride destinations and write a letter notifying the City of Roseville that the City of Lincoln will be transporting passengers to Kaiser Eureka, Kaiser Riverside, Sutter Roseville medical facilities and the Union Pacific/Greyhound Depot with the on demand Dial-A-Ride. It is further recommended that the City of Lincoln and the City of Roseville enter into a Memorandum of Understanding.

It should be noted that a non-emergency medical transportation service has never been found by the PCTPA to be an unmet transit need that is reasonable to meet. In addition, an existing demand response transit service (I-Ridge) currently provides paratransit service between Lincoln and Roseville, using regional TDA funds. Nonetheless, the City will begin once a week non-emergency medical transportation service to the Sutter and Kaiser medical centers in Roseville beginning this fall.

5. The City of Lincoln and the Western Placer Unified School District meet and reach an agreement satisfactory to both parties regarding the safe loading and offloading of students at the three elementary schools and one middle school.

The City agrees with Recommendation #5. The City will meet with school district officials to develop a bus stop location policy at or near public schools. The City typically does not operate its transit vehicles on school property unless the facility has been appropriately designed to meet the unique safety and weight-related needs of public transit vehicles.

6. Staffing shortages for the City Transit System should be recognized as a deficiency, and corrective measures taken.

The City recognizes that the transit program is operated using limited resources. Indeed, in order to conserve valuable transportation funds,

dispatching is currently shared among a variety of Public Works positions. However, given the limited scope of existing transit services (a peak of three transit vehicles is currently used), it would not be cost-effective at this time to hire an additional staff person – particularly in light of the projected challenge to meet the TDA-mandated ten percent farebox recovery ratio. The City is reluctant to increase staffing without careful consideration of the long-term impacts to the overall cost efficiency of the transit program. As the City and its transit program grow, more staff will be added as needed.

7. The City of Lincoln should form a Citizen Oversight Committee for the City Transit System.

The City agrees with this recommendation, and will take steps to implement a citizens' transit advisory committee that will provide advice on service delivery and policy development to City staff. This committee has already been informally established.

8. The City Transit Supervisor attend all meetings held by PCTPA.

The City agrees with Recommendation #8. The City will have a representative attend all transit-related meetings conducted by the PCTPA. However, in order to conserve valuable resources, the City is reluctant to increase staff levels without careful consideration of the long-term cost impacts. The City will limit transit driver vacations and other scheduled absences that might interfere with the Transit Supervisor's ability to attend transit-related PCTPA meetings.

9. The City of Lincoln mark all designated bus stops in conformance with the City municipal code, once the PCTPA report is concluded later this year.

The City will install bus stop signs and other passenger amenities (as appropriate) at key checkpoints along the deviated fixed-routes, once the Short Range Transit Plan is formally adopted.

10. The City should coordinate scheduling of buses between Placer County Transit and Lincoln Transit.

As noted in the Grand Jury report, a large proportion of Lincoln Transit's deviated fixed-route ridership is provided by school-age children. As such, the current Lincoln Transit deviated fixed-route schedules are designed to meet the bell times of the local schools. Revising the schedules to match the Placer County Transit (PCT) Lincoln/Rocklin/Sierra College route would jeopardize the utility of the service for school-age children and would likely result in an overall reduction in system-wide ridership. Moreover, given the relatively low transit demand in Lincoln (in comparison to the other communities along PCT's Lincoln/Rocklin/Sierra College route), it is unlikely that PCT would be willing to revise its schedule to coordinate exactly with Lincoln Transit's schedules. Nonetheless, the City will continue to work with PCT officials to attempt to more closely match connections between the two transit programs. The City currently provides approximately \$86,400 annually to the PCT program for regional services so it is in our best interest to maximize coordination.

11. The 2004-2005 Placer County Grand Jury conduct a review of other transit districts within the county.

The City can offer no response regarding this issue.



**WESTERN
PLACER
UNIFIED
SCHOOL
DISTRICT**

810 J Street
Lincoln, CA 95648

(916) 645-6350
(916) 645-6356 FAX

Superintendent
Roger R. Yohe

Board of Trustees
Marcia Harris
Paul Long
Earl Mentze
Karen Roberts
Dennis Sonnenburg

*Asst. Superintendent,
Business Services*
Jay M. Stewart

*Asst. Superintendent,
Educational
Services*
Scott Leaman

*Director,
Human Services*
Robert Noyes

August 25, 2004

Presiding Judge of the Superior Court
110 Maple Street
Auburn, CA 95603

RE: 2003-004 Grand Jury Final Report

Dear Presiding Judge of the Superior Court

The following is the Western Placer Unified School Districts requested response to the 2003-04 Placer County Grand Jury Final Report related to the Municipal Transit System-City of Lincoln.

FINDINGS number 4, page 15, response: The City has been cooperative with the school district in providing an affordable and punctual system of transportation for children in our school district.

RECOMMENDATIONS number 5, page 16, response: The city and the district have resolved many transportation issues over the past ten years. Both parties have made adjustments and concessions as required. As the city continues to grow, additional arrangements will be made. Student safety has never been compromised.

Sincerely,

Roger R. Yohe
District Superintendent

RRY:rk

RECEIVED
AUG 30 2004
PLACER COUNTY
SUPERIOR COURT

RECEIVED
SEP 15 2004
Placer County Grand Jury

"PURSUIT OF EXCELLENCE"



**PLACER COUNTY
TRANSPORTATION
PLANNING AGENCY**

August 12, 2004

RECEIVED

AUG 18 2004

Placer County Grand Jury

**The Honorable Alan V. Pineschi
Presiding Judge of the Superior Court
Placer County
11546 B Avenue
Auburn CA 95603**

KATHY SANDS
City of Auburn
SHERRIE BLACKMUN
City of Colfax
TOM COSGROVE
City of Lincoln
MIGUEL UCOVICH
Town of Loomis
KATHY LUND
City of Rocklin
GINA GARBOLINO
City of Roseville
HARRIET WHITE
TED GAINES
Placer County
ROGER IMSDAHL
Citizen Representative
CELIA MCADAM
Executive Director

Dear Honorable Judge Pineschi:

It has come to the attention of the Placer County Transportation Planning Agency (PCTPA) that our response may be desired in the FY 2003-04 Placer County Grand Jury Report dated June 14, 2004. We received no formal notification or request to respond in general or to any specific items or recommendations. None of the recommendations appears to require any action on the part of PCTPA. However, there are some items in the report that we would like to take this opportunity to address and clarify. If further information or clarification is needed, please let us know, and we will be glad to provide it.

Specifically, on page 14, the report states that PCTPA does not enforce the changes recommended in our annual unmet transit needs findings. We do not believe this is accurate. The PCTPA Board has adopted specific criteria for determining whether or not an unmet transit need is reasonable to meet. These criteria are included in the annual report, which is attached to the grand jury's report. If an unmet transit need meets those criteria, PCTPA makes a formal finding indicating that the transit need is reasonable to meet and funds must be expended to meet that need. In fact, transit funds are not released until the transit operator demonstrates that they intend to provide the service that was found to be reasonable to meet. Other unmet transit needs are determined to be not reasonable meet; in other words, they don't meet the criteria. In that case, PCTPA may recommend that a transit operator consider making service changes or updating plans to address that need. These recommendations are just that – items for the transit operator's consideration.

In regard to attendance of the Lincoln Transit Supervisor at applicable PCTPA meetings, she makes every attempt to participate in the Transit Operators Working Group, which meets quarterly or sometimes more often as needed. There have been a few times when she has not been able to attend because she is needed as the back-up driver. It is not usually necessary for her to attend any other PCTPA meetings.

PCTPA is working with all of the transit operators, Lincoln included, to develop short range transit plans that provide a meaningful, implementable blueprint for transit services over the next five years. We will continue to work with the Lincoln City Council, city staff, and citizens to implement their desired transit service improvements.

The Honorable Alan V. Pineschi
August 12, 2004
Page 2

Please contact me if you have any questions or need further information.

Sincerely,

A handwritten signature in black ink, appearing to read "Celia McAdam". The signature is fluid and cursive, with a large initial "C" and "M".

Celia McAdam, AICP
Executive Director

Cc: Foreperson, Placer County Grand Jury
11490 C Avenue
Auburn CA 95603

Gail Williams
City of Lincoln
Transit Supervisor

John Pedri
City of Lincoln
Public Works Director

PCTPA Board of Directors



August 10, 2004

Presiding Judge of the Superior Court
110 Maple Street
Auburn, CA 95603

RE: Grand Jury Report, Findings and Recommendations; THE NEED FOR IMPROVEMENT OF FIRE DISPATCHING SERVICES IN PLACER COUNTY.

Honorable Presiding Judge,

The City Council of Auburn and the Auburn Fire Department acknowledges the findings and a recommendation of a Grand Jury Report dated June 22, 2004; THE NEED FOR IMPROVEMENT OF FIRE DISPATCHING SERVICES IN PLACER COUNTY and are responding within 60 days as requested.

The Auburn City Fire Department contracts fire dispatching services from the California Department of Forestry and Fire Protection through the Grass Valley Emergency Command Center. The Fire Department has identified this method of fire dispatching as cost efficient while providing a high level of service. The Grass Valley Emergency Command Center conducts emergency dispatching services for fire agencies throughout surrounding counties, Nevada-Yuba-Placer CDF Unit, CAL-STAR emergency helicopter, USFS; Tahoe Forest, Federal and State air resources, and is the State of California OES Fire & Rescue, Region IV dispatch center.

The Auburn Fire Department continues to receive a high level of service through this contract agreement with California Department of Forestry and Fire Protection and

page 2

has not identified any other available resources to provide such level of service to the City of Auburn.

If there is any additional information that we may provide, please do not hesitate to contact us.

Respectfully,



Robert Richardson
City Manager
Auburn City



Mark D'Ambrogi
Fire Chief
Auburn City Fire Department

CC: Foreperson, Placer County Grand Jury



City of Rocklin

August 20, 2004

3970 Rocklin Road
Rocklin, CA 95677-2720
916-625-5000
TDD 916-632-4187
www.ci.rocklin.ca.us

RECEIVED

AUG 24 2004

The Honorable Presiding Judge of the Superior Court
11546 B Ave.
Auburn, CA 95603

Placer County Grand Jury

Re: 2003-2004 Grand Jury Final Report for Placer County

Dear Honorable Presiding Judge:

In the above-mentioned report, under the section "The Need for Improvement of Fire Dispatching Services in Placer County," the Grand Jury made two recommendations. Our response to those recommendations is as follows:

1. *All departments within the county that are part of the emergency response system obtain and make available to the public those phone number cards previously referred to for general distribution. It is further recommended the Office of Emergency Services coordinate this effort.*

Response: We currently list Rocklin's emergency phone number (916-632-4093) in the local phone directory. This phone number is also listed on our City's web site. In addition, we have sent a current phone list to OES for their coordination.

2. *Placer County fire protection agencies take immediate steps to consolidate the fire emergency dispatching function to one location. This recommendation in no way is meant to suggest all fire protection units merge into one department, as that is a completely different subject. Planning by area fire officials start as soon as possible to determine technology and other resources needed. It is the Grand Jury's understanding that there is a current plan under consideration by some unit chiefs to jointly tie into one computer system, however, there is no specific plan of implementation or time frame. The population of Placer County has been projected to increase from 292,000 to nearly 337,000 by the year 2010. Planning should begin immediately and in earnest to provide the necessary level of incident response time tin providing for the safety of the citizens of the county, including the routing of 911 calls to the local dispatch center. Much has been said in interviews the Grand Jury conducted about some district and department concerns over "turf rights" being violated. The Grand Jury holds that Placer County, as the fastest growing county in the state, can no longer base its planning on this type of logic. Placer County should set an example of progressive leadership among county governments.*

Response: The City of Rocklin has read and understands recommendation #2. We believe that the current 911 system in the City of Rocklin, as well as our fire dispatch policies and protocols, are working well. The Rocklin Fire Department is working with other agencies in Placer County and the region to continue to improve our public safety dispatch system. Our Fire Department will constantly work hard and seek new methods and processes and continue to provide outstanding service to our community. Thank you for your suggestions. We always appreciate recommendations to improve service for our public safety team.

Regards,

Bill Mikesell
Bill Mikesell
Fire Chief

cc: Grand Jury Foreperson

Administrative Services 625-5000 FAX 625-5095 – City Hall 625-5560 FAX 625-5561
Community Development 625-5160 FAX 625-5195 – Engineering 625-5140 FAX 625-5195
Building 625-5120 FAX 625-5195 – Community Services and Facilities 625-5200 FAX 625-5296

Fire Department
401 Oak Street #402
Roseville, California 95678-2618

July 16, 2004

The Honorable Alan Pineschi
Presiding Judge of the Superior Court
110 Maple St.
Auburn, Ca 95603

Alan Parker, Foreperson
Placer County Grand Jury
11490 C Ave
Auburn, Ca 95603

Dear Judge Pineschi and Foreperson Parker:

This is in response to the 2003-2004 Placer County Grand Jury concerns regarding Fire Dispatching Services within Placer County. Submitted by Fire Chief Ken Wagner, City of Roseville.

Finding 1

County Fire facilities are required to use SEMS when their emergency operations center is activated or a local emergency is declared **only** in order to be eligible for state funding or response related personnel costs. They are not dictated by statute to participate.

RESPONSE

The respondent agrees with this finding. SEMS requires the use of Incident Command System (ICS) at the field response level of an incident. Local Governments (the City/County/Special Districts) are required to use SEMS when their emergency operations center is activated or when a local emergency is declared or proclaimed. Technically the Grand Jury report is correct in that there is no statute requiring the use of SEMS other than to be eligible for state funding of response related costs. However, it is the policy of the City of Roseville Fire department to utilize ICS on a daily basis.

The Fire service has used ICS since the early 1970's in conjunction with response to emergency incidents. The City of Roseville trains at the academy level on ICS and uses ICS at all emergency events.

***Our Mission...**Protect and enhance the safety and well being of residents, businesses, customers and partners.
We will accomplish this by...Delivering exceptional service and compassionate solutions as a cohesive team with dedication, pride and vigilance.*

The City of Roseville uses SEMS in their Emergency Operations Center (EOC) when activated. The City EOC team has recently undergone a SEMS refresher training. The City's Emergency Plan directs the use of SEMS. The City is very progressive in the use of SEMS.

No recommendations were made regarding the use of SEMS by the Grand Jury. It is not clear why the subject was even mentioned in the report.

Finding 2

Interviews with fire personnel confirm the problems in CHP's routing calls to the proper area and the sub sequential delays that result. The Placer County Sheriff's Department has developed and printed a card that lists fire emergency numbers within the county and can used by cell phone callers. These phone numbers bypass CHP Dispatch.

RESPONSE

The respondent agrees with this finding.

Finding 3

Specific charges of response delay due to lack of coordinated effort between county districts and departments can neither be substantiated nor refuted due to lack of physical evidence in form of record keeping. Those counties that have consolidated this function have experienced better response time and improved data gathering.

RESPONSE

The respondent neither agrees nor disagrees with this finding, as there is no factual evidence to substantiate this finding.

Recommendation 1

All departments with the county that are part of the emergency response system obtain and make available to the public those phone number cards previously referred to for general distribution. It is further recommended the Office of Emergency Services coordinate this effort.

RESPONSE

The respondent agrees with this recommendation. The City of Roseville already publishes its 7 digit direct emergency number in numerous places. It has phone stickers available with the number printed on them, City parks have the number posted on a sign at the entrance to the parks, public education columns have been printed in the local newspapers, and a news story was done on one of the local news channels several years ago regarding the use of cellular phones to dial 9-1-1.

Recommendation 2

Placer County fire protection agencies take immediate steps to consolidate the fire emergency dispatching function to one location. This recommendation in no way is meant to suggest all fire protection units merge into one department, as that is a completely different subject. Planning by area fire officials start as soon as possible to determine technology and other resources needed. It is the Grand Jury's understanding that there is a current plan under consideration by some unit chiefs to jointly tie into one computer system, however, there is no specific plan of implementation or time frame. The population of Placer County has been projected to increase from 292,000 to nearly 337,000 by the year 2010. Planning should begin immediately and in earnest to provide the necessary level of incident response time in providing for the safety of citizens of the county, including routing of 911 calls to the local dispatch center. Much has been said in interviews the Grand Jury conducted about some district and department concern over "turf rights" being violated. The Grand Jury holds that Placer County, as one of the fastest growing county in the state, can no longer base its planning on this type of logic. Placer County should set an example of progressive leadership among county governments.

RESPONSE

The respondent disagrees with this recommendation. The City of Roseville currently operates its own Public Safety Answering Point (PSAP) and dispatches both Police and Fire Departments. Based upon customer service surveys the Citizens of Roseville are extremely pleased with the level of service they receive.

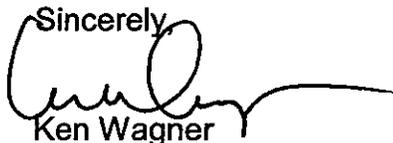
Implementing a countywide fire only dispatch center would create another tier in the dispatch system. 9-1-1 calls in Roseville would still be received by the Roseville PSAP and then if determined to be a fire emergency would have to be transferred to the fire only dispatch center. This would result in needless time lost and a delay in dispatching the fire department.

