



BOARD OF SUPERVISORS

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MEMBERS OF THE BOARD

BILL CONNELLY
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September 10, 2013

Honorable Stephen E. Benson, Presiding Judge
Butte County Superior Court
One Court Street
Oroville, CA 95965

FILED Superior Court of California
County of Butte
SEP 13 2013
Kimberly Flener, Clerk
By K. Mohr Deputy

RE: Board of Supervisors' Response to the 2012-2013 Butte County Grand Jury Final Report

The Butte County Board of Supervisors would like to thank the members of the 2012-2013 Grand Jury for the many hours spent in researching, investigating, and making recommendations for improvements in government operations that benefit the citizens and taxpayers of Butte County.

In accordance with Penal Code Sections 933 and 933.05, the Board submits the following agency response to the findings and recommendations of the 2012-2013 Grand Jury Final Report pertaining to matters under its control.

Appointed department heads were requested to submit responses to the Chief Administrative Officer for attachment to the overall agency response included herein. You will find the various departmental responses located in Attachment A of this agency response. Responses provided to the Chief Administrative Officer by elected Department Heads have also been included as Attachment B. The Board of Supervisors' response is organized by major heading in the same order as listed in the 2012-2013 Grand Jury Report.

Bill Connelly

Bill Connelly, Chairman
Butte County Board of Supervisors

**2012–2013 BUTTE COUNTY GRAND JURY
BUTTE COUNTY DEPARTMENT OF CHILD SUPPORT SERVICES**

FINDINGS

F1 The Butte County Child Support Call Center is staffed by transferred county personnel, saving Butte County valuable funds.

The respondent partially agrees with the finding. The Butte County Child Support Services Call Center is staffed with county personnel, who are paid by restricted, non-County general funds. Call Center staff receive extensive training, which is of value if they transfer to a position funded by the general fund.

F2 The Butte County LCSA has increased its efficiency since 2001, becoming a California LCSAs leader.

The respondent agrees with the finding.

F3 LCSA uses a wide variety of analytical methods to measure and enhance the department's effectiveness.

The respondent agrees with the finding.

**2012-2013 BUTTE COUNTY GRAND JURY REPORT
BUTTE COUNTY DEPARTMENT OF EMPLOYMENT AND SOCIAL
SERVICES**

FINDINGS

F1 The social workers and their supervisors in the Adult Protective Services and In-Home Supportive Services programs are dedicated to providing the best possible services to their clients. They are to be commended for their work.

The respondent agrees with the finding.

F2 Adult Protective Services staff is concerned that they receive only about half the national average of referrals a month. They speculate that this may be due to lack of public knowledge regarding their services.

The respondent agrees with the finding.

F3 Not having a public health nurse inhibits the ability of the APS staff to evaluate medical neglect cases and to develop work plans for In-Home Supportive Services.

The respondent agrees with the finding.

F4 Fraud is a problem in some In-Home Supportive Services cases.

The respondent agrees with the finding.

F5 The caseloads of IHSS social workers are significantly large.

The respondent agrees with the finding.

F6 Staff in Adult Services feels communication with their supervisors is good, that they can voice concerns and that those concerns are heard.

The respondent agrees with the finding.

F7 There are safety concerns for Adult Services workers when doing field visits.

The respondent agrees with the finding.

RECOMMENDATIONS

R1 Develop and implement an outreach program to raise awareness of Adult Protective Services in order to educate the public about programs.

The recommendation requires further analysis.

Currently, Adult Protective Services provides outreach and education to community partners, service organizations, universities, and others, as well as those who are categorized as mandated reporters. The Department of Employment and Social Services will conduct a needs assessment to determine the needs of the community relative to Adult Protection Services and the programs available. Anticipated completion date is November 1, 2013.

R2 Hire additional public health nurses to evaluate and assist with APS and IHSS clients.

The recommendation has been implemented.

A full time Public Health Nurse has been hired in collaboration with Butte County Public Health. The Nurse functions in the Adult Protective Services Unit and is able to help Social Workers with their investigations and assess medical needs of the clients served.

R3 Continue to investigate and assist in prosecuting IHSS fraud cases and seek ways to reduce recurrences of fraud.

The recommendation requires further analysis.

In March 2013, the California Department of Social Services (CDSS) distributed uniform protocols focused on statewide coordination and communication to develop a coordinated and standardize process for fraud referrals and investigation, which includes a standard for deciding when to refer a case for fraud investigation.

By November 1, 2013 DESS will provide refresher training on the CDSS established protocols to all social work staff and seek input to determine if there are gaps in the fraud identification and/or referral process.

R4 Hire additional social workers to better manage the caseload for the IHSS program.

The recommendation requires further analysis.

DESS will assess workload demands and available fiscal resources to determine if adding positions is warranted. The analysis will be completed by November 1, 2013.

R5 Work with social workers in Adult Services to equip them with whatever resources are available that they would need to insure their safety.

The recommendation requires further analysis.

DESS will conduct a needs assessment to better understand the specific safety needs of Social Worker staff in the field. The analysis will be completed by January 1, 2014.

**2012-2013 BUTTE COUNTY GRAND JURY REPORT
CHILDREN'S SERVICES DIVISION**

FINDINGS

F1 The social workers and their supervisors in the Children's Services programs are dedicated to providing the best possible services to their clients. They are to be commended for their work.

The respondent agrees with the finding.