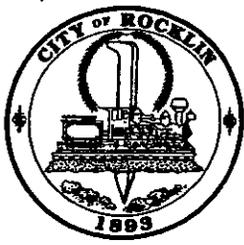
The City of Roseville Dispatch Center has highly trained and highly motivated employees in the Dispatch Center. It provides the highest level of Emergency

Medical Dispatch services to its citizens. The Dispatch Center has a current Capital Improvement Plan that will accommodate the expected growth in the City and allow the Center to replace its telephone system and keep current as technology evolves.

In regards to cellular 9-1-1 phone calls, the City of Roseville is moving towards Phase II (cell 9-1-1 with GIS interface) compliance. The City has met with all the cellular providers and identified geographical territories as it pertains to cell sites, in order to accept 9-1-1 cell calls first hand. The City is working with the State of California to identify funding for the new 9-1-1 phone system which will allow for the aforementioned. Anticipation of Phase II compliancy is expected within a 12-16 month period. Phase II compliance is expected to increase call volume by 35-40 percent and will require additional staffing in the PSAP. The increase in call volume and the required additional staffing will be a fact for any PSAP that becomes Phase II compliant.

As stated in the recommendation the Grand Jury is aware "that there is a current plan under consideration by some unit chiefs to jointly tie into one computer system, however, there is no specific plan of implementation or time frame." In fact, as explained to the Grand Jury by this agency, the implementation of the Placer County Regional Public Safety System is in process. Placer County and the City of Roseville have signed working agreements for the purchase of this computer system that will allow all dispatch agencies in the County, with the exception of the California Division of Forestry (CDF), to work on one shared computer system. The City of Auburn has chosen to use this new system for their law enforcement but not for their fire dispatch. This system is a complete public safety Computer Aided Dispatch (CAD) system that services both Law and Fire needs, not just a fire dispatch system. This system is anticipated to "go live" in fall of 2004.

Sincerely,

Ken Wagner
Fire Chief



City of Rocklin

3970 Rocklin Road
Rocklin, CA 95677-2720
916-625-5000
TDD 916-632-4187
www.ci.rocklin.ca.us

September 14, 2004

RECEIVED
SEP 15 2004
DEPT. 3
PLACER CO. TRIAL COURTS

RECEIVED
SEP 24 2004
Placer County Grand Jury

The Presiding Judge of the Superior Court
101 Maple Street
Auburn, CA 95603

RE: Response to the Placer County Grand Jury Final Report

Dear Judge:

The following is the response from the Rocklin City Council to the findings and recommendations made by the Grand Jury:

The Need for Improvement of Fire Dispatching Services in Placer County

Recommendation #1

All departments within the county that are part of the emergency response system obtain and make available to the public those phone number cards previously referred to for general distribution. It is further recommended the Office of Emergency Services coordinate this effort.

Rocklin City Council response:

We currently list Rocklin's emergency phone number (916-632-4093) in the local phone directory. This phone number is also listed on our City's web site. In addition, we have sent a current phone list to OES for their coordination.

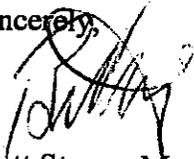
Recommendation #2

Placer County fire protection agencies take immediate steps to consolidate the fire emergency dispatching function to one location. This recommendation in no way is meant to suggest all fire protection units merge into one department, as that is a completely different subject. Planning by area fire officials start as soon as possible to determine technology and other resources needed. It is the Grand Jury's understanding that there is a current plan under consideration by some unit chiefs to jointly tie into one computer system, however, there is no specific plan of implementation or time frame. The population of Placer County has been projected to increase from 292,000 to nearly 337,000 by the year 2010. Planning should begin immediately and in earnest to provide the necessary level of incident response time tin providing for the safety of the citizens of the county, including the routing of 911 calls to the local dispatch center. Much has been said in interviews the Grand Jury conducted about some district and department concerns over "turf rights" being violated. The Grand Jury holds that Placer County, as the fastest growing county in the state, can no longer base its planning on this type of logic. Placer County should set an example of progressive leadership among county governments.

Rocklin City Council response:

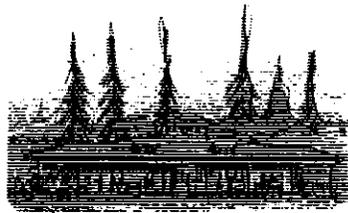
The City of Rocklin has read and understands recommendation #2. We believe that the current 911 system in the City of Rocklin, as well as our fire dispatch policies and protocols, are working well. The Rocklin Fire Department is working with other agencies in Placer County and the region to continue to improve our public safety dispatch system. Our Fire Department will constantly work hard and seek new methods and processes and continue to provide outstanding service to our community. Thank you for your suggestions. We always appreciate recommendations to improve service for our public safety team.

Sincerely,



Brett Storey, Mayor
City of Rocklin

cc: Foreperson of the Placer County Grand Jury
11490 "C" Avenue
Auburn, CA 95603



CITY OF COLFAX

September 1, 2004

To: Presiding Judge of the Superior Court
110 Maple St.
Auburn, CA 95603

Foreperson, Placer County Grand Jury
11490 C Ave.
Auburn, CA 95603

Re: Complaint 2003-04 A4
The need for improvement of Fire Dispatching Services in Placer County

RECEIVED
SEP 24 2004
Placer County Grand Jury

I am writing the below in response to your recent Grand Jury recommendations as required in California Penal Code (PC) 933.05. A response was required of the Colfax Fire Department. I am forwarding this response on behalf of the Department. The City Council response will follow after Council review of the issue.

The below are our responses to your Findings per PC 933.05(a):

1. Agree – County Fire Agencies are only required to use SEMS in order to be eligible for state disaster funding.
2. Agree – Cell phone 911 calls go to CHP and delays result for a variety of reasons and that cell phone users can bypass CHP by dialing the 7-digit emergency line that accesses individual dispatch centers.
3. Agree – it is very difficult to substantiate the complaint of delayed responses for many reasons, with record keeping being one of them, and that counties that have consolidated their fire dispatch functions have common data and claim to have better response times.

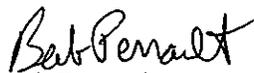
The below are our responses to your Recommendations per PC 933.05(b):

1. Agree – PC OES to coordinate the effort of creating and distributing 7-digit emergency number stickers for cell phone users to their home base dispatch center.
2. Recommendation #2 is multi faceted and calls for the multiple replies below:

- a. Disagree – “Placer County fire protection agencies take immediate steps to consolidate the fire emergency dispatching function to one location.”
 - i. The combination of all county fire dispatching into one location is only one of many alternatives.
 - ii. A thorough analysis of several alternatives needs to be completed prior to a making a recommendation and then implementing it.
- b. Disagree – “. . . there is a current plan under consideration by some fire chiefs to jointly tie into one computer system, however there is no plan of implementation or time frame.”
 - i. The Placer County’s Primary Public Safety Answering Points (PSAP) are currently working on the final stages of an inter-agency computer aided dispatch (CAD) system.
 - ii. Once implemented, this CAD system will allow all PSAP users to simultaneously track status of all fire agency resources allowing quick interoperability between PSAP agencies
- c. Agree – “Planning should begin immediately and in earnest to provide the necessary level of incident response time in providing for the safety of the citizens of the county, including the routing of the 911 calls to the local dispatch center.”
 - i. Now that there has been a formal discovery of system inadequacies, planning is the next step and most important step to mitigate those inadequacies.
 - ii. All viable alternatives need to be discovered and examined for their viability.
 - iii. Once the most viable and acceptable alternative is chosen by most if not all the fire agencies then a plan can be developed and implemented.

If you have any questions or need any clarification concerning my above reply, please feel free to contact me at (530) 346-2313.

Sincerely,


Bob Perrault
City Manager

CC Chief Jeff Brand



City Manager's Office

Gerald F. Johnson
City Manager
916-645-4070 x211
Fax: 916-645-8903

August 10, 2004

THE NEED FOR IMPROVEMENT OF FIRE DISPATCHING SERVICES IN PLACER COUNTY

FINDINGS #1: County Fire facilities are required to use SEMS when their emergency operations center is activated or a local emergency is declared only in order to be eligible for state funding of response related personnel costs. They are not dictated by statute to participate.

The City disagrees with Finding #1. The City uses the fire ground equivalent of SEMS on all major incidents whether or not a local emergency has been declared.

FINDINGS #2: Interviews with fire personnel confirm the problems in CHP's routing calls to the proper area and the subsequent delays that result. The Placer County Sheriff's Department has developed and printed a card that lists fire emergency numbers within the county and can be used by cell phone callers. These phone numbers bypass CHP dispatch.

The City agrees with Finding #2. A printed card listing all of the 911 dispatch centers would be helpful to the citizens of Placer County.

FINDINGS #3: Specific charges of response delay due to lack of coordinated effort between county districts and departments can neither be substantiated nor refuted due to lack of physical evidence in the form of record keeping. Those counties that have consolidated this function have experienced better response time and improved data gathering.

The City does not agree with Finding #3. A better record keeping system may prove that the current method works best or it may indicate that the proposed linking of the current dispatch systems would be more effective.

RECOMMENDATIONS:

1. All departments within the county that are part of the emergency response system should obtain and make available to the public those phone number cards previously referred to for general distribution. It is further recommended the Office of Emergency Services coordinate this effort.

The City makes available to the public the seven digit telephone number of our dispatch center. This number is listed in Lincoln's local telephone book, listed on the city of Lincoln's website and has been provided to the Office of Emergency Services. The City is unable to comment on the Sheriff Department's card because a copy was not included in the report.

2. Placer County fire protection agencies should take immediate steps to consolidate the fire emergency dispatching function to one location. This recommendation in no way is meant to suggest all fire protection units merge into one department, as that is a completely different subject. Planning by area fire officials should start as soon as possible to determine technology and other resources needed. It is the Grand Jury's understanding that there is a current plan under consideration by some unit chiefs to jointly tie into one computer system, however, there is no specific plan of implementation or time frame. The population of Placer County has been projected to increase from 292,000 to nearly 337,000 by the year 2010. Planning should begin immediately and in earnest to provide the necessary level of incident response time in providing for the safety of the citizens of the county, including the routing of 911 calls to the local dispatch center. Much has been said in interviews the Grand Jury conducted about some district and department concerns over "turf rights" being violated. The grand Jury holds that Placer County, as the fastest growing county in the state, can no longer base its planning on this type of logic. Placer County should set an example of progressive leadership among county governments.

The City of Lincoln is not in a position to implement this recommendation. The current plan to link all PSAPS into one linked computer system should address the concerns of the grand jury. The current plan will limit the possibility of a terror attack disabling all 911 calls by having more than one dispatch center capable of handling 911 calls should one answering or dispatching point be taken off line.

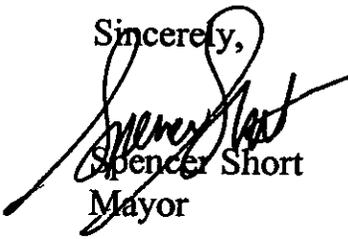
Additionally, not all of the City's fire station locations were listed in the report. Their exclusion may distort the public's perception of our ability to provide service. For your convenience we have listed our current fire station locations below. This does not include stations that are planned to serve new development.

Fire Station #1 427 E Street and will be relocated to 11 Mcbean Park Drive
Fire Station #2 391 H Street and will be relocated to 100 Joiner Parkway.
Fire Station #3 2525 East Lincoln Parkway

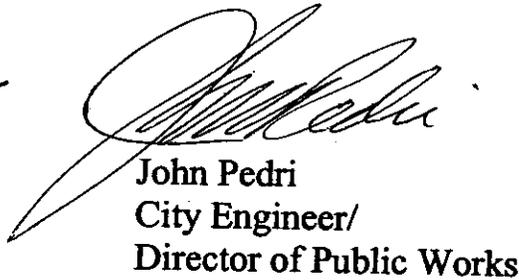
The dispatch center is correctly listed in exhibit #1 of the report. Fire Stations #2 and #3 are staffed 24/7 by full-time paid staff. Dedicated Volunteer Fire fighters are assigned to each fire station as well as paid reserve fire fighters.

The City of Lincoln appreciates the time and effort spent by the Grand Jury and its thoughtful report.

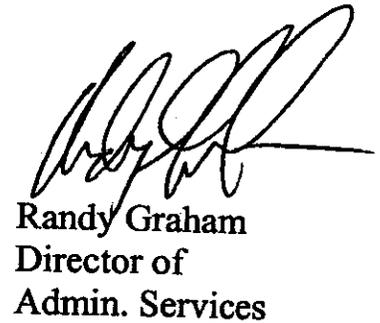
Sincerely,



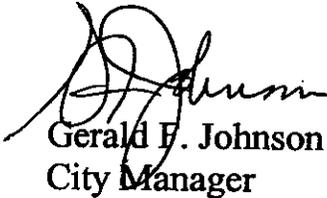
Spencer Short
Mayor



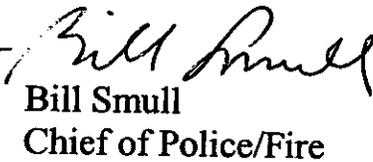
John Pedri
City Engineer/
Director of Public Works



Randy Graham
Director of
Admin. Services



Gerald F. Johnson
City Manager



Bill Smull
Chief of Police/Fire



LOOMIS FIRE PROTECTION DISTRICT

P.O. BOX 606
LOOMIS CALIFORNIA, 95650
(916) 652-6813
FAX (916) 652-8472

DIRECTORS
Greg Fellers, President
Wm. M. Tudsbury, Vice President
Mario LaGiusa
Verlyn D. Eisert
John Shearer

Karl Fowler, Fire Chief
Barbara Leak, Secretary

June 30, 2004

RECEIVED

JUL 29 2004

Placer County Grand Jury

Presiding Judge of the Superior Court
110 Maple Street
Auburn, CA 95603

Your Honor:

In response to the Grand Jury regarding the consolidation of Dispatch services, we offer the following response.

As a component of service delivery within the Placer County area, dispatch needs are a vital element in providing fire protection services. Any delay in call processing can severely alter the outcome of any emergency, perhaps with grave circumstances.

The question again comes to funding, or lack thereof. The Loomis Fire District is not in a position to provide funding for an upgraded communications system without drastically increasing development fees. We have an extremely low tax rate based on the ad valorem property tax allocation, and have no spare revenues from which to fund such a major communications improvement.

The concept of a centralized dispatch center is sound and makes excellent sense. Decreased response times due to an improved dispatch delivery system is one dramatic method of improving service delivery.

The Placer County Board of Supervisors and LAFCO have commissioned a study that analyzes fire service delivery within the Western Slope of the County area. Dispatch services should be a vital component of that study to discuss feasibility and implementation of an improved dispatch facility, and to discuss improvements necessary to consolidate dispatch including costs and funding methodologies.

If you have any further questions, please feel free to call our office.

Respectfully submitted

Karl Fowler
Fire Chief



ALTA FIRE PROTECTION DISTRICT

Organized November 1, 1948

POST OFFICE BOX 847 • ALTA, CALIFORNIA 95701 • (530) 389-2676

BOARD OF DIRECTORS

- Kelly Murphy
- Casey Haas
- Roger Carey
- Leslie Dawes
- Jim Erickson

RECEIVED

2004

DEPT 3

PLACER CO. TRIAL COURTS

September 13, 2004

RECEIVED

SEP 24 2004

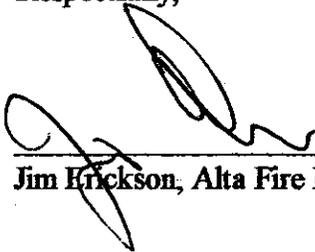
Placer County Grand Jury

Presiding Judge of Superior Court
 110 Maple Street
 Auburn, CA 95603

Your Honor:

In regards to the Grand Jury Complaint 2003-04 A4, the Alta Fire Protection District responds with Penal Code Section 933.05 (b3), briefly, the recommendation requires further analysis.

Respectfully,



Jim Erickson, Alta Fire Protection District Board of Directors

Newcastle Fire Protection District



P.O. Box 262
Newcastle, California 95658

BOARD OF DIRECTORS

Neil G. Anderson, Chair
William Fawx, Vice Chair
Rick Stenzel, Secretary
Clifford Drake, Member
William Calkins, Member

CHIEF

Michael Davis

Board Secretary

Sharon Vega

September 9, 2004

RECEIVED
SEP 27 2004
Placer County Grand Jury

Placer County Grand Jury Foreperson
11490 C Ave.
Auburn, California 95603

Re: Grand Jury Final Report 2003-2004
and Complaint 2003-04 A4

We have received your letter of June 22, 2004 and the copy of the report which requires a response. After careful review we are pleased to provide the following response.

Finding 1: We agree with this finding.

Finding 2: We agree with this finding.

Finding 3: We partially disagree with this finding in that we believe there is sufficient record keeping currently available to allow for a comparison of response delays. For example each dispatch location which handles a call maintains at least a minimal record of when it was received, the type of call and how they handled it. A 911 call to the CHP for a fire in the Newcastle Fire District should have a record at CHP Sacramento or San Francisco showing it's receipt and another record at Placer County Sheriff's Dispatch showing it's receipt there. A comparison of these times would give a good example of any possible delays. We agree with the finding that consolidation of this function does result in better response times.

Recommendation 1: We have obtained the emergency dispatch number from the Placer County Sheriffs Dispatch Center and will make it available to the public in our community as an alternative to 911 for cellular calls in this area.

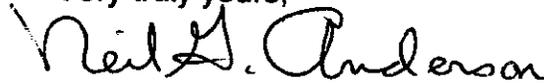
Page 2
September 9, 2004
Placer County Grand Jury

Recommendation 2: We are one of the agencies who have already consolidated our dispatch services through the Placer County Sheriffs Office.

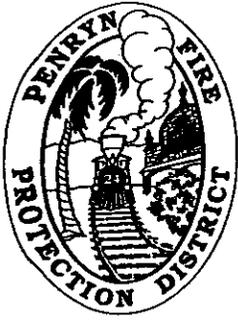
As to the remainder of this recommendation we will continue to work through the various committees of which we are a part to attempt to resolve this problem. However, as a small local agency we have neither the power nor the revenue to implement a solution. Since this problem involves the State of California, various cities, counties and local agencies we can do little more than lend our support in its resolution. Further we have no "turf rights" issues that would prevent the district from taking action to provide the best possible service to citizens of our district.

If you have any questions or require any additional information please do not hesitate to contact us.

Very truly yours,



Neil G. Anderson
Chairman, Board of Directors



PENRYN FIRE PROTECTION DISTRICT

CHIEF

MICHAEL DAVIS

August 19, 2004

DIRECTORS

TOM BOWLING
CHRIS DOBB
SHIRLEY GORDON
MICHAEL POSEHN
AARON WILLSON

The Honorable Presiding Judge of the Superior Court
11546 "B" Ave.
Auburn, CA 95603

RE: 2003/2004 Placer County Grand Jury Final Report

Your Honor,

The Penryn Fire Protection District has received a copy of the Grand Jury Final Report. In compliance with Penal Code Section 933.05(f), the district provides the following response to *The Need For Improvement Of Fire Dispatching Services In Placer County*:

- The Penryn Fire Protection District agrees with the Grand Jury findings in the report.

In response to the Recommendations contained in the report:

- The Penryn Fire District does issue and promote "Cellular Emergency Phone Numbers" cards to circumvent the cellular delay when calls are routed to CHP. (See Attached)
- The Penryn Fire Protection District is among those providers whom have already consolidated fire dispatch services through the Placer County Sheriff Office.
- The Penryn Fire Protection District wishes to convey that it has no territorial or "turf rights" matter that would prevent the district from taking action to provide the best possible service to our citizenry.

We appreciate the opportunity to comment on the Grand Jury Report, and should you have any questions, or require any additional information, please do not hesitate to contact us.

Sincerely,

Christopher Dobb, Board Chairman

Michael Davis, Fire Chief



PLACER CONSOLIDATED FIRE PROTECTION DISTRICT

RANDY SMITH
FIRE CHIEF

11645 ATWOOD ROAD
AUBURN, CALIFORNIA 95603
TELEPHONE: 530/823-4155 • FAX: 530/823-4014

RECEIVED

JUL 19 2004

Placer County Grand Jury

The Honorable Presiding Judge of the Superior Court
110 Maple Street
Auburn, CA 95603

Re: Response to Complaint 2003-04 A4

Dear Honorable Presiding Judge,

The Placer Consolidated Fire Protection District acknowledges receipt of the Grand Jury Final Report of 2003-2004 with the subsequent complaint and recommendations pertaining to the need for improvement of fire dispatching services in Placer County. Please accept this correspondence as the response and position of the Placer Consolidated Fire Protection District.

Recommendation 1:

The Placer Consolidated Fire Protection District agrees with this recommendation with the caveat that this is an unfortunate but necessary circumvention of the 9-1-1 system. The 9-1-1 system is designed and maintained to provide the public with rapid uniform access to first responders in the event of an emergency. The 9-1-1 system, as described in the "Narrative" section, has been in place for decades and designed around the use or hard wired telephones. We recognize the 9-1-1 system has not kept up with changes in technology such as cellular phones, two-way messaging, and other wireless communication. If the public is provided with the phone number cards produced by the Placer County Sheriff's Communication Center (PCS) providing them with the direct link to PCS instead of being routed through the California Highway Patrol (CHP) first, the call may still have to be transferred depending on the nature and/or the location of the emergency being reported. The distribution and use of phone number cards does eliminate one of the potential transfers necessary. Each time the reporting party has to be transferred is, in our opinion, an unnecessary delay in the dispatch of the appropriate resources to mitigate the emergency. By nature, cellular phones are used anywhere, anytime, as long as the user has coverage.

Unfortunately, even the phone number card has significant flaws that cannot be overcome. The card currently has 12 emergency phone numbers for the reporting party to choose from. This requires the reporting party to: 1) know their exact location prior to placing the call so they can reach the appropriate Public Safety Answering Point (PSAP) and know which jurisdiction that location is in, 2) know if they are located within the National Forest or the area served by the California Department of Forestry and Fire Protection/ Placer County Fire Department and have their direct phone number as these

are not listed on the PCS card, and, 3) Have the card readily accessible at the time of the emergency or all these numbers pre-programmed into their phone. Regardless of all these issues, the call will likely be transferred or additional calls will need to be placed to get all necessary resources dispatched since the private ambulance company needs to be notified to respond because they are not dispatched in Placer County nor is CDF for vegetation fires.

Recommendation 2:

Our response to recommendation 1 would lead one to believe the Placer Consolidated Fire Protection District agrees with recommendation 2. We do not agree with the recommendation as written for a multitude of reasons.

Placer County fire agencies through the Placer County Fire Chief's Association (PCFCA) in conjunction with Placer Law Enforcement Association (PLEA), Placer County, Rocklin, Auburn, Lincoln, and Roseville have taken progressive steps forward in the implementation of tying all PSAP centers together. The concept and planning for the new system started three or four years ago and the contract and memorandum of understandings between all agencies were signed well over a year ago for implementation of the system. The new system has required substantial hardware upgrades, connectivity changes, and new software at the cost of millions of dollars. The new integrated system has many advantages over the current system as well as the Grand Jury's recommendation.

The advantages of the new integrated system over the Grand Jury's recommendation are:

- 1) redundancy and backup coverage in the event a hardware or software problems occur. Furthermore, if a dispatch center has to be evacuated due to any reason (fire, earthquake, hazardous materials release near the center, terrorist attack, or others), the functions of that center can be transferred rapidly to one of the other centers tied to the system.
- 2) Real-time data is shared between fire resources and law enforcement.
- 3) 9-1-1 calls are answered and dispatched without having to transfer the caller to the consolidated but separate fire dispatch center located elsewhere. This would reduce the time required to dispatch fire resources through the use of a secondary dispatch center.

Many fire districts over the years have elected to use PCS for dispatching because it substantially reduces the time necessary for dispatching emergencies having a direct result on the outcome of that emergency. Call taking, processing and dispatching of an emergency are the first in a series known as total reflex time. Total reflex time starts when an emergency event occurs and ends when the fire attack or patient treatment begins. Having the primary PSAP dispatch the call reduces the total reflex time and for that reason, emergencies must be dispatched by a primary PSAP.

The Grand Jury's recommendation for one consolidated fire dispatch center in Placer County does not take into account the financial implications associated with the recommendation. Specifically, in the case of fire districts, the costs for fire dispatching are borne by Placer County since fiscal year 1994-95. As a result of "Proposition 172" in 1993, the voter approved ½ cent safety sales tax increase to enhance public safety, the

Board of Supervisors accepted to cover the costs of fire dispatching for independent fire districts in lieu of sharing the additional revenue. Therefore, does the Grand Jury's recommendation place the burden of costs associated with the construction, equipping, and staffing of the consolidated fire dispatch center with the County or independent districts? If any costs were placed on the districts, this would have to be in place of staffing and other operating expenditures to provide service directly to our citizenry. Secondly, the Grand Jury's recommendation does not provide redundancy with a backup center that could handle the approximately 25,000 fire and medical related emergencies handled by all fire agencies in Placer County.

The Placer Consolidated Fire Protection District would be supportive if the recommendation were revised to include ALL emergency service first responders being dispatched from the consolidated center to included fire agencies (, law enforcement, and ambulances both private and public as long as that consolidated center were also the PSAP for all 9-1-1 calls. In the case of this fire service and life safety provider, speed and competency by which the 9-1-1 calls are handled and the records and data kept on those calls is the most important factor in determining who dispatches for this agency, "NOT TURF."

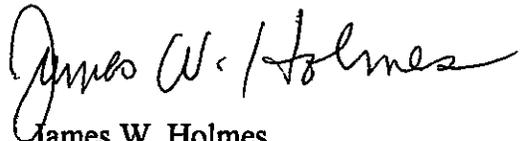
This response was presented to the Placer Consolidated Fire Protection District Board of Directors on July 12, 2004. The Board of Directors discussed and approved this response unanimously.

Thank you for the opportunity to provide input on behalf of Placer Consolidated Fire Protection District.

Respectfully,



Randy Smith,
Fire Chief



James W. Holmes
President, Board of Directors

Cc Grand Jury Foreperson
11490 C Ave.
Auburn, CA 95603



Established 1949

PLACER HILLS FIRE PROTECTION DISTRICT

Prevention • Education • Protection

July 8, 2004

Placer County Grand Jury
C/O Alan Parker, Foreperson
11490 C Ave.
Auburn, CA 95603

RECEIVED

JUL 29 2004

Presiding Judge of the Superior Court
110 Maple St
Auburn, CA 95603

Placer County Grand Jury

To Whom It May Concern:

Placer Hills Fire Protection District has reviewed your recommendations about emergency dispatching.

1. We believe the majority of 911 calls come from private residences. These calls are answered by the Sheriff's Dispatch Center. These are the dispatchers who send out Sheriff Deputies or the local fire departments. This is a highly efficient system, which Placer Hills Fire District will not leave. Our Placer County dispatchers are highly trained and there is little delay between the civilians dialing 911 and the same dispatchers getting emergency help on the road. The calls that are from cellular phones are automatically routed to CHP in Sacramento. This is a serious statewide problem that is currently being addressed by State and Local agencies. This should be fixed in the near future and does not need addressing further at our end. The handing out of phone cards to the public, at best, seems problematic.
2. There are currently 3 dispatch centers that service Placer County. The Sheriff's Office handles local fire departments and the deputies. The private ambulance company dispatches it's own units upon request of Placer County or CDF. CDF in Grass Valley has a dispatch center for its Placer County units. The only conflict is during wildland fires where CDF has jurisdiction. Both centers during these calls are sending units to the same incident. This potential area of confusion has been resolved in two ways.
 - a. All agencies have written protocols describing which dispatch center to talk to during wildland incidents.
 - b. All Placer County agencies will soon be tied into the same computer systems, essentially creating one system.

These solutions seem to have solved the two dispatch center issues. We see no benefit to having both dispatch agencies sit in the same room, and the cost of such a facility would be very high and not remotely feasible for local government to afford.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ian Gow', written in a cursive style.

Ian Gow, Fire Chief

cc: Placer Hills Fire District Board of Directors



South Placer Fire District

6900 Eureka Road
Granite Bay, California 95746
Ph (916) 791-7059 Fax (916) 791-2199

Board of Directors

John deGraaff
Ron Feist
Dave Giblin
Gregary Grenfell
Mike Short
Fire Chief
Tony Corado

An Organization Committed To The Well-Being Of The South Placer Community

August 24, 2004

The Honorable Presiding Judge of the Superior Court
11546 B Ave
Auburn, CA 95603

Re: Response to Complaint 2003-04 A4

Dear Honorable Presiding Judge,

The South Placer Fire District acknowledges receipt of the Grand Jury Final Report of 2003-2004 with the subsequent complaint and recommendations pertaining to the need for improvement of fire dispatching services in Placer County. Please accept this correspondence as the response and position of the South Placer Fire Protection District.

Recommendation 1:

The South Placer Fire District would have no issue making available and distributing the referenced phone number cards (we have done this in the past), but this recommendation will likely have only minimal impacts on response times.

The caller dialing 911 on a cell phone will be diverted to the CHP dispatch and then transferred to the proper agency. There will be a delay to obtain information and transfer the call.

The caller dialing directly to the proper agency will first have to take the time to locate the card. Second the caller will have to know the exact jurisdictional boundary of each agency identified on the card otherwise the same delays will occur to obtain information and transfer the call. Valuable time could be lost that at the very least the CHP dispatcher could assist the caller with.

Both scenarios will have built in delays. Nothing is as rapid as using a hard wired phone system to a primary PSAP that utilizes 911 emergency enhancement features.

Recommendation 2:

The South Placer Fire District would have no issue participating in discussions to consolidate emergency dispatching functions. However there are several issues with this recommendation.

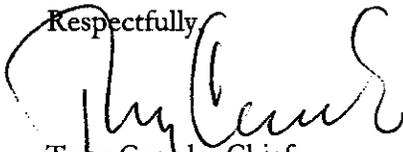
First, the recommendation only references steps to consolidate the **fire** emergency dispatching function into one location. I am surprised at this recommendation after the referenced SEMS requirements in the report. This discussion should include all emergency services.

Second, speed is critical when it comes to emergencies. Many fire districts over the years have elected to use PCS for dispatching because it substantially reduces the time necessary for dispatching emergencies having a direct result on the outcome of that emergency. Call taking, processing and dispatching of an emergency are the first in a series known as total reflex time. Total reflex time starts when an emergency event occurs and ends when the fire attack or patient treatment begins. Having the primary PSAP dispatch the call reduces the total reflex time and for that reason, emergencies must be dispatched by a primary PSAP.

And third, the Placer County fire agencies through the Placer County Fire Chief's Association (PCFCA) in conjunction with Placer Law Enforcement Association (PLEA), Placer County, Rocklin, Auburn, Lincoln, and Roseville have taken progressive steps forward in the implementation of tying all PSAP centers together. The concept and planning for the new system started three or four years ago and the contract and memorandum of understandings between all agencies were signed well over a year ago for implementation of the system. The new system has required substantial hardware upgrades, connectivity changes, and new software at the cost of millions of dollars. Previous to any discussions to consolidate emergency dispatching functions, the advantages of this new system should be investigated to determine the perceived improvements and then monitored after activation to determine the realized improvements.

Thank you for the opportunity to provide input on behalf of the South Placer Fire Protection District.

Respectfully



Tony Corado, Chief
South Placer Fire District

cc Grand Jury Foreperson
11490 C Ave.
Auburn, CA 95603

Donner Summit Public Utility District

P.O. Box 610 53823 Sherritt lane – Soda Springs California –95728
Phone (530) 426-3456 – Fax (530) 426-3460

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AUG 23 2004

PLACER COUNTY
SUPERIOR COURT

August 18, 2004

To: Presiding Judge of the Superior Court
110 Maple St.
Auburn, CA 95603

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SEP 15 2004

Foreperson, Placer County Grand Jury Placer County Grand Jury
11490 C Ave.
Auburn, CA 95603

Re: Complaint 2003-04 A4

I am writing the below in response to your recent Grand jury recommendations. As required in California Penal Code (PC) 933.05, please consider this as the District's response to your recent Grand Jury recommendations.

Below are our responses to your **Findings** per PC 933.05(a):

1. Agree – County Fire Agencies are only required to use SEMS in order to be eligible for state disaster funding.
2. Agree – Cell phone 911 calls go to CHP and delays result for a variety of reasons and that cell phone users can bypass CHP by dialing the 7-digit emergency line that accesses individual dispatch centers.
3. Agree – it is very difficult to substantiate the complaint of delayed responses for many reasons, with record keeping being one of them, and that counties that have consolidated their fire dispatch functions have common data and claim to have better response times.

Below are our responses to your **Recommendations** per PC 933.05 (b):

1. Agree – PC OES to coordinate the effort of creating and distributing 7-digit emergency number stickers for cell phone users to their home base dispatch center.
2. Recommendation #2 is multi faceted and calls for the multiple replies below:
 - a. Disagree – “Placer County fire protection agencies take immediate steps to consolidate the fire emergency dispatching function to one location.”
 - i. The combination of all county fire dispatching into one location is only one of many alternatives.

BOARD MEMBERS: Julie Davies, President – Dale Verner, Vice President – Bob Sherwood, Secretary
Carl Middleton, – Shannon May – Roberta Salem, Clerk of the Board
DISTRICT STAFF: Thomas G. Skjelstad, General Manager – Bob Birch, Sewer

- ii. A thorough analysis of several alternatives needs to be completed prior to a making a recommendation and then implementing it.
- b. Disagree – "...there is a current plan under consideration by some fire chiefs to jointly tie into one computer system, however there is no plan of implementation or time frame."
 - i. The Placer County's Primary Public Safety Answering Points (PSAP) are currently working on the final stages of an inter-agency computer aided dispatch (CAD) system.
 - ii. Once implemented, this CAD system will allow all PSAP users to simultaneously track status of all fire agency resources allowing quick interoperability between PSAP agencies.
- c. Agree – "Planning should begin immediately and in earnest to provide the necessary level of incident response time in providing for the safety of the citizens of the county, including the routing of the 911 calls to the local dispatch center."
 - i. Now that there has been a formal discovery of system inadequacies, planning is the next step and most important step to mitigate those inadequacies.
 - ii. All viable alternatives need to be discovered and examined.
 - iii. Once the most viable and acceptable alternative is chosen by most if not all the fire agencies than a plan can be developed and implemented.