F2 Law enforcement works closely with the Children's Services Division. A training course in Children's Services policies and regulations for law enforcement would enhance the working relationship and would result in a more efficient collaboration.

The respondent agrees with the finding.

F3 While being involved with CPS is not a pleasant experience, it provides an opportunity for families to improve their circumstances.

The respondent agrees with the finding.

F4 CPS staff recognize and appreciate the personal counseling support that is available to them if needed.

The respondent agrees with the finding.

F5 While several programs are available to families working with CPS, there is a desire to provide more programs if funding were available.

The respondent agrees with the finding.

F6 Assumption by the county of Adoption Services should expedite the adoption process.

The respondent agrees with the finding.

F7 CSD has a wealth of information and checklists on foster care, child custody regulations, etc. However, it can only be obtained in hard copy from a CSD office.

The respondent agrees with the finding.

RECOMMENDATIONS

R1 Establish an orientation program on CPS parameters for law enforcement.

The recommendation requires further analysis.

DESS will conduct an analysis with input from local law enforcement jurisdiction and social work staff to determine orientation needs. The analysis will be completed by October 2013. Based on the results of the analysis, an orientation program will be developed and implemented by June 2014.

R2 Seek additional funding to expand the programs for families working with CPS.

The recommendation has been implemented.

DESS has used 2011 Realignment revenue to expand programs, including a prevention-based program, intensive wraparound service programs for foster youth at risk of group home care. With the implementation of the Affordable Care Act in 2014, parents involved with CPS will qualify for Medi-Cal, which may expand their eligibility to a number of health and mental health services.

R3 Monitor the newly acquired Adoption Services program to ensure that adoptions are taking place within 24 months.

The recommendation has been implemented.

DESS currently completes a monthly data review of all Child and Family Services Review categories, including federal performance standards that pertain to Adoptions. Management staff reviews this data and address concerns pertaining to departmental performance if discovered.

R4 Put as much information and checklists as possible on the Butte County government website, www.buttecounty.net.

The recommendation has not been implemented but will be in the future.

DESS will include information pertaining to Relative Foster Care, Adoption, Foster Care Recruitment, Trainings, etc. on the County's updated website. Additional information will be available to the community by November 1, 2013.

**2012-2013 BUTTE COUNTY GRAND JURY REPORT
EMPLOYMENT SERVICES AND ELIGIBILITY SERVICES DIVISIONS**

FINDINGS

F1 The demand for public assistance has increased over the past several years and will most likely continue to increase.

The respondent agrees with the finding.

F2 Although the county anticipates receiving additional state and federal funds to administer public assistance programs, the increases will not be sufficient to continue providing services in the current manner.

The respondent agrees with the finding.

F3 The Department of Employment and Social Services plans to reorganize the Eligibility Services Division in the manner of successful reorganizations in other counties.

The respondent agrees with the finding.

F4 The department deserves commendation for its proactive efforts to find economical ways to address increased workload.

The respondent agrees with the finding.

RECOMMENDATIONS

R1 Monitor the number of calls, length of time before a call is answered, length of each call, etc. of the future call center to ensure that the public continues to receive a high quality of service when calling for assistance.

The recommendation has not been implemented but will be in the future.

DESS will monitor the number of calls, length of time before a call is answered, the length of each call and other critical parameters of operation in order to assure that excellent customer service is provided by the Department's Customer Service Center. This will be implemented by October 2013.

R2 After implementation of the task-based workload allocation, conduct user surveys to determine customer satisfaction with the system and solicit ways to improve the service.

The recommendation has not been implemented but will be in the future.

DESS will explore and select a method to evaluate customer satisfaction for clients who are having their cases maintained, in an ongoing fashion, through the task-based approach to workload management. This will be completed by January 1, 2014.

This feedback will be solicited six months post-implementation in order to allow for a sufficient period of implementation to occur, facilitating the greatest insight into improvements needed or desired. This will be completed by June 2014.

2012-2013 BUTTE COUNTY GRAND JURY REPORT BUTTE COUNTY'S RESPONSE TO AB109

FINDINGS

F1 AB109 realignment legislation has aggravated an already serious overcrowding problem. This has emphasized the need for additional jail space.

The respondent partially disagrees with the finding.

The term "overcrowding" could be interpreted as meaning the jail is operating above rated capacity. The jail operates under a consent decree which places a population cap which the jail does not exceed.

F2 The Butte County Sheriff's Office has approached realignment in an innovative manner.

The respondent agrees with the finding.

F3 Inadequate local information and community conversation have resulted in a misunderstanding of AB109 by the public.

The respondent partially disagrees with the finding..

There appears to be public misunderstanding of AB 109. However, the information provided by the County has been plentiful and consistent. The Board of Supervisors has heard multiple reports on the matter; the Community Corrections Partnership, which determines AB 109 funding, holds open meetings regularly; the Sheriff, Undersheriff, District Attorney, and Chief Probation Officer have made presentations to a number of community, civic, and fraternal organizations, neighborhood groups, and community meetings; the Sheriff has partnered with Chico State University and has widely publicized the reports issued by the University; and representatives from the County have met with the newspapers' editorial boards.

F4 The Day Reporting Center program has been implemented in a manner that has been cost effective for county taxpayers.

The respondent agrees with the finding.

F5 There are inmates in the County Jail that could qualify for Alternative Custody Supervision if they had an acceptable place to live.