If you have any questions or need any clarification concerning my above reply, please feel free to contact me at the District Administration Office (530) 426-3456 or by email tskjelstad@dspud.com.

Respectfully


Thomas G. Skjelstad
General Manager

cc. Doug Rinella, DSPUD Fire Chief

FIRE DEPARTMENT

NORTHSTAR

910 Northstar Drive
Truckee, CA 96161
Station (530) 562-1212
Fax (530) 562-0702

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JUL 19 2004

Placer County Grand Jury

To: Grand Jury Foreperson

From: Chief Shadowens
Northstar Fire Department

This letter is in response to the Grand Jury's investigation regarding the need for improvement of fire dispatching services in Placer County. Complaint 2003-04 A4.

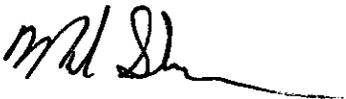
Item # 2 of findings, do these alleged cards that would be handed out give numbers to the fire stations, or to the local dispatching agency? In any event this goes directly against what people have been taught for years, 911= emergency.

Members of the public have to know where they are before they would know who to call. Driving from Sacramento to Reno Nevada I can bet that most people do not know what State they are in let alone what County.

Placer County dispatch had the bad luck of a complaint regarding delays in response do to cell phone use and routing by CHP. This problem has to be Statewide and not unique to just Placer County. I am not sure of the value in consolidating the two dispatch centers with regards to how it could help with the routing of cell phone calls.

It seems that the recommendations of the Grand jury might temporarily correct a few problems, but overall cell phone use is abundant and will continue to become the phone of choice. Before Placer County starts giving out numbers that circumvent years of public education i.e. 911 we need to fully understand what the possible impacts are.

Mark Shadowens
Fire Chief
Northstar Fire Department





SQUAW VALLEY PUBLIC SERVICE DISTRICT

1810 Squaw Valley Road
Post Office Box 2026
Olympic Valley, CA 96146-2026

Phone: (530) 583-4692 FAX: (530) 583-6228

July 2, 2004

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JUL 29 2004

Presiding Judge of the Superior Court
County of Placer
110 Maple Street
Auburn, California 95603

Placer County Grand Jury
Foreperson, Placer County Grand Jury
11490 C Avenue
Auburn, California 95603

Re: Complaint 2003-04 A4

Greetings:

This is in response to the letter from the Grand Jury Foreperson dated June 22, 2004. For the sake of information, no one from Squaw Valley Fire Department has been previously contacted or interviewed by the Grand Jury with regard to this matter.

Squaw Valley Fire Department would provide comments on the findings and recommendations of the Grand Jury as follows:

Finding #1

This finding is correct, although how the requirement to utilize the Standardized Emergency Management System (SEMS) for management of emergencies or disasters correlates to the issue at hand is unclear.

Finding #2

The issues associated with the sheer volume of cellular 911 calls are well known. The compounding issue that is not mentioned in this finding but that we experience with nearly every cellular 911 emergency call is that the caller cannot provide an accurate location. Without a good location, the call can't be transferred to the appropriate agency.

When a 911 call is made from a landline phone in an area with "enhanced 911" the caller's street address is displayed on the dispatcher's console. This is not the case with cellular 911, where the CHP dispatcher has to rely on the caller's representation of their location.

In our area, where at any given time tourists may outnumber local residents by two or three to one, this is a particular problem – callers barely know what road they are on, let alone the exact location or cross street. The CHP dispatcher can hardly be faulted for this vital, but missing element in the dispatch sequence.

Delay and improperly routed calls are inevitable when the caller can't accurately identify their location and the dispatcher must spend considerable time interviewing the caller in an attempt to determine the location of the incident so that the call can be transferred to the appropriate dispatch center and the appropriate agency dispatched. The time spent in interviewing the

JUL 06 2004

caller (sometimes fruitlessly, it should be added) will be roughly equal whether it is done by a CHP dispatcher or a dispatcher at a regional or county dispatch center.

It is our belief that the volume of calls received through the cellular 911 system and the high incidence of duplicate calls for the same event, combined with the length of time that the dispatcher must spend establishing the location of the emergency – an exercise that is completely unnecessary in an enhanced 911 landline system - are the real problems in the cellular 911 system.

By the same token, in our opinion and experience, transferring an emergency call to a single, county-wide dispatch center - although the transfer may occur more rapidly – may actually slow the dispatch of appropriate resources. The dispatchers who work in the Placer Tahoe Dispatch Center, for example, live, work and play in this area, providing them with personal knowledge of the region, roads, landmarks and myriad other details that may allow them to determine a location more rapidly than someone who lives, works and plays in Auburn or Roseville. From a security and redundancy perspective, it is preferable to have more than one dispatch center with equivalent and transferable capabilities, such as we have now.

Distributing cards with appropriate, direct telephone numbers for dispatch centers in the region is a great idea, but it doesn't address the problem of people not knowing where they are. If this idea is implemented, particular attention should be paid to distributing the cards to tourists visiting the area, through distribution at ski areas, beaches, restaurants, lodging properties, etc.

Finding #3

In the North Tahoe and Donner Summit areas of Placer County, efforts between different districts and departments are well coordinated, timely and cordial even if the agencies responding are dispatched by dispatch centers operated by different agencies. Fire districts and departments in this portion of Placer County are increasingly interdependent and work hard at maintaining good relationships and complementing operational capabilities.

Recommendation #1

As noted above, this is a fine idea in concept and a good first step. It should perhaps be accompanied by public education efforts on when and when not to call 911 on a cellular phone, and how to recognize and use roadside mile marker signs and other means of identifying your location.

Recommendation #2

We don't believe that consolidating all fire dispatch centers into one location is the solution to this problem. As mentioned above, relying upon dispatchers who work and live in an area up to 75 miles distant from some of the areas that they are dispatching for will, inevitably, result in a loss of local knowledge and experience. Furthermore, multiple, redundant and interchangeable dispatch facilities are inherently advantageous in the event of a natural disaster or terrorist event. The system that Placer County operates now - dual, equivalent dispatch centers that are interchangeable or autonomous, is clearly superior to a single center.

Placer County Grand Jury
July 2, 2004
page 3

The development of a computer network between dispatch centers, even those operated by different agencies, would be a significant improvement in the ability of all of the centers to maintain ongoing operational status of varying resources.

Changing technology may help also. The integration of global positioning systems into cellular telephones has already begun. This combination of two very affordable technologies is an enormously promising development for the delivery of emergency services. Whether the caller has the ability to provide a dispatcher with latitude and longitude or UTM coordinates or the phone is capable of doing so automatically, it will soon be possible to define the caller's location accurately. It may be possible to do so even if they are unable to speak. The cellular phone system may even be able to identify when multiple 911 calls are being received from a specific area, send one call through to a dispatch center and queue the remainder with a message that an emergency had been reported at that location and to hang up unless conditions changed.

It is admirable that the Grand Jury is addressing this issue in emergency services reporting and delivery. Please contact me if I can be of assistance in any way.

Yours very truly,
SQUAW VALLEY PUBLIC SERVICE DISTRICT



Peter A. Bansen, Fire Chief



Truckee Fire Protection District Of Nevada County

Fire Chief
Michael S. Terwilliger

Fire Marshal
Robert W. Bena

Board of Directors
Lloyd P. Everett
K. Jerry Goulding
Michael D. Mohr
Joseph E. Straub, Jr.
Gary W. Waters

July 1, 2004

Presiding Judge of the Superior Court
110 Maple Street
Auburn, Calif. 95603

Foreperson, Placer County Grand Jury
11490 C Avenue
Auburn, Calif. 95603

RE: Placer County Grand Jury Report

The Truckee Fire Protection District has received the report from complaint 2003-04 A4 concerning communication methods within Placer County. We have been directed to address the findings and recommendations in the report.

Findings

1. We agree with finding number 1. As a point of discussion SEMS is often misunderstood and I believe it has been in this case. The general intent of SEMS is to ensure all agencies use some form of incident management, and this organization does.
2. We do not experience a significant problem with CHP routed 911 calls in this region. In the instance that it does happen, it is not a problem at CHP level. It is simply because the person using the cell phone has no idea where they are located. This is because they are not from the area. Giving people in the area cards with phone numbers they may call will not achieve any positive results because they have a tendency to know where they are when calling 911. Therefore it would make more sense to ensure CHP knows whom to call when a caller happens to know where they are.
3. We tend to agree with the findings as we do not know of any delay and would offer that this issue is being brought forth to achieve a political result than adjust the actual routing of calls.

Recommendations

1. We do not intend to develop cards with phone numbers on them. We want people to call 911. It is absolutely ludicrous to digress to using seven digit phone numbers or in the case of out of town cells, ten digit numbers to report emergencies. If there is a problem with cell phone 911 reporting,

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PLACER COUNTY
SUPERIOR COURT

JUL 29 2004

Placer County Grand Jury

then that system needs to be adjusted at the receiving end. Perhaps have each county offer the cell PSAP such as Nevada does, supply GPS technology in cell phones, or better signage of locations while driving. Phone numbers on a card is not a solution and would be a waste off time and money.

2. The Grand Jury has been dragged into a political issue between some fire districts in Placer County and CDF. There is not a problem with dispatching and transfer of calls to the appropriate dispatch centers in Placer County. Some fire districts are trying to get CDF out of the county fire department business and have failed at all attempts for many years. They are now using dispatch as a lever to try and get CDF Grass Valley out of the local dispatch service in Placer County. The need to have each center communicate status of resources is nice but not critical to the delivery of service. It is silly and too bad the grand jury took the bait. The Truckee Fire Protection District uses CDF Grass Valley simply because it is much cheaper than any county PSAP, it is much better than a county PSAP, it offers an unparalleled radio system free of charge, and it keeps us on the same frequency as our cooperators. If the departments complaining about CDF would put half the effort into running their organizations to attain the best service level for their citizens, things would be good. If the Grand Jury wanted to make a recommendation that is of value in this whole mess, it would recommend that all Placer County Fire agencies contract with CDF for dispatch services out of Grass Valley. It would save lots of money, it would ensure that all agencies work under one communications system, and of great interest, the County would not have to employ staff to maintain a radio system.

Part of the misinformation being spread is a dispatch center must be located locally with local people. That is simply not valid. My Fire District could be dispatched from a location in New York as well as Grass Valley. It is time the people who are entrusted with this mission grow up, drop the political turf issues and do what is right for the communities they service. Unfortunately the Grand Jury has been pushed or drug into an arena they have little knowledge about and missed an opportunity to make something good happen.

If you have questions, please feel free to contact me at 582-7850.


Michael S. Terwilliger, Fire Chief
Truckee Fire Protection District



PLACER COUNTY
SHERIFF
CORONER-MARSHAL



MAIN OFFICE
P.O. BOX 6990
AUBURN, CA 95604
PH: (530) 889-7800 FAX: (530) 889-7899

TAHOE SUBSTATION
DRAWER 1710
TAHOE CITY, CA 96145
PH: (530) 581-6300 FAX: (530) 581-6377

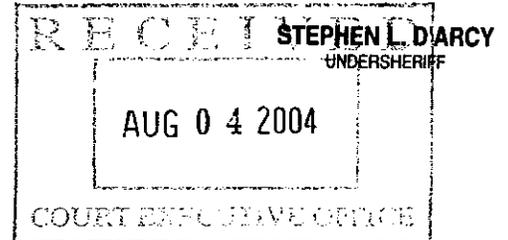
EDWARD N. BONNER
SHERIFF-CORONER-MARSHAL

July 26, 2004

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AUG 05 2004

Placer County Grand Jury



Presiding Judge of the Superior Court
101 Maple Street
Auburn, California 95603

**Response to Findings and Recommendations
2003 – 2004 Placer County Grand Jury**

After reviewing the Grand Jury's report and findings concerning the main jail and minimum security jail inspection and internal affairs investigation of citizen complaints, we have prepared the following responses to the Grand Jury's recommendations.

Placer County Main Jail and Minimum Security Jail Inspection

Recommendation 1: There be a concerted effort on behalf of the Placer County Board of Supervisors, the Placer County Executive Officer and Placer County Sheriff's Department to find the needed funding to support the staffing and related expenses to fully utilize the partially empty jail facility.

Response: Concur. We are dedicated to working in a cooperative fashion with all County officials in responding to the need for funding to provide full utilization of jail facilities.

Recommendation 2: The 2004/2005 Placer County Grand Jury continue to monitor the under funding problem and the early release program.

Response: Concur. We will endeavor to assist the Grand Jury in any way we can.

I wish to thank the members of the 2003-2004 Placer County Grand Jury for their dedication to the community and for all of their hard work during the past year.

Sincerely,

A handwritten signature in black ink that reads "Edward N. Bonner". The signature is written in a cursive style with a long, sweeping tail on the letter "e".

Edward N. Bonner
Sheriff-Coroner-Marshal

c: Foreperson of the PC Grand Jury
11490 C Avenue
Auburn CA 95603

Placer County Main Jail And Minimum Security Jail Inspection

Introduction

California Penal Code Section 919(b) states "The grand jury shall inquire into the condition and management of the public prisons within the county"

Narrative

On October 30, 2003 the Placer County Grand Jury inspected the main jail facility, and minimum security jail facility at the Auburn DeWitt Center.

The main jail opened July 1985, at a construction cost of \$4.5 million. Funding was provided by Proposition 4, the first of three jail funding measures. The California State Board of Corrections (BOC) rated the original structure for 108 inmates, a total that was exceeded immediately. Within two months of operation, the total reached 148. By 1990, the population had increased to 272 inmates, far above the BOC allowable number of 108.

In 1990, a Federal court order restricting the daily population to 148 gave impetus to construction of a 260-bed addition to the jail, an addition that opened in April 1992. The new housing wing was constructed at a cost of \$3.5 million, with funding provided through Propositions 52 and 96. It consists of three medium-security dorms, two with a capacity of 92 inmates each, and one with a capacity of 44 inmates plus one maximum security module with a capacity of 32 inmates. The dormitory housing units are of the direct supervision type, with a custody officer stationed inside each of the dorms, and indirect supervision from a housing booth. With BOC approval, most of the cells have been double-bunked, giving the jail a current capacity of 352.

The minimum-security area of the jail is housed in buildings that were originally World War 11 Army warehouses, built in 1941. The facility consists of three housing units, two male and one female, with a combined capacity of 160 inmates, making the total capacity of Placer County Jail 526 (this total included six beds located in the infirmary). The population was still increasing; on March 9, 1998, it reached an all-time high of 487 inmates in the main jail and minimum security, for a 95 percent fill-rate. The average daily population runs over 90 percent, which provides adequate space for most weekend spikes in arrests and bookings. Most weeks forced releasing is required due to the 1990 federal court order

The State and County spent \$9.5 million constructing a state of the art housing unit of 120 bed 's that opened April 2003. Currently these 120 beds remain empty because the Sheriff's Department doesn't have funding for the estimated annual cost of \$1.5 million to provide necessary eight (8) Correctional Officers, other overtime and support expenses, including

food and medical services for 120 prisoners.

For the years 2000 through 2003 the Placer County Jail booked 36,244 inmates and released 7,748, due to "lack of space"; 21.4% of all people booked into the jail were released early. See exhibits.

The Placer County Sheriffs Department has been requested by the County Executive Office to reduce the proposed Sheriffs Department operating budget for the fiscal year 2004/2005 by an additional \$2,322,156 beyond the \$1.5 million needed to operate the 120 vacant beds, resulting in a shortfall of \$3,822,156 in the sheriff's budget. This additional money extracted from the Placer County Sheriffs Department may worsen the jail housing problems.

Findings

1. The County has spent millions of dollars constructing a state of the art facility and presently sits unused because the Sheriffs Department doesn't have funding to provide jail supervision and related costs. 120 beds sit empty while the jail has to "book and release inmates" because of a lack of funding to support the facility. This allows 120 arrested and booked people back onto the streets when they should be incarcerated.

The Board of Supervisors and the County Executive Officer disagree partially with the finding. Although the Main Jail and Minimum Security operate at less than full capacity, due to funding limitations faced by county departments and operations, the Sheriff also has authority to establish departmental priorities and consider recommendations for criminal justice system-wide alternatives to the more costly aspects of incarceration.

2. The County Executive Office has requested the Placer County Sheriffs Department reduce the proposed Sheriffs Department operating budget for the fiscal year 2004/2005 by an additional \$2,322,156 beyond the \$1.5 million needed to operate the 120 vacant beds, resulting in a shortfall of \$3,822,156 in the sheriffs budget. This additional money extracted from the Placer County Sheriffs Department may worsen the jail housing problems.

The Board of Supervisors and the County Executive Officer disagree partially with the finding. Based on the uncertainties and proposed reductions in funding resources of the State Budget, the initial or proposed budget planning for Placer County included target level expenditures and revenues for all county departments, including the Sheriff's Department. However, as a result of an approved State Budget and improvements in revenue and expenditure estimates, the final budget of the Sheriff's Department includes sufficient expenditures to fully operate the Main Jail and Minimum Security facilities.

Recommendations

The Placer County Grand Jury recommends:

1. There be a concerted effort on behalf of the Placer County Board of Supervisors, the Placer County Executive Officer and Placer County Sheriffs Department to find the needed funding to support the staffing and related expenses to fully utilize the partially empty jail facility.

The recommendation has been implemented. As indicated in the response to finding two above, the final budget of the Sheriff's department will include sufficient expenditures to fully operate the Main Jail and Minimum Security facilities. In addition, the County and the Criminal Justice Policy Committee has proposed alternatives to incarceration including the designation of a community-safe adult day reporting center and other proposals to provide services to inmates to help reduce future criminal activity.

2. The 2004/2005 Placer County Grand Jury continue to monitor the under funding problem and the early release program.

This recommendation should be directed to the 2004/2005 Grand Jury for response. However, the Board of Supervisors and the County Executive Officer have no objection to the continued efforts of the Grand Jury to monitor resource levels of the Sheriff's Department and to review and assess proposals for early release programs as an alternative to incarceration.

Commendation:

It appeared to the Placer County Grand Jury the staff at the jail was doing a commendable job supervising the inmates, providing for their safety and dignity while in custody.

Response (within 60 days):

Placer County Executive Officer
Placer County Sheriff

Response (within 90 days):

Placer County Board of Supervisors

RESPONSE TO:

The Presiding Judge of the Superior Court
110 Maple St.
Auburn, California 95603

Send copy to:
Foreperson of the Placer County Grand Jury
11490 C Avenue
Auburn, California 95603

AUBURN POLICE DEPARTMENT

NICHOLAS S. WILLICK
Chief of Police
Phone (530) 823-4237 ext. 201
Fax (530) 823-4224



INFO/NON-EMERGENCY 823-4237
INVESTIGATIONS 823-4237 ext. 203
OPERATIONS DIVISION 823-4237 ext. 202
RECORDS 823-4237 ext. 501

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AUG 05 2004

Placer County Grand Jury

July 28, 2004

Placer County Grand Jury
11490 C Avenue
Auburn CA 95603

RE: 2003-2004 PLACER COUNTY GRAND JURY FINAL REPORT

The Auburn Police Department wishes to thank the Grand Jury for their efforts to assist local law enforcement through this year's review of Placer County Law Enforcement Agencies. I have reviewed your report and offer the following responses to your Findings and Recommendations. Should you have any questions please don't hesitate to contact me.

Responses

Internal Affairs Investigations of Citizen Complaints

Finding #2 and #3

While the philosophy of the Auburn Police Department is to investigate all complaints of misconduct by its officers, even if there are procedural defects in the complaint, the department will make every effort possible to obtain signed Citizen Complaint Forms having the complainants sign the False Complaint Admonishment.

Finding #4

The Auburn Police Department will send written notification of the final disposition of the complaint to the complaining party within thirty (30) days of the completion of the investigation in all future Citizen Complaint investigations.

Finding #8

It is the policy of most law enforcement agencies to have the Watch Commander or supervisor (if the department doesn't have a specifically designated I.A. Officer) take the complaint. This policy is necessary due to a number of reasons, i.e. confidentiality requirements, and the fact these individuals have received specific training in this area. The California Police Officers' Association "Internal Affairs Manual" recommends this procedure. (See attachment)

It is the policy of the Auburn Police Department to accept and investigate all complaints of misconduct of its officers, as it is believed necessary for a professional department and it also gains the respect and faith of the citizens they serve. Every effort will be made to ensure the complainant feels comfortable and not intimidated in anyway.

Finding #11

The department provides training for all I.A. Investigators and believes they possess the necessary knowledge to understand the burden of proof set forth in our policy. The department will, however, forward your finding to the law firm of Ferguson, Praet & Sherman, 1631 E 18th Street, Santa Ana, CA 92705, who write our Policies and Procedures for the JPA the City belongs to, and we will discuss with them your recommendation and decide the appropriate action.

Recommendation #1

The Auburn Police Department agrees with this recommendation and believes the adoption of a "file tracking form" will be an effective and beneficial tool. (Attached is a copy of our adopted file tracking form)

Recommendation #4

See Findings #8 response.

Recommendation #6

See Finding #11 response.

Sincerely,



Nicholas S. Willick, Chief of Police

NSW/dar



City Manager's Office

Gerald F. Johnson
City Manager
916-645-4070 x211
Fax: 916-645-8903

August 10, 2004

INTERNAL AFFAIRS INVESTIGATIONS OF CITIZEN COMPLAINTS

FINDINGS #2: The grand jurors found that 60% of the Police Department's Citizen Complaint files contained the required, signed, citizen complaint form and 40% did not. No agency was in full compliance.

The City agrees with the factual findings that the Grand Jury found only 60% of the files contained a signed citizen complaint form and only 45% had the signed 148.6(a)(2) admonishment. It is important to understand the scope of the so-called "required" nature of this form. When Penal Code 148.6 was added back in 1996, it was enacted to supplement the civil remedies of Civil Code 47.5 by providing a criminal sanction against those individuals who knowingly and willfully filed false personnel complaints against officers. Shortly after its enactment, the same concern raised by the Grand Jury was presented to the Attorney General. In a written Attorney General Opinion (96-111), the Attorney General opined that the "requirement" of having a signed form pursuant to 148.6(a)(2) was only necessary in order to successfully prosecute someone under 148.6. In other words, the failure or inability of an agency to obtain a signed form under 148.6 affects only the ability to criminally prosecute the individual and has no other adverse impact on the involved agency.

Lincoln Policy 1020.23 permits the acceptance of complaints via telephone (i.e. no signed form would exist) and that 1020.24 expressly provides the agency is permitted to accept a complaint even if the individual refuses or

fails to sign the 148.6 admonishment on the form. The Grand Jury would not want agencies to reject an otherwise seemingly meritorious complaint simply because a form wasn't signed. It has been and remains our opinion that, while we certainly encourage complainants to sign a 148.6 form, the absence of a signature should not serve as an obstacle to proceeding with an investigation.

FINDINGS #3: Penal Code Section 148.6(a)(2) mandates the law enforcement agency require the complainant to read and sign the advisory statement against filing a false complaint. The grand jurors found that only 45% of the files had a false complaint admonition signed by the complainant. No agency was in full compliance.

This was addressed above.

FINDINGS #4: Penal Code Section 832.7 requires the law enforcement agency to send written notification of the final disposition of the complaint to the complaining party within 30 days of the completion of the investigation. Documentation of written notification of the final disposition sent within 30 days of completion of the investigation ranged from 55% to 90% compliance. No agency was in full compliance.

The City agrees with Grand Jury Finding #4. Since the Grand Jury found 55% to 90% compliance, without assigning a percentage to any particular agency, it is difficult to address the finding further. On the other hand, absent an occasional and inadvertent oversight in this regard, it is the policy and intent of the City to fully comply with this provision of law and policy.

FINDINGS #7: The Grand Jury had difficulty reconciling the files of the Lincoln Police Department because they do not use a sequential numbering system. The files are labeled with the last name of the Complainant and the date the complaint was filed. With no sequential numbering system it is difficult to detect whether a file is missing.

The City agrees with the Grand Jury Finding regarding the absence of a sequential numbering system at the Lincoln Police Department. While the agency has always had the ability to retrieve any complaint by year and/or name of complaining party, a sequential numbering system would be more efficient. The Lincoln Police Department will be transitioning into this sort of filing system (e.g. 04-001, 04-002, etc....).

FINDINGS #8: Asking a citizen why they want a complaint form, requiring a citizen to provide identification or requiring the person to speak with a Watch Commander or supervisor before giving them the complaint form are practices that may be intimidating to many citizens. The consequences of such practices might discourage citizens from filing a citizen's complaint.

Although no specific instance of anyone at Lincoln Police Department "asking a citizen why they want a complaint form" was cited, the fact that the Grand Jury has assigned this Finding to Lincoln PD presumes that at least one instance of this occurred in Lincoln. Such an inquiry is nowhere called for nor endorsed in the City's policy and we would agree that it would only serve to improperly discourage complaints. To the extent that it may have occurred in the past, it was hopefully an exception and it is not and will not be the practice of the Lincoln PD to make such inquiries. Contrary to any such practice, section 1020.2 et seq. expressly encourages open access to complaint forms in the lobby and even allows for anonymous complaints.

FINDINGS #11: Rule 0120.7 of the Personnel Complaint Procedure used by the Auburn, Lincoln and Rocklin Police Departments states an allegation shall be sustained "(W)hen the investigation discloses sufficient evidence to establish that the act occurred and that it constituted misconduct." The phrase "sufficient evidence" is never defined. The standard should be in written rules so the accused and the complaining party understand the burden of proof. Since the investigating officer makes recommendation to the Chief, it is important they also know the appropriate standard to be applied so they use the same standard. Otherwise, the investigator could be using one standard and the Chief could be using a different standard.

This finding regarding the inclusion of an applicable “standard of proof” within the policy raises some interesting issues. “Due process” is constitutionally afforded to any employee in all potential disciplinary matters. However, the “process” itself is created between the agency and the various bargaining units through periodic negotiations of a Memorandum of Understanding (MOU) under the Meyers-Milias-Brown Act (Government Code 3500, et seq.). Because these MOU’s are subject to change and may only be negotiated periodically through a required meet and confer process, we have found it inappropriate to incorporate such matters within department policy. In other words, the “standard of proof” should be included in an agency’s MOU as a part of the clearly defined administrative appeal process. MOU section 10.6 currently states “The City shall not be held to the evidentiary standard applied in criminal matters of proof beyond a reasonable doubt”. Since it is commonly accepted that the burden of proof in personnel matters is on the agency by a “preponderance of the evidence”, the current MOU provision admittedly needs some clarification. While the City agrees that an agency should clearly define the applicable “standard of proof” in disciplinary matters, it is more appropriately included in a current MOU after proper negotiations between the parties. The good news is that the existing language has apparently not presented a problem since the administrators at Lincoln PD have informally understood and applied the proper “standard of proof”. This matter will be addressed during the next regularly scheduled contract negotiations.

FINDINGS #14: The Lieutenant at the Lincoln Police Department, who handles 95% of the internal affairs investigations, has not had the course.

The lieutenant handling disciplinary matters at Lincoln PD had not been to a POST approved IA school at the time of the Grand Jury review. However, this has been remedied. Lt. Shelgren has since attended a POST approved IA course in Sacramento and plans on attending additional courses in the near future. It should be pointed out that the course referred to in the Grand Jury report is not a POST required course. Internal Affairs procedures and investigative techniques are addressed both in the POST supervisory and management courses.

RECOMMENDATIONS:

1. To insure all citizen complaint investigation files contain a copy of all documents required by department policy or legal statutes, the Lincoln Police Department should consider using a file tracking form to be attached to the front inside cover of each citizen complaint file. The form's checklist should include a listing of all pertinent documents or records that are required to be contained in the file. The checklist should include, but not be limited to, 1) a signed, citizen complaint form 2) a signed false complaint admonition statement and 3) a copy of the written notification to the complaining party of the disposition of the complaint.

Although the Placer Co. Sheriff's Checklist (exhibit #6 to the Grand Jury report) does not address the recommendations suggested, a similar format (subject to the conditions stated above with regard to 148.6) is currently being carefully considered by the Lincoln Police Department.

3. The Lincoln Police Department should utilize a system of sequential numbering for labeling the citizen complaint files. Most of the departments use a numbering system such as #03-001; #03-002; #03-003 with the first two numbers denoting the year and the last three numbers showing the order in which the complaints were received.

As noted above with regards to Findings #4(d), this is currently being implemented.

4. Each department should review the practices used by the reception personnel who provide complaint forms to citizens to ensure that unnecessary questions or requests that may be intimidating are eliminated. The complaining party be invited, but not required, to meet with a supervisor to discuss their complaint.

The City agrees.

7. The Lincoln Police Department adopt an appropriate standard and place it in Rule 1020.7, which relates to the Chief and Rule 1020.62, which relates to the recommendation of the investigator.

As noted above in Finding #4(f), the Lincoln PD intends to address the “standard of proof” issue during the next contract negotiations with the intention of clarifying the applicable language to reflect the appropriate “preponderance of evidence” standard. However, for reasons explained above, such language will likely remain in the MOU rather than department policy. Moreover, because the assigned investigator is expected to remain as impartial as possible, it would be inappropriate for him/her to be attaching a legal “standard of proof” at the early phase of any potential disciplinary matter. It is generally the role of the assigned investigator to submit the factual evidence to the Chief who retains the ultimate authority and discretion to accept, modify or reject any recommendation of the investigator.

The City agrees with the Grand Jury’s recommendation (to all agencies) regarding the need for some sort of clarification within 1020.7. Since Penal Code 832.5(d)(2) and (3) provide statutory definitions for the dispositions of “unfounded” and “exonerated” complaints, the City will be adopting clarifying language under section 1020.7 to the effect that each disposition will now be defined as “When the investigation clearly discloses...” This will bring our policy in line with the relevant statute and provide additional guidance to involved personnel.

9. The Lincoln, Rocklin and Roseville Police Departments and the Placer County Sheriff’s Departments should consider sending their officers who do the internal affairs investigations to the P.O.S.T. three-day course. Internal Affairs (Basic).

As noted above in Findings #4(g), Lt. Shelgren has already followed this recommendation and intends to attend additional POST approved IA courses in the near future.

LAW OFFICES
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July 15, 2004

RECEIVED
AUG 05 2004

Placer County Grand Jury

Presiding Judge of the Superior Court
Placer County
110 Maple Street
Auburn, CA 95603

Alan Parker, Foreperson
Placer County Grand Jury
11490 C Ave.
Auburn, CA 95603

Re: Response of Lincoln Police Department to Internal Affairs Findings & Recommendations

Your Honor and Foreman Parker:

On behalf of Chief Smull and the Lincoln Police Department, please allow me to first thank you for conducting what was apparently the first ever review of the internal affairs systems within the Placer County law enforcement community. Your detailed attention to this issue has served to increase consistency among local agencies and will undoubtedly improve the process for citizens, officers and agencies within the County.

Before I address the specific Findings and Recommendations within your report, please allow me to take a moment to introduce myself and perhaps explain why Chief Smull asked me to prepare this response on behalf of his agency. In addition to representing many law enforcement agencies throughout the state in all aspects of litigation and police personnel matters, I have taught the 8 hour legal aspects of the POST Internal Affairs course at CSULB for over fifteen years and served on many POST and CPOA statewide committees on this issue. Moreover, we currently provide customized police policy manuals to over 200 agencies (including Lincoln, Auburn and Rocklin) throughout the state. With that very abbreviated introduction, I found your report to be very insightful and beneficial to all agencies involved.

Sticking with the formatted response called for by Penal Code § 933.05(a), please allow me to first address your findings applicable to the Lincoln Police Department:

Findings #2 and #3 - While we agree with the factual findings that you found that only 60% of the files contained a signed citizen complaint form and only 45% had the signed 148.6(a)(2) admonishment, it is important that you understand the scope of the so-called "required" nature of this form. When Penal Code § 148.6 was added back in 1996, it was enacted to supplement the civil remedies of Civil Code § 47.5 by providing a criminal sanction against those individuals who knowingly and willfully filed false personnel complaints against officers. Shortly after its enactment, the same

concern raised by you was presented to the Attorney General. In a written Attorney General Opinion (96-111), the Attorney General opined that the "requirement" of having a signed form pursuant to 148.6(a)(2) was only necessary in order to successfully prosecute someone under 148.6. In other words, the failure or inability of an agency to obtain a signed form under 148.6 affects only the ability to criminally prosecute the individual and has no other adverse impact on the involved agency.

You will see that Lincoln Policy 1020.23 permits the acceptance of complaints via telephone (i.e. no signed form would exist) and that 1020.24 expressly provides the agency is permitted to accept a complaint even if the individual refuses or fails to sign the 148.6 admonishment on the form. Quite candidly, I can't imagine that you would want agencies to reject an otherwise seemingly meritorious complaint simply because a form wasn't signed. It has been and remains our opinion and advice that, while agencies are certainly encouraged to obtain a signature on the 148.6 form, the absence of such on a complaint should not serve as an obstacle to proceeding with an investigation.

Finding #4 - We certainly agree with the requirement of Penal Code § 832.7 to send written notice of the disposition of any complaint to the complaining party within 30 days as evidenced by Lincoln Policy 1020.8. Since your finding that 55% to 90% compliance was found in your review without identifying a percentage to any agency, it is difficult to address this finding further. On the other hand, absent an occasional and inadvertent oversight in this regard, it is the policy and intent of the Lincoln Police Department to fully comply with this provision of law and policy.

Finding #7 - We agree with your finding regarding the absence of a sequential numbering system at the Lincoln Police Department. While the agency has always had the ability to retrieve any complaint by year and/or name of complaining party, it has always been my advice to agencies that a sequential numbering system is more efficient. Toward that end, it has been our recommendation and expectation that the Lincoln Police Department will be transitioning into this sort of filing system (e.g. 04-001, 04, 002, etc.).

Finding #8 - Although no specific instance of anyone at Lincoln Police Department "asking a citizen why they want a complaint form" was cited, the fact that you have assigned this Finding to Lincoln PD presumes that you were at least made aware of at least one instance in which this occurred at Lincoln. As you can see, such an inquiry is nowhere called for or endorsed in the policy and we would agree that it would only serve to improperly discourage complaints. To the extent that it may have occurred in the past, it was hopefully an exception and will not be the practice of the Lincoln PD to make such inquiries. Contrary to any such practice, section 1020.2 et seq. expressly encourages open access to complaint forms in the lobby and even allows for anonymous complaints.