The respondent agrees with the finding.

F6 Medical needs of inmates in alternative custody programs are not taken care of by jail medical services or other government programs.

The respondent agrees with the finding.

F7 The CSUC research group is a valuable resource for the Butte County Sheriff's Office and this is a productive partnership.

The respondent agrees with the finding.

RECOMMENDATIONS

R1 Butte County needs to obtain funding to expand the critically overcrowded Butte County Jail, as recommended by the March 2013 Jail Needs Assessment.

The recommendation has been implemented.

Staff is currently working on obtaining funding from SB 1022 for a jail expansion and remodel. Awards are anticipated to be announced in January 2014.

R2 The Sheriff's Office should designate a public information officer to keep the citizens of Butte County better informed.

The recommendation has been implemented.

The Sheriff employs a media liaison who provides public information. In addition, the Sheriff and staff have made numerous presentations to community organizations, media, and governments.

R3 Butte County should explore ways to provide temporary housing options for indigent inmates who would otherwise qualify for alternative sentencing programs.

The recommendation has been implemented.

The County is currently exploring options through Sober Living Environment housing. Additionally, the County will explore temporary housing through the Butte Countywide Homeless Continuum of Care.

R4 Butte County needs to explore ways to provide basic medical care to those alternative custody inmates who do not qualify for state or federal health care assistance.

The recommendation has been implemented.

The County is currently exploring the possibility of opening a "clinic day" at the Day Reporting Center. The County implemented a Certified Expenditures for County Jail Patient Inmate Program effective July 1, 2013 and is also exploring additional MediCal eligibility for inmates effective January 2014 under the Affordable Care Act.

R5 Proposed changes in alternative custody programs by the CSUC study group should be prioritized by the Butte County Sheriff's Office.

The recommendation has been implemented.

The Sheriff is prioritizing the study findings and implementing them as able.

2012-2013 BUTTE COUNTY GRAND JURY REPORT BUTTE COUNTY EVIDENCE STORAGE/MORGUE

FINDINGS

F1 The existing Evidence Storage Facility is outdated and needs to be replaced.

The respondent agrees with the finding.

F2 Past attempts, dating back to 2003, to upgrade the Evidence Storage Facility or build a county-owned morgue have failed due to lack of funding.

The respondent agrees with the finding.

F3 Combining evidence storage with a Butte County morgue would be cost effective.

The respondent agrees with the finding.

F4 Any new facility should be located geographically near the Sheriff's Office.

The respondent agrees with the finding.

F5 Evidence is a critical component of criminal cases.

The respondent agrees with the finding.

F6 Butte County Evidence Storage Facility management and staff are doing an exceptional job of protecting evidence within the current facility.

The respondent agrees with the finding.

RECOMMENDATIONS

R1 Continue with the proposed plan for a new modernized evidence storage/morgue facility.

The recommendation has been implemented.

The project is on the County's Capital Improvement Plan.

R2 Solicit help from all funding sources to secure adequate funding for this critically-needed project.

The recommendation has been implemented.

Staff continues to search for additional funding for this project.

2012-2013 BUTTE COUNTY GRAND JURY REPORT BUTTE COUNTY JAIL

FINDINGS

F1 The Butte County Jail is operating well. Professionalism by correctional deputies and staff was demonstrated throughout the tour and interviews. Inmates were treated with respect and the jail was clean and orderly.

The respondent agrees with the finding.

F2 Jail overcrowding is evident now and destined to become worse in the near future if additional space is not found. The Sheriff's Office is actively searching for solutions.

The respondent partially disagrees with the finding.

The term "overcrowding" could be interpreted as meaning the jail is operating above rated capacity. The jail operates under a consent decree which places a population cap which the jail does not exceed.

F3 Alternative Custody Supervision programs are an effective way to minimize overcrowding and reflect a collaborative effort of the Sheriff's Office, Probation Department and the courts.

The respondent agrees with the finding.

F4 Modification in the pod tower control center would improve safety for correctional deputies. In the event of a disturbance in the housing pods, as it stands now, a door has to be opened to use deterrents such as pepper spray. This exposes the deputy to potential danger.

The respondent agrees with the finding.

F5 In the protective custody housing sections T3 and T4, the camera only shows the hallway. A camera is needed over the door so officers can monitor what's going on in the cells.

The respondent agrees with the finding.

F6 The wait for medical and dental appointments is sometimes excessive. Before AB109, most sentences were short term, and the County Jail was more involved

with medical emergencies. Now there is a greater need to focus on long-term medical care.

The respondent partially disagrees with the finding.

Although wait times for care has increased, the time for inmates to be seen is within community standards.

F7 Butte County Jail is not set up to effectively treat mental health disorders.

The respondent disagrees with the finding.

The jail has 24/7 access to a psychiatrist, marriage and family therapist, licensed clinical social worker, registered nurses with mental health training and a discharge planner. This team has the ability to treat inmates with a wide range of mental health disorders.

F8 There are some concerns among the correctional deputies due to the stress of managing security issues in an overcrowded jail.

The respondent partially disagrees with the finding.

The term "overcrowding" could be interpreted as meaning the jail is operating above rated capacity. The jail operates under a consent decree which places a population cap which the jail does not exceed.

F9 Having only seven female deputies is insufficient for a 24/7 operation.

The respondent partially disagrees with the finding.