Finding #11 - This Finding regarding the inclusion of an applicable "standard of proof" within the policy raised some interesting issues. As you may or may not know, "due process" is constitutionally afforded to any employee in all potential disciplinary matters. However, the "process" itself is created between the agency and the various bargaining units through periodic negotiations of a Memorandum of Understanding (MOU) under the Meyers-Milias-Brown Act (Government Code § 3500, et seq.).

Placer County Grand Jury
Re: Lincoln PD Response
July 15, 2004
Page 4

possible, it would be inappropriate for him/her to be attaching a legal "standard of proof" at the early phase of any potential disciplinary matter. It is generally the role of the assigned investigator to submit the factual evidence to the Chief who retains the ultimate authority and discretion to accept, modify or reject any recommendation of the investigator.

Having said all of that, I would partially agree with and appreciate your recommendation (to all agencies) regarding the need for some sort of clarification within 1020.7. Since Penal Code § 832.5(d)(2) and (3) provide statutory definitions for the dispositions of "unfounded" and "exonerated" complaints, we are providing all of our subscribing agencies (i.e. over 200 statewide), including Auburn, Lincoln and Rocklin with updated language under section 1020.7 to the effect that each disposition will now be defined as "When the investigation *clearly* discloses. . .". This will bring all policies in line with the relevant statute and hopefully provide additional guidance to involved personnel. Toward that end, I personally thank you for bringing this to our attention. One of the unique benefits of our policy manual system is that it is literally a "living document" which is constantly being updated and improved in part as a result of input from subscribing agencies and other entities such as yourself.

Recommendation #9 - As noted above in Finding #14, Lt. Shelgren has already followed this recommendation and intends to attend additional POST approved IA courses in the near future.

Once again, on behalf of Chief Smull and the Lincoln Police Department, thank you for your comprehensive review of the citizen complaint procedures throughout the County. We hope that this response has been both beneficial and encouraging. If you should have any questions about this or any other related issues, please do not hesitate to call me directly.

Cordially,



Bruce D. Praet
Attorney at Law

BDP/cs

cc: Chief Bill Smull, Lincoln Police Department



Rocklin Police Department

Mark J. Siemens, Chief of Police
4060 Rocklin Road
Rocklin, CA 95677
(916) 625-5400
FAX 625-5495

August 20, 2004

RECEIVED

AUG 24 2004

Placer County Grand Jury

The Presiding Judge of the Superior Court
101 Maple Street
Auburn, CA 95603

RE: Response to the Placer County Grand Jury Final Report

Dear Judge:

The following is the response from the Rocklin Police Department to the findings and recommendations made by the Grand Jury:

Internal Affairs Investigations of Citizen Complaints

Finding #2

The grand jurors found that 60% of the files contained the required, signed, citizen complaint form and 40% did not. No agency was in full compliance.

Police Department response:

The respondent disagrees wholly or partially with the finding.

The respondent agrees that only 60% of the citizen complaints contain signed complaint forms. However, there is no requirement by law that a citizen must sign a complaint in order for a police department to conduct an investigation. Every police department has a responsibility to the public to investigate complaints of officer conduct. Complaints can be made in many ways, including anonymous tips to the police department. In this matter, the Grand Jury focused on Penal Code Section 148.6, but ignored Penal Code Section 832.5.

Recommendation #2

Placer County Law Enforcement Departments appoint administrative hearing examiners, in the manner and with the qualifications prescribed by, Vehicle Code Section 40215, subdivision (c), paragraph (4).

Police Department response:

The recommendation requires further analysis.

All Placer County Law Enforcement agencies use the same administrative hearing examiners. P.L.E.A. agrees that the administrative hearing examiners must meet the requirements of the referenced Vehicle Code section. At the July 2004 P.L.E.A. meeting, it was decided the Roseville Police Department would research and develop a process, for P.L.E.A. approval, that meets State requirements for administrative hearing examiner selection and retention.

Recommendation #3

Placer County Law Enforcement Departments revise the form sent to a person who has lost an administrative hearing informing the person of a right to seek a further hearing in the superior court.

Police Department response:

The recommendation requires further analysis.

During the hearing process reviews to be undertaken as described above, we will seek P.L.E.A. input on the desire to implement recommendation #3.

Sincerely,



Mark J. Siemens
Chief of Police

c: Foreperson of the Placer County Grand Jury
11490 "C" Avenue
Auburn, CA 95603



Roseville Police Department

Joel A. Neves, Chief of Police

August 16, 2004

Honorable Alan V. Pineschi, Presiding Judge
Placer County Superior Court
101 Maple Street
Auburn, CA 95603

Dear Honorable Judge Pineschi:

I have reviewed the Grand Jury report relative to those items specific to the Roseville Police Department. Below are my responses to the Grand Jury's recommendations:

Internal Affairs Investigations (page 130)

Recommendation #1

To insure all citizen complaint investigation files contain a copy of all documents required by department policy or legal statutes, the four Police Departments consider using a file tracking form to be attached to the front inside cover of each citizen complaint file. The form's checklist should include a listing of all pertinent documents or records that are required to be contained in the file. The checklist should include, but not be limited to, 1) a signed, citizen complaint form, 2) a signed false complaint admonition statement and 3) a copy of the written notification to the complaining party of the disposition of the complaint.

Police Department Response:

Developing an internal affairs checklist is a sound recommendation and will be adopted. However it should be noted that not all complaints are received on the written complaint form. By policy the police department must accept all complaints whether the complaint is verbal, written or third party. In those cases there will be no signed complaint form or signed complaint admonition form.

Recommendation #4

Each department review the practices used by the reception personnel who provide complaint forms to citizens to ensure that unnecessary questions or requests that may be intimidating are eliminated. The complaining party be invited, but not required, to meet with a supervisor to discuss their complaint.

Response to Grand Jury Report
Page 2

Police Department response:

Agree with this recommendation and will review our practices in this area.

Recommendation #9

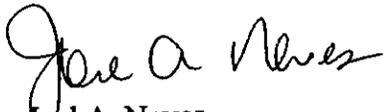
The Lincoln, Rocklin and Roseville Police Departments and the Placer County Sheriff's Departments consider sending their officers who do the internal affairs investigation to the P.O.S.T. three-day course, Internal Affairs (Basic).

Police Department response:

While the police department does not mandate an employee attend the Internal Affairs (IA) course in order to be assigned an IA our goal is to send those employees to the school. The Grand Jury report incorrectly listed the number of employees who have attended the recommended school. We currently have one lieutenant and four sergeants who have not attended the IA course. Those employees will be scheduled to attend the course as soon as practicable.

If you have questions regarding these responses please do not hesitate to contact me at (916) 774-5010.

Respectfully,


Joel A. Neves
Chief of Police

JAN:gs

cc: Foreman, Placer County Grand Jury



EST. 1851

PLACER COUNTY
SHERIFF
CORONER-MARSHAL

MAIN OFFICE
P.O. BOX 6990
AUBURN, CA 95604
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TAHOE SUBSTATION
DRAWER 1710
TAHOE CITY, CA 96145
PH: (530) 581-6300 FAX: (530) 581-6377



Internal Affairs Investigations of Citizen Complaints

Findings 2, 3, 4: Concur

Recommendation 2: Add a signed citizen complaint form and a signed false complaint admonition statement to the checklist on the file tracking form currently in use.

Response: Concur. We will add the two sections to the complaint checklist.

Findings 8, 16: Concur

Recommendation 4: Each department review the practices used by the reception personnel who provide complaint forms to citizens to ensure that unnecessary questions or requests that may be intimidating are eliminated. The complaining party be invited, but not required, to meet with a supervisor to discuss their complaint.

Response: Concur. Complainants have the option of speaking with a supervisor in an effort to bring the complaint to an acceptable conclusion without a formal investigation.

Findings 9, 10: Do not concur. Frivolous category was created by the legislature to circumvent the time-consuming investigation process for complaints that are obviously without merit. The Undersheriff reviews each and every complaint received.

Recommendation 5: All citizen complaint forms received, regardless of merit, be (1) logged in, assigned a case file number and (2) assigned for investigation. Upon investigation, the investigator may determine that the complaint is without merit and recommend a finding or disposition of "Unfounded" or "Frivolous."

Response: Concur with #1. A case file number will be assigned to a complaint deemed frivolous as a more accurate method of tracking all citizen complaints.

Do not concur with #2: The Sheriff's Department does not have an internal affairs unit. Complaint investigations are assigned to chain of command sergeants or lieutenants as part of their day-to-day duties. According to policy, the assigned investigator does not determine the disposition; only gathers the facts. The completed investigation is then reviewed by a lieutenant who determines the findings and makes recommendations and forwards to the captain for his review and recommendations. The completed investigation is

then forwarded to the Undersheriff for review, with final approval by the Sheriff. The frivolous category was created by the legislature to circumvent this time-consuming investigation process for complaints that are obviously without merit.

The Undersheriff reviews each and every complaint received. No complaint is filed away without his review and determination. Categorizing a complaint as frivolous with no further action required allows the chain of command staff to focus their time and energies on the priority public safety operations of the department.

Recommendation 9: The Lincoln, Rocklin and Roseville Police Departments and the Placer County Sheriff's Department consider sending their officers who do the internal affairs investigations to the P.O.S.T. three-day course, Internal Affairs (Basic).

Response: Concur

I wish to thank the members of the 2003-2004 Placer County Grand Jury for their dedication to the community and for all of their hard work during the past year.

Sincerely,



Edward N. Bonner
Sheriff-Coroner-Marshal

c: Foreperson of the PC Grand Jury
11490 C Avenue
Auburn CA 95603

AUBURN POLICE DEPARTMENT

NICHOLAS S. WILLICK
Chief of Police
Phone (530) 823-4237 ext. 201
Fax (530) 823-4224



INFO/NON-EMERGENCY 823-4237
INVESTIGATIONS 823-4237 ext. 203
OPERATIONS DIVISION 823-4237 ext. 202
RECORDS 823-4237 ext. 501

RECEIVED
AUG 05 2004
Placer County Grand Jury

July 28, 2004

Placer County Grand Jury
11490 C Avenue
Auburn CA 95603

RE: 2003-2004 PLACER COUNTY GRAND JURY FINAL REPORT

The Auburn Police Department wishes to thank the Grand Jury for their efforts to assist local law enforcement through this year's review of Placer County Law Enforcement Agencies. I have reviewed your report and offer the following responses to your Findings and Recommendations. Should you have any questions please don't hesitate to contact me.

Responses

Administrative Processing of Parking Citations

Recommendation #1

The Police Department has made the recommended changes to our appeal form. (See attached form)

Recommendation #2

The Auburn Police Department will use the attached form to notify all who appealed their parking citation. All responses to the appellant will be by mail.

Sincerely,


Nicholas S. Willick, Chief of Police

NSW/dar

LINCOLN POLICE DEPARTMENT

FINDINGS #1: The Lincoln Police Department Review Files are complete, the reviews timely and the decisions reached are within the statutory guidelines.

The City agrees with Finding #1.

FINDINGS #2: The Grand Jury commends the Chief of Police for the high percentage of cases (57%) in which he stated a reason for reasons for a decision.

The City agrees with Finding #2.

FINDINGS #3: The Grand Jury finds that the initial review form is restrictive, implying only a written statement is allowed.

The City agrees with Finding #3. Clarifying language will be added to the form.

FINDINGS #4: The Grand Jury finds that the Lincoln Police Department Form does not correctly state the requirements to seek an administrative hearing because it omits an exception to the requirement that a person must send a check or money order for the amount of the penalty with the request. The exception allows a person to seek an administrative hearing without paying the penalty upon a satisfactory showing to the department that the person is not able to pay the amount due.

The City agrees with Finding #4. Clarifying language will be added to the form.

RECOMMENDATIONS:

1. The Lincoln Police Department alter its review form to indicate the person seeking review may submit a written statement and photographs, documents, or other evidence.

The City agrees with recommendation #1.

2. The Lincoln Police Department should revise its review form to include the exception to the requirement that a person pay the penalty amount when seeking an administrative hearing.

The City agrees with recommendation #2.



City of Rocklin

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Rocklin, CA 95677-2720
916-625-5000
TDD 916-632-4187
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September 14, 2004

RECEIVED
SEP 15 2004
DEPT 3
PLACER CO. TRIAL COURTS

The Presiding Judge of the Superior Court
101 Maple Street
Auburn, CA 95603

RECEIVED
SEP 24 2004
Placer County Grand Jury

RE: Response to the Placer County Grand Jury Final Report

Dear Judge:

The following is the response from the Rocklin City Council to the findings and recommendations made by the Grand Jury:

Administrative Processing of Parking Citations

Finding #1

The Rocklin Police Department Review Files are complete, the reviews were timely and the decisions reached are within the statutory guidelines.

Rocklin City Council response:

The respondent agrees with the finding.

Finding #2

The instructions on the review form are sufficient to indicate that materials other than a written statement may be submitted.

Rocklin City Council response:

The respondent agrees with the finding.

Finding #3

The Rocklin Police Department Initial Review Form has enough space on page 2 to explain the procedure for seeking an administrative hearing, including the waiver of posting the parking penalty if a person does not have the money to do so. This would expedite any administrative hearing.

Rocklin City Council response:

The respondent agrees with the finding.

Recommendation #1

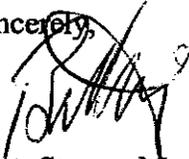
The Rocklin Police Department revise its Initial Review Form to explain the procedure for seeking an administrative hearing including the waiver provision for posting the parking penalty. A written explanation provides more assurance that complete and correct information is given to the person than instructions given over the telephone.

Rocklin City Council response:

The recommendation requires further analysis.

The Placer Law Enforcement Executive Agency (P.L.E.A.) discussed the recommendation at the July 2004 P.L.E.A. meeting and agreed to develop a countywide protocol that will include forms and process

Sincerely,



Brett Storey, Mayor
City of Rocklin

cc: Foreperson of the Placer County Grand Jury
11490 "C" Avenue
Auburn, CA 95603

AUBURN POLICE DEPARTMENT

NICHOLAS S. WILLICK
Chief of Police
Phone (530) 823-4237 ext. 201
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INVESTIGATIONS 823-4237 ext. 203
OPERATIONS DIVISION 823-4237 ext. 202
RECORDS 823-4237 ext. 501

RECEIVED
AUG 05 2004
Placer County Grand Jury

July 28, 2004

Placer County Grand Jury
11490 C Avenue
Auburn CA 95603

RE: 2003-2004 PLACER COUNTY GRAND JURY FINAL REPORT

The Auburn Police Department wishes to thank the Grand Jury for their efforts to assist local law enforcement through this year's review of Placer County Law Enforcement Agencies. I have reviewed your report and offer the following responses to your Findings and Recommendations. Should you have any questions please don't hesitate to contact me.

The Administrative Hearings

PLEA, Placer Law Enforcement Administrators, will respond jointly to these recommendations under separate cover.

Sincerely,


Nicholas S. Willick, Chief of Police

NSW/dar

Attachment(s)



Roseville Police Department

Joel A. Neves, Chief of Police

The Administrative Hearings (page 179)

Recommendation #1

Placer County Law Enforcement Departments adopt a single set of written procedures applicable to administrative hearings relating to parking violations.

Police Department response:

The Placer Law Enforcement Agency (P.L.E.A.) organization, composed of the Chief Executives of the Placer County Law Enforcement Agencies discussed this recommendation at the July 2004 P.L.E.A. meeting. The decision was made for the Roseville Police Department to draft written procedures for adoption by P.L.E.A. at a future date.

Recommendation #2

Placer County Law Enforcement Departments appoint administrative hearing examiners, in a manner and with the qualifications prescribed by, Vehicle Code Section 40215, subsection (c), paragraph (4).

Police Department response:

All Placer County Law Enforcement agencies use the same administrative hearing examiners. P.L.E.A. agrees that the administrative hearing examiners must meet the requirements of the referenced Vehicle Code section. At the July 2004 P.L.E.A. meeting it was decided the Roseville Police Department would research and develop a process, for P.L.E.A. approval, that meets State requirements for administrative hearing examiner selection and retention.

Recommendation #3

The notification of the administrative hearing results to a cited person who lost does not inform the person of a right to have a further hearing in the superior court.

Police Department response:

During the hearing process reviews to be undertaken as described above, I will seek P.L.E.A. input on the desire to implement recommendation #3.

City Attorney
311 Vernon Street
Roseville, California 95678-2649

August 25, 2004

The Hon. Alan V. Pineschi
Presiding Judge of the Superior Court
County of Placer
101 Maple Street
Auburn, CA 95603

RECEIVED
SEP 24 2004

Placer County Grand Jury

Re: Responses to the 2003-2004 Placer County Grand Jury Final Report

Honorable Judge Pineschi:

As the City Attorney for the City of Roseville, I am responding with regard to Recommendation 4 on page 181 of the 2003-2004 Placer County Grand Jury Final Report (administrative hearings).

I concur in the recommendation that the Placer County Counsel prepare and circulate a legal opinion to all appropriate entities indicating the effect, if any, of Vehicle Code Section 40215, subdivision (d) on the legality of administrative hearings in Placer County. In doing so, I reserve the right to prepare an opinion on that question as well.