There are currently 16 female correctional deputies.

RECOMMENDATIONS

R1 The Butte County Sheriff's Office, in cooperation with other county agencies, is encouraged to actively search for interim housing to accommodate inmates until jail expansion is completed.

The recommendation has been implemented.

The Sheriff has entered into an agreement with Sutter County Sheriff's Office to house low-level sentenced offenders at the Sutter County Jail. In addition, the Sheriff is currently exploring using a Sober Living Environment to house qualifying homeless inmates.

R2 The Butte County Sheriff's Office should continue its search for adequate funding to enlarge the jail.

The recommendation has been implemented.

Staff is currently working on obtaining funding from SB 1022 for a jail expansion and remodel. Awards are anticipated to be announced in January 2014.

R3 Develop a tracking system to evaluate the effectiveness of the ACS programs.

The recommendation has been implemented.

The Sheriff has partnered with Chico State University criminal justice researchers, who are studying effectiveness and efficiencies of the Alternative Custody Programs.

R4 Install ports in the pod tower control room to have direct access to the interior of the pods to introduce deterrents.

The recommendation has been implemented.

The Sheriff is working with a vendor to design and build a pass through port for the West Facility tower control rooms. Additionally, the Sheriff is working with a vendor to develop means of installing secure ports in the tower windows.

R5 Install a security camera over the doors of T3 and T4 so officers can monitor activity in the cells.

The recommendation is being studied by the Sheriff, an independently elected constitutional officer, and deals with sensitive operational issues of privacy for female inmates. Respondent defers implementation decision to the Sheriff, an independently-elected constitutional officer.

R6 Due to increased incarceration time, expand medical and dental care to cover the longer-term needs of inmates.

The recommendation has not yet been implemented, but will be in the future.

The Sheriff is currently negotiating with medical providers to expand care. Implementation is anticipated to be completed by December 31, 2013.

R7 Look for evidence-based methods of dealing with mental health disorders and formulate a plan for implementation at the County Jail.

The recommendation has not yet been implemented, but will be in the future.

The Sheriff is currently working with the Department of Behavioral Health to operate a Psychiatric Health Facility as part of the proposed jail expansion. The timing of the implementation will depend on the success of receiving SB 1022 grant funds, which will be known by January 2014.

R8 Conduct an anonymous survey of the correctional deputies for any possible concerns. Formulate a plan to address any issues and provide feedback to the deputies.

The recommendation is directed at the Sheriff, an independently elected constitutional officer.

R9 Recruit additional female correctional deputies.

The recommendation has been implemented.

There are currently 16 female correctional deputies. The Sheriff continues to actively recruit new female correctional deputies.

**2012–2013 BUTTE COUNTY GRAND JURY REPORT
BUTTE COUNTY JUVENILE HALL**

FINDINGS

F1 Juvenile Hall is clean, efficiently operated and focused on the needs of the juvenile detainees.

The respondent agrees with the finding.

F2 Staff members work hard to ensure the welfare and safety of the juveniles, plus try to establish mentoring relationships. These relationships provide positive role models and identify opportunities for the juveniles to improve their lives and succeed in the community.

The respondent agrees with the finding.

F3 Programs like the Boys and Girls Club and the Table Mountain School provide valuable services and reinforce positive behavior.

The respondent agrees with the finding.

F4 Counselor safety would be improved with earlier pepper spray training and more staff to deal with disturbances.

The respondent partially disagrees with the finding.

The use of chemical agents within Juvenile Hall is infrequent, and its use limited to seasoned staff.

F5 Due to increased numbers of gang-affiliated juveniles in custody, with limited options for separation, the potential for violence is increased.

This respondent agrees with this finding.

F6 A significant number of juveniles return multiple times to Juvenile Hall.

This respondent agrees with this finding.

F7 Visitation during the workweek is hard for some parents and guardians due to their work schedules.

This respondent agrees with this finding.

F8 The safety and security of the exercise yard is an issue. Access to the perimeter fence around the exercise yard is unsecured. Passing contraband over or through the fence is possible, although a visual check before use minimizes the risk. The lack of security cameras for the entire yard limits electronic monitoring capability.

This respondent agrees with this finding.

F9 Juvenile Hall needs a combination of more inside/outside security cameras to cover unmonitored areas and a security system upgrade for outdated and obsolete equipment.

This respondent agrees with this finding.

F10 Knowledge of the proposed security system upgrade was varied among the staff counselors.

The respondent agrees with the finding.

RECOMMENDATIONS

R1 Add pepper spray training earlier in the formal training program given to new counselors.

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

The use of chemical agents within Juvenile Hall is infrequent, and its use limited to seasoned staff.

R2 Increase the staff to provide more safety, security and one-on-one juvenile counseling.

This recommendation will not be implemented because it is not reasonable.

Existing Juvenile Hall staffing levels are within the levels required by the Board of State and Community Corrections.

R3 Explore opening a fourth pod for separating increased gang population and longer-term serious offenders.

This recommendation will not be implemented because it is not reasonable.

The Board of Supervisors must carefully balance competing interests in allocating limited resources. While implementing this recommendation could result in service improvements, there are other needs which are more immediate.

R4 Continue to improve and expand programs that deal with family counseling and parental interaction.

The recommendation has been implemented.

Juvenile Hall has dedicated outside counselors and therapists who interact with minors in custody and their parents. Additionally, a new process was established wherein Juvenile Hall Counselors and Probation Officers work together to manage a minor's case, which enables better interaction with parents and a more effective transition plan.

R5 Look at adjusting visiting hours to provide more weekend opportunities for parents and guardians.

This recommendation will not be implemented because it is not reasonable.

Current Juvenile Hall visiting hours exceed the minimum standards set by law, including visiting hours during the week and weekends, as well as accommodating special visitations for parents who cannot make regular visiting hours, and for special days such as birthdays and holidays.

R6 Limit public access to the exercise yard fence.

This recommendation will not be implemented because it is not warranted.

The existing fence meets current industry standards for Juvenile Halls. An additional exterior fence would still not prevent contraband from being thrown over it. Prior to all outdoor activity, staff check the fence and field.

R7 Make use of the jail drug dog to randomly search the exercise yard.

The recommendation has not been implemented, but will be in the future.

Following coordination between Probation and the Sheriff, staff will begin using the dog inside and outside the facility. Implementation is anticipated to be completed by January 2014.

R8 Make sure the Security System Upgrade Project includes some cameras with day/night recording capability to be deployed in the classrooms and around the exercise yard.

The recommendation has been implemented.

The Board of Supervisors approved a project to upgrade the entire camera system with several enhancements. The project is under way and will be completed in the current fiscal year.

R9 Proceed with acquiring funding and installation approval of the Security System Upgrade Project.

The recommendation has been implemented.

The project was approved in April 2013, and expected to be completed in the current fiscal year.

R10 Better communicate details and updates about the security system upgrade to the staff.

The recommendation has been implemented.

Staff receives verbal updates, emails, memos regarding the project. The department posts updated project timelines and details.

**2012-2013 BUTTE COUNTY GRAND JURY REPORT WATER:
BUTTE COUNTY'S VITAL RESOURCE**

FINDINGS

F1 The water resources of Butte County continue to be the focus of an ever increasing demand statewide.

The respondent agrees with the finding.

F2 The water districts in Butte County each service the needs of their area with the resources they have available.

Finding is directed at other governmental entities over which the Board of Supervisor has no jurisdiction.

F3 Butte County currently has the option of using or leasing its Table A water which currently provides a revenue source to the county general fund.

The respondent agrees with the finding.

F4 City of Chico is 100% reliant on the Tuscan Aquifer for its water.

The respondent agrees with the finding.

F5 In Butte County, the Lower Tuscan Aquifer groundwater elevation has dropped 13 feet or more over the last 20 years.

The respondent agrees with the finding.

F6 A report on the Lower Tuscan Aquifer is scheduled to be completed in June 2013 by the Butte County Department of Water and Resource Conservation.

The respondent agrees with the finding.

F7 Del Oro Water Company and Paradise Irrigation District have mutual assistance agreements for emergency water distribution to their customers.

Finding is directed at other governmental entities over which the Board of Supervisor has no jurisdiction.

F8 Paradise Irrigation District faces future demand and distribution challenges due to limited storage capacity.

Finding is directed at other governmental entities over which the Board of Supervisor has no jurisdiction.

F9 Thermalito Water and Sewer District has mutual assistance agreements with Cal Water, Oroville and South Feather Water and Power Agency.

Finding is directed at other governmental entities over which the Board of Supervisor has no jurisdiction.

F10 There are eight remaining toxic plumes in Chico that are still being monitored and mitigated.

Finding is directed at other governmental entities over which the Board of Supervisor has no jurisdiction.

F11 The Department of Toxic Substance Control and Cal Water have been thorough and vigilant in locating, controlling and cleaning the contaminated plumes in Chico.

Finding is directed at other governmental entities over which the Board of Supervisor has no jurisdiction.

F12 The Butte County Department of Water and Resource Conservation has not received any required permit requests for groundwater pumping as a substitute for surface water exported and sold outside the county.

The respondent agrees with the finding.

F13 The Butte County Department of Water and Resource Conservation has provided superior leadership in the county and the region on critical water issues.

The respondent agrees with the finding.

F14 The Butte County Department of Water and Resource Conservation study of the Tuscan Aquifer may yield a future strategy to halt the decline of the aquifer.

The respondent agrees with the finding.

F15 The Butte County Department of Water and Resource Conservation has been critical in supporting this Grand Jury investigation.

The respondent agrees with the finding.

RECOMMENDATIONS

R1 The Paradise Irrigation District needs to continue to protect and increase its water storage.

Recommendation is directed at other governmental entities over which the Board of Supervisor has no jurisdiction.

R2 The Butte County Department of Water and Resource Conservation needs to work closely with DWR to protect county Area of Origin water rights.

The recommendation has been implemented.

Area of Origin water rights is an unsettled legal term, which sometimes results in the County being at odds with state and federal agencies. The County continues to work with DWR to implement the County's policy to protect Area of Origin and County of Origin Water Rights.

R3 The Butte County Department of Water and Resource Conservation needs to explore strategies to fully utilize the Table A Water allocations for the benefit of Butte County.

The recommendation has been implemented.

The multi-year lease of the unused portion of the Table A water allocation transformed a fiscal liability to a sustainable asset for the County.

R4 The Butte County Department of Water and Resource Conservation should continue to study the Tuscan Aquifer and keep the public informed of the findings.