Respectfully,



MARK J. DOANE
City Attorney

cc: Foreperson, Placer County Grand Jury
11490 C Avenue
Auburn, CA 95603



Rocklin Police Department

Mark J. Siemens, Chief of Police
4060 Rocklin Road
Rocklin, CA 95677
(916) 625-5400
FAX 625-5495

The Administrative Hearings

Recommendation #1

Placer County Law Enforcement Departments adopt a single set of written procedures applicable to administrative hearings relating to parking violations.

Police Department response:

The recommendation requires further analysis.

The Placer Law Enforcement Executive Agency (P.L.E.A.) discussed the recommendation at the July 2004 P.L.E.A. meeting and agreed to develop a countywide protocol that will include forms and process. The decision was made for the Roseville Police Department to draft written procedures for adoption by P.L.E.A. members at a future date.

Recommendation #2

Placer County Law Enforcement Departments appoint administrative hearing examiners, in the manner and with the qualifications prescribed by, Vehicle Code Section 40215, subdivision (c), paragraph (4).

Police Department response:

The recommendation requires further analysis.

All Placer County Law Enforcement agencies use the same administrative hearing examiners. P.L.E.A. agrees that the administrative hearing examiners must meet the requirements of the referenced Vehicle Code section. At the July 2004 P.L.E.A. meeting, it was decided the Roseville Police Department would research and develop a process, for P.L.E.A. approval, that meets State requirements for administrative hearing examiner selection and retention.

Recommendation #3

Placer County Law Enforcement Departments revise the form sent to a person who has lost an administrative hearing informing the person of a right to seek a further hearing in the superior court.

Police Department response:

The recommendation requires further analysis.

During the hearing process reviews to be undertaken as described above, we will seek P.L.E.A. input on the desire to implement recommendation #3.

THE ADMINISTRATIVE HEARINGS

RECOMMENDATIONS:

1. Placer County Law Enforcement Departments adopt a single set of written procedures applicable to administrative hearings relating to parking violations.

The Placer Law Enforcement Agency (P.L.E.A.), composed of the chief executives of all the Placer County law enforcement agencies discussed this recommendation at their July 2004 meeting. It was agreed that the Roseville Police Department would draft the written procedures recommended by the Grand Jury.

2. Placer County Law Enforcement Departments appoint administrative hearing examiners, in the manner and with the qualifications prescribed by, Vehicle Code Section 40215, subdivision (c), paragraph (4).

The City agrees with Recommendation #2. All Placer County law enforcement agencies use the same administrative hearing examiners. At the July 2004 P.L.E.A. meeting it was agreed that the Roseville Police Department would research and develop a process, for P.L.E.A. approval, that meets State requirements for administrative hearing examiner selection and retention.

3. Placer County Law Enforcement Departments revise the form sent to a person who has lost an administrative hearing informing the person of a right to seek a further hearing in the superior court.

The City agrees with Recommendation #3. The City will work through the P.L.E.A. to revise the uniform notification procedure.

AUBURN POLICE DEPARTMENT

NICHOLAS S. WILICK
Chief of Police
Phone (530) 823-4237 ext. 201
Fax (530) 823-4224



INFO/NON-EMERGENCY 823-4237
INVESTIGATIONS 823-4237 ext. 203
OPERATIONS DIVISION 823-4237 ext. 202
RECORDS 823-4237 ext. 501

July 28, 2004

RECEIVED
AUG 05 2004
Placer County Grand Jury

Standardized Parking Penalties

Recommendation #1

The Auburn Police Department agrees in principal with this recommendation and will review this request with the City Manager and City Council for action.

STANDARDIZED PARKING PENALTIES

FINDINGS #6(a): There are differences in the penalties for the same parking violation depending on where it occurs in Placer County.

The City agrees with Finding #6(a).

FINDINGS #6(b): The statute only requires the governing bodies and issuing agencies attempt to reach agreement on as many comparable violations as possible.

The City agrees with Finding #6(b).

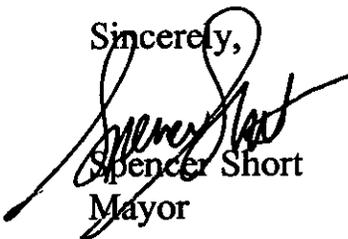
RECOMMENDATION:

The governing bodies and issuing agencies in Placer County attempt under Vehicle Code section 40203.5, subdivision (a) to standardize as many parking penalties as possible in Placer County.

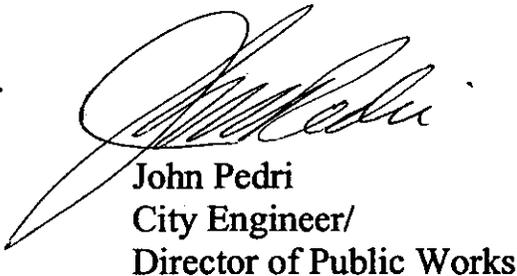
The Lincoln parking violation fees are established by the Lincoln City Council. The City is willing to discuss this recommendation with the P.L.E.A., but it is the City's position that Lincoln's parking violation fees are appropriately set by the City Council and meet the needs of the community.

The City of Lincoln appreciates the time and effort spent by the Grand Jury and its thoughtful report.

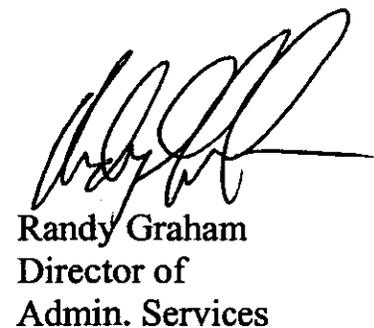
Sincerely,



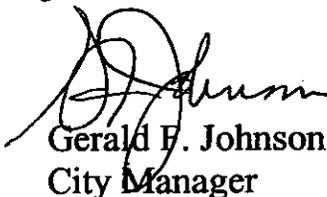
Spencer Short
Mayor



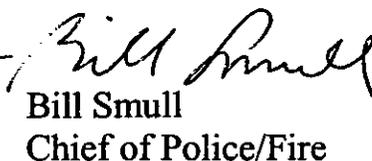
John Pedri
City Engineer/
Director of Public Works



Randy Graham
Director of
Admin. Services



Gerald F. Johnson
City Manager



Bill Smull
Chief of Police/Fire



Rocklin Police Department

Mark J. Siemens, Chief of Police
4060 Rocklin Road
Rocklin, CA 95677
(916) 625-5400
FAX 625-5495

Standardized Parking Penalties

Finding #1

There are differences in the penalties for the same parking violation depending on where it occurs in Placer County.

Police Department response:

The respondent agrees with the finding.

Finding #2

The statute only requires the governing bodies and issuing agencies attempt to reach agreement on as many comparable violations as possible.

Police Department response:

The respondent agrees with the finding.

Recommendation #1

The governing bodies and issuing agencies in Placer County attempt under Vehicle Code section 40203.5 subdivision (a) to standardize as many parking penalties as possible in Placer County.

Police Department response:

The Rocklin parking violation fees are established by the Rocklin City Council. The police department is willing to discuss this recommendation with the issuing agencies in Placer County but feel the Rocklin parking violation fees are appropriately set to meet the needs of the community.

Sincerely,

A handwritten signature in black ink, appearing to read "MJS", is written over the typed name.

Mark J. Siemens
Chief of Police

c: Foreperson of the Placer County Grand Jury
11490 "C" Avenue
Auburn, CA 95603



Roseville Police Department

Joel A. Neves, Chief of Police

August 16, 2004

Standardized Parking Penalties (page 183)

Recommendation #1

The governing bodies and issuing agencies in Placer County attempt under Vehicle Code section 40203.5 subsection (a) to standardize as many parking penalties as possible in Placer County.

Police Department response:

The Roseville parking violation fees are established by the Roseville City Council. The police department is willing to discuss this recommendation with the issuing agencies in Placer County but feel the Roseville parking violation fees are appropriately set to meet the needs of the community.

If you have questions regarding these responses please do not hesitate to contact me at (916) 774-5010.

Respectfully,

A handwritten signature in cursive script that reads "Joel A. Neves".

Joel A. Neves
Chief of Police

JAN:gs

cc: Foreman, Placer County Grand Jury



RECEIVED

AUG 16 2004

Placer County Grand Jury

1225 Lincoln Way • Auburn, CA 95603 • (530)823-4211 • Fax(530)885-5508

August 12, 2004

Foreperson of the Placer County Grand Jury
11490 "C" Avenue
Auburn, CA 95603

Re: 2003-2004 PLACER COUNTY GRAND JURY FINAL REPORT

Dear Foreperson:

The Auburn City Council wishes to thank the Grand Jury for its efforts to assist local law enforcement through this year's review of Placer County law enforcement agencies. The Grand Jury Report has been reviewed and the City offers the following responses to your Findings and Recommendations.

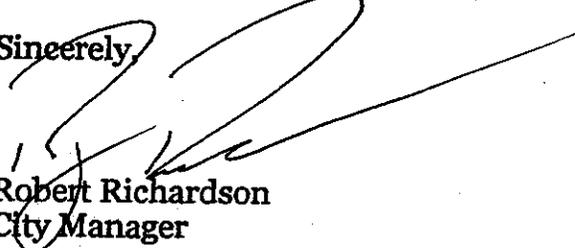
Standardized Parking Penalties

Recommendation #1

The issue of standardized parking penalties is one which will need to be dealt with on a regional level and could require considerable alternations in fee structures for some cities. The City Council will review this request for further action.

Should you have any questions, please feel free to contact me at your convenience.

Sincerely,


Robert Richardson
City Manager

RR/mhc
Enclosures



City of Rocklin

3970 Rocklin Road
Rocklin, CA 95677-2720
916-625-5000
TDD 916-632-4187
www.ci.rocklin.ca.us

September 14, 2004

RECEIVED
SEP 15 2004
DEPT 2
PLACER CO. TRIAL COURTS

The Presiding Judge of the Superior Court
101 Maple Street
Auburn, CA 95603

RECEIVED
SEP 24 2004
Placer County Grand Jury

RE: Response to the Placer County Grand Jury Final Report

Dear Judge:

The following is the response from the Rocklin City Council to the findings and recommendations made by the Grand Jury:

Standardized Parking Penalties

Finding #1

There are differences in the penalties for the same parking violation depending on where it occurs in Placer County.

Rocklin City Council response:

The respondent agrees with the finding.

Finding #2

The statute only requires the governing bodies and issuing agencies attempt to reach agreement on as many comparable violations as possible.

Rocklin City Council response:

The respondent agrees with the finding.

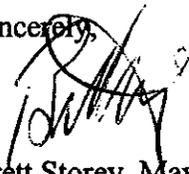
Recommendation #1

The governing bodies and issuing agencies in Placer County attempt under Vehicle Code section 40203.5 subdivision (a) to standardize as many parking penalties as possible in Placer County.

Rocklin City Council response:

When the opportunity arises for the review or approval of parking fines, the respondent will take Recommendation #1 into consideration.

Sincerely,



Brett Storey, Mayor
City of Rocklin

cc: Foreperson of the Placer County Grand Jury
11490 "C" Avenue
Auburn, CA 95603

COUNTY OF PLACER
DEPARTMENT OF HEALTH AND HUMAN SERVICES

RICHARD J. BURTON, M.D., M.P.H.
HEALTH OFFICER, AND
DIRECTOR OF HEALTH & HUMAN SERVICES



**ADULT SYSTEM
OF CARE**

MAUREEN F. BAUMAN, L.C.S.W.
DIRECTOR

August 18, 2004

RECEIVED

AUG 24 2004

Placer County Grand Jury

Foreperson, Placer County Grand Jury
11490 C Ave
Auburn, CA 95603

Re: Response to the Grand Jury Report

Dear Honorable Pineschi

Attached please find the Health and Human Services response to the Grand Jury report regarding the Placer County Public Guardian.

Sincerely,

A handwritten signature in black ink, appearing to be "Richard J. Burton". The signature is fluid and cursive, written over a white background.

Richard J. Burton, M.D., M.P.H.
Director

CC: Jan Christofferson, C.E.O.
Placer County Chief Executive's Office

Maureen F. Bauman, L.C.S.W.
Program Director, Adult System of Care

**Response to Grand Jury Findings and Recommendations
Regarding the Placer County Public Guardian**

Findings

1. The second clerical position has been vacant for over a year. The second clerk's one-year medical leave has exceeded the allowed time and the position remains in limbo.

Response:

Agree with the finding of the vacancy however, the position is filled and the person remains on a long-term medical leave.

2. Placer County charges minimal administrative fees to the conservatees or their estates.

Response:

Agree with the finding.

3. The conservatee's furniture and other personal property are not stored properly in the county warehouse. All property items for each conservatee are not labeled with the identity of the owner. There is inadequate separation of each conservatee's personal property is not adequately detailed.

Response:

Agree with the finding.

4. The Account Clerk's job description is not adhered to. The inventory of the conservatee's furniture and other personal property is not adequately detailed.

Response:

Disagree partially with the finding. The inventory of the conservatee's furniture and other personal property is not adequately detailed however, all staff including Deputy Public Guardians, Clerical and the Account Clerk positions share this function. This is not the sole responsibility of the account clerk position.

5. The two clerical positions and the Account Clerk fall under different lines of supervision.

Response:

Agree with the finding.

Recommendations

1. The second clerical position be filled.

Response:

The Department of Health and Human Services currently has 91 vacant positions as one of several strategies to manage a reduced revenue budget. Health and Human Services has used vacant positions as a strategy to maintain reduced services within current limited resources.

Health and Human Services will review this vacancy and alternatives to assuring that critical position functions are completed. Alternatives will include at a minimum: filling the position, transferring the functions to an existing position or redistributing the functions in the unit.

2. The administrative fees charged to the estate of the conservatees be increased to the state average.

Response:

The recommendation requires further analysis. The Department of Health and Human Services has generally kept client fees to a minimum in order to allow clients/conservatees to maximize what is generally very limited income. Health and Human Services will review the administrative fees charged to the estate of the conservatees and evaluate the consequences of increasing those fees.

Recommendations will be made to the CEO and Board of Supervisors and the Grand Jury will be informed of decisions made in this area.

3. Each conservatee's personal property stored in the county warehouse, be kept separate, properly identified and stored in a manner that protects and preserves all items. Individual, enclosed, locked storage units be constructed within the large, open interior of the county warehouse.

Response:

The recommendation will be implemented however; a time frame has not yet been established.

Health and Human Services will evaluate the use of the current warehouse and alternatives to this warehouse so that the storage of property will be kept in a manner that protects and preserves all items. Health and Human Services is currently working with Facility Services in this evaluation. The analysis will include a review of the items

currently stored, status of persons to whom the items belong, alternatives for moving and sorting the items, alternatives for improving the current storage space and alternatives for transporting the items to a new space. The Grand Jury will be informed of decisions made in this area.

4. The intake process have a detailed inventory compiled at the time of initial intake of the personal property.

Response:

The recommendation has not yet been implemented and the time frame established would be a part of the time frame identified above.

Health and Human Services will evaluate the current policies and procedures used to inventory at the time of initial intake of personal property. A review of the law will allow policies to assure that all possessions are sorted prior to storage. Changes will be made to ensure that there is a detailed inventory at the time of initial intake of personal property. The Grand Jury will be informed of these changes as they are made.

5. The Health and Human Services Department conduct a thorough review of the department's operations and staffing.

Response:

The recommendation has been implemented.

Health and Human Services contains an organizational structure that includes responsibility for functions across traditional lines of authority. The Adult System of Care has Clerical Supervisors, Fiscal Supervisors and Program Supervisors structured to manage specific functions in a coordinated manner. The ASOC Supervisors work closely with each other to solve common problems.

Health and Human Services does review department operations and staffing particularly during times of fiscal constraint. Health and Human Services will continue to review operations and staffing issues particularly in the area of the Public Guardian unit. The Grand Jury will be informed of any new outcomes as a result of this on-going review.

**MEMORANDUM
DEPARTMENT OF FACILITY SERVICES
COUNTY OF PLACER**

TO: The Presiding Judge of the Superior Court
110 Maple Street
Auburn CA 95603

DATE: July 21, 2004

FROM:  Thomas Miller, Director
Department of Facility Services

RECEIVED
AUG 11 2004

Subject: Response to Grand Jury Findings and Recommendations Regarding the
"Placer County Public Guardian"

Placer County Grand Jury

The 2003-2004 Grand Jury Report on the "Placer County Public Guardian" identifies the Department of Facility Services as a designated respondent. However; most, if not all, findings and recommendations fall within the scope of authority of the Department of Human Services (HHS). None-the-less, I have dutifully attempted to respond below as required by California Penal Code Section 933.05:

Findings

1. The second clerical position has been vacant for over a year. The second clerk's one-year medical leave has exceeded the allowed time and the position remains in limbo.

Response:

This position is within the Department of HHS. Therefore the Director of HHS would be the appropriate respondent.

2. Placer County charges minimal administrative fees to the conservatees or their estates.

Response:

This fee is administered by the Department of HHS. Therefore, the Director of HHS would be the appropriate respondent.

3. The conservatee's furniture and other personal property are not stored properly in the county warehouse. All property items for each conservatee are not labeled with the identity of the owner. There is inadequate separation of each conservatee's personal property is not adequately detailed.

Response:

The storage and separation of each conservatee's personal property is under direct control of the Department of HHS. If further action is deemed appropriate by that Department, a process exists whereby HHS requests assistance from Facility Services. There appears to be no significant barriers to erect shelving or separate lockable cyclone wire type enclosures within this space, if desired.