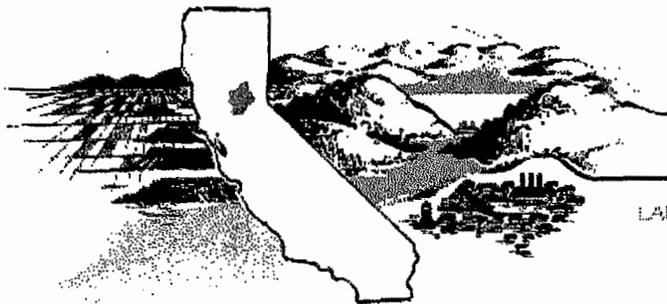
The recommendation has been implemented.

The Butte County Board of Supervisors established the Department of Water and Resources Conservation to evaluate, assess and report on ground water conditions.

The Department continues conducting water resource research as outlined in the Water Resource Protection and Sustainability Project.

Attachment A

Appointed Department Head Responses



Butte County

LAND OF NATURAL WEALTH AND BEAUTY

SHARON A. STONE
Child Support Services Director

July 31, 2013

The Honorable Stephen E. Benson, Presiding Judge
Superior Court, Butte County
One Court Street
Oroville, CA 95965

F Superior Court of California **F**
County of Butte
JUL 31 2013
D Kimberly Flener, Clerk D
By K. Mortensen Deputy

**Re: *Butte County's Department of Child Support Service's Response
to the FY 2012-13 Grand Jury Final Report***

Dear Judge Benson:

In accordance with Penal Code Sections 933 and 933.05, the Butte County Department of Child Support Services is responding to the findings of the Grand Jury's Final Report for FY 2012-2013.

Findings:

F1: The Butte County Child Support Call Center is staffed by transferred county personnel, saving Butte County valuable funds.

Response:

The Department agrees in part. The Butte County Child Support Call Center is staffed with personnel who are usually entering county work. Salary and benefits are paid by a non-county-general-fund source. Call Center staff receives extensive valuable training in handling customer calls in an efficient and effective manner. Often these individuals transfer to other county positions and are able to use their training in their new position. This training is of value to the county as a whole.

F2: The Butte County LCSA has increased in efficiency since 2001, becoming a California LCSAs leader.

Response:

The Department agrees.

F3: LCSA uses a wide variety of analytical methods to measure and enhance the department's effectiveness.

Response:

The Department agrees.

Grand Jury Recommendation

None.

Sincerely,



Sharon A. Stone, Director
Butte County Department of Child Support Services

cc: Butte County Board of Supervisors
Butte County Chief Administrative Officer



COUNTY OF BUTTE
DEPARTMENT OF EMPLOYMENT AND SOCIAL SERVICES

CATHI GRAMS
Director and Public Guardian/Public Administrator
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PHONE: (530) 538-7572 FAX: (530) 534-5745

August 1, 2013

Honorable Stephen E. Benson, Presiding Judge
c/o Court Administration
Superior Court of California, County of Butte
One Court Street
Oroville, CA 95965

FILED
Superior Court of California
County of Butte
AUG 06 2013
Kimberly Flener, Clerk
By *K. Morten* Deputy

Re: Department of Employment and Social Services (DESS) Director Responses to the 2012-2013 Grand Jury Final Report

Honorable Judge Benson:

Penal Code Section 933 and 933.05 provides that the governing body of the public agency shall comment to the presiding judge of the superior court on the findings and recommendations pertaining to matters under the control of the governing body. The Board of Supervisors, as the governing body of the County of Butte, will provide its response to the 2012-2013 Grand Jury Report by the statutory deadline.

2012-2013 BUTTE COUNTY GRAND JURY REPORT
BUTTE COUNTY DEPARTMENT OF EMPLOYMENT AND SOCIAL SERVICES

FINDINGS

F1 The social workers and their supervisors in the Adult Protective Services and In-Home Supportive Services programs are dedicated to providing the best possible services to their clients. They are to be commended for their work.

The respondent agrees with the finding.

F2 Adult Protective Services staff is concerned that they receive only about half the national average of referrals a month. They speculate that this may be due to lack of public knowledge regarding their services.

The respondent agrees with the finding.

F3 Not having a public health nurse inhibits the ability of the APS staff to evaluate medical neglect cases and to develop work plans for In-Home Supportive Services.

The respondent agrees with the finding.

F4 Fraud is a problem in some In-Home Supportive Services cases.

The respondent agrees with the finding.

F5 The caseloads of IHSS social workers are significantly large.

The respondent agrees with the finding.

F6 Staff in Adult Services feels communication with their supervisors is good, that they can voice concerns and that those concerns are heard.

The respondent agrees with the finding.

F7 There are safety concerns for Adult Services workers when doing field visits.

The respondent agrees with the finding.

RECOMMENDATIONS

R1 Develop and implement an outreach program to raise awareness of Adult Protective Services in order to educate the public about programs.

The recommendation requires further analysis.

Currently, Adult Protective Services provides outreach and education to community partners, service organizations, universities, and others as well as those who are mandated reporters. DESS will conduct a needs assessment to determine the needs of the community relative to Adult Protection Services and the programs available. This will be completed by November 1, 2013.

R2 Hire additional public health nurses to evaluate and assist with APS and IHSS clients.

The recommendation has been implemented.

A full time Public Health Nurse has been hired in collaboration with Butte County Public Health. The Nurse functions in the Adult Protective Services Unit and is able to help Social Workers with their investigations and assess medical needs of the clients served.

R3 Continue to investigate and assist in prosecuting IHSS fraud cases and seek ways to reduce recurrences of fraud.

The recommendation requires further analysis.

In March 2013, the California Department of Social Services (CDSS) distributed uniform protocols focused on statewide coordination and communication to develop a

coordinated and standardize process for fraud referrals and investigation, which includes a standard for deciding when to refer a case for fraud investigation.

DESS will provide refresher training on the CDSS established protocols to all social work staff and seek input to determine if there are gaps in the fraud identification and/or referral process. This will be completed by November 1, 2013.

R4 Hire additional social workers to better manage the caseload for the IHSS program.

The recommendation requires further analysis.

DESS will assess workload demands and available fiscal resources to determine if adding positions is warranted. The analysis will be completed by November 1, 2013.

R5 Work with social workers in Adult Services to equip them with whatever resources are available that they would need to insure their safety.

The recommendation requires further analysis.

DESS will conduct a needs assessment to better understand the specific safety needs of Social Worker staff in the field. This will be completed by January 1, 2014.

REQUEST FOR RESPONSE

Pursuant to Penal Code Section 933 and 933.05, the Grand Jury requests responses as follows:

- Director, Butte County Department of Employment and Social Services:
 - A response to Findings F1 through F7; and Recommendations R1 through R5

2012-2013 BUTTE COUNTY GRAND JURY REPORT CHILDREN'S SERVICES DIVISION

FINDINGS

F1 The social workers and their supervisors in the Children's Services programs are dedicated to providing the best possible services to their clients. They are to be commended for their work.

The respondent agrees with the finding

F2 Law enforcement works closely with the Children's Services Division. A training course in Children's Services policies and regulations for law enforcement would enhance the working relationship and would result in a more efficient collaboration.

The respondent agrees with the finding

F3 While being involved with CPS is not a pleasant experience, it provides an opportunity for families to improve their circumstances.

The respondent agrees with the finding

F4 CPS staff recognize and appreciate the personal counseling support that is available to them if needed.

The respondent agrees with the finding

F5 While several programs are available to families working with CPS, there is a desire to provide more programs if funding were available.

The respondent agrees with the finding

F6 Assumption by the county of Adoption Services should expedite the adoption process.

The respondent agrees with the finding

F7 CSD has a wealth of information and checklists on foster care, child custody regulations, etc. However, it can only be obtained in hard copy from a CSD office.

The respondent agrees with the finding

RECOMMENDATIONS

R1 Establish an orientation program on CPS parameters for law enforcement.

The recommendation requires further analysis.

DESS will conduct an analysis with input from local law enforcement jurisdiction and social work staff to determine orientation needs. The analysis will be completed by October 2013. Based on the results of the analysis, an orientation program will be developed and implemented by June 2014.

R2 Seek additional funding to expand the programs for families working with CPS.

The recommendation has been implemented.

DESS has used 2011 Realignment revenue to expand programs, including a prevention-based program, intensive wraparound service programs for foster youth at risk of group home care. With the implementation of the Affordable Care Act in 2014, parents involved with CPS will qualify for Medi-Cal, which may expand their eligibility to a number of health and mental health services.

R3 Monitor the newly acquired Adoption Services program to ensure that adoptions are taking place within 24 months.

The recommendation has been implemented.

DESS currently completes a monthly data review of all Child and Family Services Review categories, including federal performance standards that pertain to Adoptions. Management staff reviews this data and address concerns pertaining to departmental performance if discovered.

R4 Put as much information and checklists as possible on the Butte County government website, www.buttecounty.net.

The recommendation has not been implemented but will be in the future.

DESS will include information pertaining to Relative Foster Care, Adoption, Foster Care Recruitment, Trainings, etc. on the County's updated website. Additional information will be available to the community by November 1, 2013.

REQUEST FOR RESPONSE

Pursuant to Penal Code Section 933 and 933.05, the Grand Jury requests responses as follows:

- Director, Butte County Department of Employment and Social Services:
 - A response to Findings F1 through F7 and Recommendations R1 through R4

2012-2013 BUTTE COUNTY GRAND JURY REPORT EMPLOYMENT SERVICES AND ELIGIBILITY SERVICES DIVISIONS

FINDINGS

F1 The demand for public assistance has increased over the past several years and will most likely continue to increase.

The respondent agrees with the finding

F2 Although the county anticipates receiving additional state and federal funds to administer public assistance programs, the increases will not be sufficient to continue providing services in the current manner.

The respondent agrees with the finding

F3 The Department of Employment and Social Services plans to reorganize the Eligibility Services Division in the manner of successful reorganizations in other counties.

The respondent agrees with the finding

F4 The department deserves commendation for its proactive efforts to find economical ways to address increased workload.

The respondent agrees with the finding

RECOMMENDATIONS

R1 Monitor the number of calls, length of time before a call is answered, length of each call, etc. of the future call center to ensure that the public continues to receive a high quality of service when calling for assistance.

The recommendation has not been implemented but will be in the future.

DESS will monitor the number of calls, length of time before a call is answered, the length of each call and other critical parameters of operation in order to assure that excellent customer service is provided by the Department's Customer Service Center. This will be implemented by October 2013.

R2 After implementation of the task-based workload allocation, conduct user surveys to determine customer satisfaction with the system and solicit ways to improve the service.