4. The Account Clerk's job description is not adhered to. The inventory of the conservatee's furniture and other personal property is not adequately detailed.

Response:

This person is an employee of the Department of HHS. It is appropriate that the Director of HHS respond to this finding.

5. The two clerical positions and the Account Clerk fall under different lines of supervision.

Response:

See response to Finding # 4.

Recommendations

1. The second clerical position be filled.

Response:

The Department of Facility Services has no authority over this position.

2. The administrative fees charged to the estate of the conservatees be increased to the state average.

Response:

See response to Finding #2.

3. Each conservatee's personal property storied in the county warehouse, be kept separate, properly identified and stored in a manner that protects and preserves all items. Individual, enclosed, locked storage unites be constructed within the large, open interior of the county warehouse.

Response:

It is up to the Department of HHS to determine the appropriate method of storage. The Department of Facility Services will assist in whatever capacity is desired as authorized by the County Executive Officer.

4. The intake process have a detailed inventory compiled at the time of initial intake of the personal property.

Response:

This recommendation appears to be directed to the Department of HHS.

5. The Health and Human Services Department conduct a thorough review of the department's operations and staffing.

Response:

This recommendation appears to be directed to the Department of HHS.

PLACER COUNTY PUBLIC GUARDIAN

Introduction

California Penal Code section 925 requires the grand jury to investigate and report on operations, accounts and records of the officers, departments or functions of the county. Pursuant to this requirement, the 2003-04 Placer County Grand Jury investigated the Placer County Public Guardian Office, which operates under the Placer County Health and Human Services Adult System of Care (HHS-ASC). Originally a department in itself, it was incorporated into the Placer County Department of Health and Human Services in 1995.

The Public Guardian's Office serves elderly and disabled individuals who are unable to provide for their basic needs and there are no family members able or willing to assume responsibility.

There are two types of conservatorship:

1. Probate conservatorship for individuals who can not manage their affairs or meet their own needs due to physical illness or elderly decline such as Alzheimer's disease.
2. Lanterman-Petris-Short Act (LPS) conservatorship for individuals, 18 years or older, who are mentally impaired or chronically mentally ill and are unable to meet their own needs or manage their affairs. The LPS Act was passed by the California State Legislature in 1969 to protect individuals with mental disabilities.

Generally the process develops along these steps:

- Mental Health Department or Adult Protective Services are advised of potential need.
- A caseworker evaluates the situation.
- Family members are located, apprised of the situation and asked to take responsibility. If they are not willing to, or there are no family members, the County will pursue a conservatorship.

The person's physician is contacted. The physician fills out a medical document for conservatorship.

The conservatorship document is filed with the Court and will be heard within 30 days. Every conservatee has legal representation with either a private attorney or the Public Defender's Office.

If there are no willing, qualified, family members the Court will appoint the Placer County Public Guardian as Conservator.

Individuals who are unable to live independently, are moved to an appropriate care facility.

Under the direction of the Public Guardian's Office, the conservatee's furniture and personal belongings are inventoried and stored in a county facility. When there is a large quantity of items and sufficient funds in the estate, storage space may be rented at a commercial storage facility. The inventory of the conservatee's furniture and personal belongings is kept in the conservatee's case file and a copy is also filed with the Court.

Conservatorships can be of the person or of the estate. Most conservatorships include both the person and their estate. The Public Guardian protects and cares for the conservatee by providing for their housing, hospitalization, medical care or psychiatric treatment. With the LIPS conservatorship, the Public Guardian's Office can force the patient to take medication and follow the treatment plan. If conservatorship of the person's estate was granted the Public Guardian's office will manage the conservatee's estate, including managing their funds, paying debts and keeping benefits and entitlements in force. The Public Guardian may also be granted the authority to sell or dispose of personal property, as allowed by California Probate Code Section 591. Proceeds from liquidation of any asset is credited to the conservatee's account and used to help pay the cost of their care.

Each conservatorship is reviewed annually by the Court. If conservatees, are deemed able to provide for their own care and handle their affairs, the Court may terminate the conservatorship. In most cases the conservatorship is continued.

Narrative

The Director of Health and Human Services is the designated Public Guardian for Placer County. The Public Guardian's office has a Supervisor, two-full time and one part-time Deputy Public Guardians, one full time Account Clerk under the supervision of the HHS-ASC Budget & Financial Operations and one clerical support person under the supervision of the HHS-ASC clerical pool. A second clerk has been out for over a year, on a medical leave and has not been replaced.

The Grand Jury conducted interviews with the Public Guardian, the Supervisor for the Public Guardian's Office, a Deputy Public Guardian, and other staff members in the Public Guardian's Office.

Generally the ongoing caseload for the Public Guardian's Office varies from about 170-180 cases. The grand jurors were told that each full-time Deputy Public Guardian handles about 70 cases and the part-time Deputy Public Guardian handles 30-40 cases. The grand jury was informed that the recommended caseload per deputy is 55 cases. The state requires the Deputy Public Guardians to personally meet with each conservatee at least once a year. Placer County asks they meet with each conservatee at least once every three months.

If the person's income is more that \$500 a month, the Public Guardian's Office is allowed to charge an annual administrative type fee to the conservatee, ranging from \$50 to \$300 depending on their income. County Counsel is authorized to charge fees ranging from \$50 to \$190 for legal services. Placer County has two fee schedules, one for LPS conservatorship and one for probate conservatorship. A past survey by Placer County of the fees charged by all Public Guardian Offices in the state found Placer County was among the lowest.

The grand jurors visited the Public Guardian's office on three occasions. The overall space is shared with the Adult Protective Services Department and the Supervisor is in charge of both departments. The portion used for the Public Guardian's Office is small and cramped. There is a lack of storage space and case files are filed on open shelves throughout the office. The jurors reviewed some of the case file inventories of the individual's furniture and personal possessions and found the inventories inadequate.

Grand jurors toured the warehouse where the County stores the conservatee's furniture and personal belongings twice. Jewelry or other valuables are stored at another location. The warehouse is a large open space with narrow metal shelving along one wall where cardboard boxes of old county records are stored. There are no storage lockers or deep shelving units to store the conservatee's personal belongings. There are fire suppression sprinklers in the ceiling but no one knew if they were in working order. There was an incident of a roof leak that resulted in permanent damage to furniture of a conservatee. There is a lack of air circulation in the warehouse causing a stale, musty odor.

Each conservatee's possessions are arranged in separate, huge piles with the furniture on the bottom and various household items, plastic bags of clothing and other miscellaneous items stacked on top of the furniture and on the floor. There are no physical dividers separating the piles, but about 18 inches of space is left between the piles. Nothing is enclosed or covered.

Some bags are labeled with the owner's names, but most items are not labeled. If an item was inadvertently moved from one pile to another, the "ownership" of the item would change. If there was any situation where several piles had to be moved quickly and items were intermixed, it would not be possible to determine their ownership.

There are no detailed inventories of each conservatee's personal property. Files reviewed by the Grand Jury contained merely the statement "miscellaneous household items".

One of the responsibilities listed in the job description of the Account Clerk states "Maintain an inventory of all clients personal and real property. This includes personal effects, miture, jewelry, investments, mobile homes, vehicles, rentals and all real estate." Currently this duty is not peformed.

Findings

1. The second clerical position has been vacant for over a year. The second clerk's one-year medical leave has exceeded the allowed time and the position remains in limbo.

The Board of Supervisors agrees with the finding. However, as indicated from the response of the Health and Human Services Director the position is technically filled although the incumbent is on a long-term medical leave.

2. Placer County charges minimal administrative fees to the conservatees, or their estates.

The Board of Supervisors agrees with the finding. However, The County Executive Officer will request the Health and Human Services Director to review the fee schedule and submit findings and recommendations related to an appropriate fee schedule.

3. The conservatee's furniture and other personal property are not stored properly in the county warehouse. All property items for each conservatee are not labeled with the identity of the owner. There is inadequate separation of each conservatee's personal property from that belonging to others.

The Board of Supervisors agrees with the finding. The Health and Human Services Director will work with staff of the Facility Services Department to develop a plan to improve the storage and handling of each conservatees personal property.

4. The Account Clerk's job description is not adhered to. The inventory of the conservatee's furniture and other personal property is not adequately detailed.

The Board of Supervisors disagrees partially with the finding. Although improvements are necessary as indicated in finding #3, above, the department uses many of its staff, having a different job classification or description to manage the inventory of personal property of the conservatee. The Director has concluded that this is a better method of managing the personal property inventory.

5. The two clerical positions and the Account Clerk fall under different lines of supervision.

The Board of Supervisors agrees with the finding.

Recommendations

The 2003-04 Placer County Grand Jury recommends:

1. The second clerical position be filled.

The recommendation requires further analysis by the Department. As indicated from the response of The Health and Human Services Director, limited resources require various alternatives to managing all the functions and duties of the department including position vacancies, work furlough, transferring duties to existing positions or units and other alternatives and remedies.

2. The administrative fees charged to the estate of the conservatees be increased to the state average.

The recommendation requires further analysis. As indicated from the response of the Health and Human Services Director the department will review the current fee schedule and present findings and recommendation for any appropriate changes to the County Executive for possible implementation.

3. Each conservatee's personal property stored in the county warehouse, be kept separate, properly identified and stored in a manner that protects and preserves all items. Individual, enclosed, locked storage units be constructed within the large, open interior of the county warehouse.

The recommendation has not yet been implemented but it will be implemented in the future. As indicated from the response of the Health and Human Services Director the current process, methods and equipment used to store personal property of the conservatee will be evaluated by department staff and staff of the Facility Services department. Following this evaluation and assessment the department will identify areas for improvement and develop a schedule and plan to implement these improvements.

4. The intake process have a detailed inventory compiled at the time of initial intake of the personal property.

The recommendation has not yet been implemented but it will be implemented in the future. As indicated from the response of the Health and Human Services Director, the current process, methods and equipment used to store personal property of the conservatee will be evaluated by department staff. Following this evaluation and assessment the department will identify areas for improvement and develop a schedule and plan to implement these improvements. This shall include a detailed inventory of personal property at the time of initial intake of such property.

6. The Health and Human Services Department conduct a thorough review of the department's operations and staffing.

The recommendation has been implemented. As indicated from the response of the Health and Human Services Director the department conducts continuous review of department operations and organizational structure to identify areas of improvement to provide acceptable customer service in the most efficient and effective manner. The department is currently organized by functional areas using specialized staff to better coordinate its activities. The department will give extra effort to review the operations of the Public Guardian Office.



FIRST 5 Placer
Children & Families Commission

www.placer.ca.gov/cfc

Tamara Lieberman – Chair
Dr. Sandra Naylor-Goodwin – Vice Chair

Ray Merz - Commissioner
Dr. Richard Burton - Commissioner
Harriet White - Commissioner
Mindy Danovaro – Commissioner
Blanca Castro - Commissioner

August 17, 2004

The Honorable Alan V. Pineschi
Presiding Judge of the Superior Court
County of Placer
11546 B Avenue
Auburn, CA 95603

RECEIVED

SEP 15 2004

Placer County Grand Jury

RECEIVED

AUG 20 2004

PLACER COUNTY SUPERIOR COURT

Subject: **Response to the Grand Jury Final Report 2003/2004**

Dear Judge Pineschi,

The following are the First 5 – Placer Children and Families Commission responses to the 2003-2004 Grand Jury Final Report.

1. Commissioners annually visit all participant facilities and report findings to the full Commission.

The Commission disagrees partially with the finding that it is necessary for all commissioners to visit all participant facilities.

With the First 5 focus on outcomes we have developed many ways for Commissioners to become familiar with the organizations it funds. Visiting facilities is one way. Participation in conversations to review and understand performance data used to measure progress toward achieving outcomes is another way. Also, participation in the annual First 5 Partner Network Outcome Faire, where every organization funded by First 5 sets up a display with descriptions of services and outcomes is yet another way. Over the years several Commissioners have participated in all of the opportunities listed above. Some, on the other hand, have not.

Action: During new Commissioner orientations we will emphasize that there is an expectation that Commissioners will become familiar with the First 5 Partner Network through site visits, and other means available to them.

2. Participants receiving \$5,000 or less not be required to have a full audit, only an itemized showing of expenditures.

The Commission agrees that a full audit may not be required for \$5,000 or less.

Although we have a strong value that all First 5 funded contracts be subjected to an independent third party audit, we also understand the cost of an audit may be prohibitive for smaller organizations. The dilemma is that in order for any organization to receive taxpayer funds it must be able to withstand an independent audit. In some cases, our requirement for an independent financial audit not only protects our tax dollars, it helps the organization upgrade its accounting system. There are cases, however, where the funding amount is small, and a full audit might be excessive.

Action: An alternative the Commission will consider is an audited financial statement of just the First 5 funds conducted by an independent third party accountant instead of an organization wide audit conducted by a CPA firm. We have already used this approach for two small childcare organizations that could not afford a full audit. We will continue to make this option available for organizations that receive small amounts of \$5,000 or less and cannot afford a regular audit.

3. Clarify the lines of jurisdiction and responsibility between Commission and the Community Resource Committee.

The Commission agrees that it is necessary to clarify the lines of responsibility between the Commission and the Community Resource Committee (CRC).

The Children and Families Act requires that local Commissions “establish one or more advisory committees to provide technical and professional expertise and support for any purposes that will be beneficial in accomplishing the purposes of the Act”. The CRC was created in response to this opportunity to involve the public in the work of the Commission. The CRC has provided an important community connection and forum for the Commission and its staff. The CRC is able to delve into issues in-depth and thus develop comprehensive recommendations for the Commission’s consideration. The CRC Charter outlines its responsibilities and also notes that the Commission “may delegate additional responsibilities as the need arises.”

Action: In the future, these additional delegated responsibilities will be recorded in the Commission meeting minutes so that there is no confusion as to what is being asked of the CRC.

4. For the purposes of better public understanding, limit the jargon so the public can easily comprehend Commission discussions.

The Commission agrees that jargon should be limited during meetings.

The Children and Families Act is unique in the history of California. The Act uses terms such as “outcome based accountability, the establishment of networks, integrated services, and collaborative systems of information.” In carrying out the Act, we find ourselves using similar language. For example, we use various performance measurement tools, one of which is called an “Outcome Screen” for which we have provided training and support in analyzing data collected through the use of this tool. When we review the data collected through the Outcome Screen, we use a facilitation process developed by the Institute of Cultural Affairs called the “Focused Conversation Method.” This method is often referred to as the “learning conversation.”

We operate under the concept of “partnerships” and use language to that effect because we strive to create trust and partnerships with our contractors rather than strictly a grantee monitoring function. This mindset and language is necessary to promote the collaborative, integrated and results-oriented services envisioned in the law. Also, since First 5 is a declining funding source, we realize that our impact on the prenatal through 5 population, and the sustainability of that impact, will be measured by the degree to which knowledge of early childhood development and the importance of the first 5 years of life becomes common practice in Placer County - not by the amount of funding released by the Commission. In furthering this culture change the language that we use is important because it effects the way people think and

talk about the early years of a child's life. We need to keep emphasizing outcomes, partnerships, investments (not just grants) strength based approaches and the feedback/learning loops that are necessary to learn from outcome data and apply this knowledge to the way services are designed and provided. We do, however, understand that for many people these terms are simply "jargon."

Action: Although we have defined all of the terms referenced in the Grand Jury report in the Commission's 2004-2007 Strategic Plan, we will pay careful attention to the language used in our meetings and make sure any jargon is paraphrased or put in other words that can be more readily understood by the general public.

5. Limit the amount of money in partnership budgets for personnel salaries/training and equipment.

The Commission agrees.

The Commission has many roles as it implements and evaluates its Strategic Plan, one of which is to be a steward of the Children and Families Trust Fund in Placer County. Therefore we appreciate the Grand Jury's attention to this matter.

Action: As partner contracts are developed we will pay particular attention to partner budget items for salaries/training and equipment to make sure that these expenditures are not excessive in relation to the outcomes that the partner is trying to achieve.

Thank you for this opportunity to respond to the Grand Jury report. For additional information about First 5 – Placer Children and Families Commission contact Don Ferretti at 530.889.6751 or, dferrett@placer.ca.gov

Sincerely,



Don Ferretti
Executive Director, CFC



AUBURN AREA RECREATION AND PARK DISTRICT

September 17, 2004

Foreperson, Placer County Grand Jury
11490 C Avenue
Auburn, CA 95603

Dear Foreperson:

The Auburn Area Recreation & Park District Board of Directors responds to the 2003-2004 Grand Jury report complaint numbers 2003-04 18A, 18B, 18C, and 18D as follows:

1. The Board partially agrees with the conclusion. Board members past and present have been urged to attend Brown Act seminars provided locally upon election to office as well as throughout their terms. Approximately biannual solicitations for various special district governance seminars, are provide to board members.
2. The Board partially agrees with the conclusion. Resolution 98-1 was passed and incorporated into District operations. The policy committee will incorporate all appropriate and non-redundant items, into revisions of the Board section of the ARD policy manual.
3. The Board agrees with the recommendation. The issues have been forwarded to committee for implementation.

Sincerely,

Robert McNamara
Chairman of the Auburn Area
Recreation & Park District
Board of Directors

Hard copy to: Judge Alan Pineschi,
Presiding Judge of the Superior Court