The recommendation has not been implemented but will be in the future.

DESS will explore and select a method to evaluate customer satisfaction for clients who are having their cases maintained, in an ongoing fashion, through the task-based approach to workload management. This will be completed by January 1, 2014.

This feedback will be solicited six months post-implementation in order to allow for a sufficient period of implementation to occur, facilitating the greatest insight into improvements needed or desired. This will be completed by June 2014.

REQUEST FOR RESPONSE

Pursuant to Penal Code Section 933 and 933.05, the Grand Jury requests responses as follows:

- Director, Butte County Department of Employment and Social Services
 - A Response to Findings F1 through F4 and Recommendations R1 and R2

FINDINGS

F1 AB109 realignment legislation has aggravated an already serious overcrowding problem. This has emphasized the need for additional jail space.

The respondent partially disagrees with the finding.

The term "overcrowding" could be interpreted as meaning the jail is operating above rated capacity. The jail operates under a consent decree which places a population cap which the jail does not exceed.

F2 The Butte County Sheriff's Office has approached realignment in an innovative manner.

The respondent agrees with the finding

F3 Inadequate local information and community conversation have resulted in a misunderstanding of AB109 by the public.

The respondent partially disagrees with the finding.

There appears to be public misunderstanding of AB 109. However, the information provided by the County has been plentiful and consistent. The Board of Supervisors has heard multiple reports on the matter; the Community Corrections Partnership, which determines AB 109 funding holds open meetings regularly; the Sheriff, Undersheriff, District Attorney, and Chief Probation Officer have made presentations to a number of community, civic, and fraternal organizations, neighborhood groups, and community meetings; the Sheriff has partnered with Chico State University and has widely publicized the reports issued by the University; and representatives from the County have met with the newspapers' editorial boards.

F4 The Day Reporting Center program has been implemented in a manner that has been cost effective for county taxpayers.

The respondent agrees with the finding

F5 There are inmates in the County Jail that could qualify for Alternative Custody Supervision if they had an acceptable place to live.

The respondent agrees with the finding

F6 Medical needs of inmates in alternative custody programs are not taken care of by jail medical services or other government programs.

The respondent agrees with the finding

F7 The CSUC research group is a valuable resource for the Butte County Sheriff's Office and this is a productive partnership.

The respondent agrees with the finding

RECOMMENDATIONS

R1 Butte County needs to obtain funding to expand the critically overcrowded Butte County Jail, as recommended by the March 2013 Jail Needs Assessment.

The recommendation has been implemented.

Staff is currently working on obtaining funding from SB 1022 for a jail expansion and remodel. Awards are anticipated to be announced in January 2014.

R2 The Sheriff's Office should designate a public information officer to keep the citizens of Butte County better informed.

The recommendation has been implemented.

The Sheriff employs a media liaison who provides public information. In addition, the Sheriff and staff have made numerous presentations to community organizations, media, and governments.

R3 Butte County should explore ways to provide temporary housing options for indigent inmates who would otherwise qualify for alternative sentencing programs.

The recommendation has been implemented.

The County is currently exploring options through Sober Living Environment housing. Additionally, the County will explore temporary housing through the Butte Countywide Homeless Continuum of Care.

R4 Butte County needs to explore ways to provide basic medical care to those alternative custody inmates who do not qualify for state or federal health care assistance.

The recommendation has been implemented.

The County is currently exploring the possibility of opening a "clinic day" at the Day Reporting Center. The County implemented Certified Expenditures for County Jail Patient Inmate Program effective July 1, 2013 and is also exploring additional MediCal eligibility for inmates effective January 2014 under the Affordable Care Act.

R5 Proposed changes in alternative custody programs by the CSUC study group should be prioritized by the Butte County Sheriff's Office.

The recommendation has been implemented.

The Sheriff is prioritizing the study findings and implementing them as able.

REQUEST FOR RESPONSES

Pursuant to Penal Code sections 933 and 933.05, the Grand Jury requests responses as follows:

- Butte County Sheriff's Office:
 - A response to Findings F1 through F7 and Recommendations R1 through R5

- Butte County Board of Supervisors:
 - A response to Finding F1 and Recommendations R1 through R5

- Butte County Department of Employment and Social Services:
 - A response to Findings F5 and F6 and Recommendations R3 and R4

Sincerely,



Cathi Grams, Director
Butte County Department of Employment & Social Services

CC: County Administration Office



BUTTE COUNTY PROBATION DEPARTMENT



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Oroville, California 95965-3377
(530) 538-7661/7395 Fax: (530) 538-7871

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Chief Probation Officer
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GREG LYNCH
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Chief Deputy Probation Officer
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July 29, 2013

Honorable Stephen E. Benson, Presiding Judge
Butte County Superior Court
1 Court Street
Oroville, CA 95965

FILED Superior Court of California
County of Butte
AUG 05 2013
Kimberly Flener, Clerk
By *R. Martinez* Deputy

Honorable Judge Benson,

The following is in response to the Grand Jury Final report, dated 2012-2013, pages 52, 53, 54, under the heading Butte County Juvenile Hall (BCJH) as required by penal code section 933, 933.05.

FINDINGS

F1: Juvenile Hall is clean, efficiently operated and focused on the needs of the juvenile detainees.

This respondent agrees with this finding.

F2: Staff members work hard to ensure the welfare and safety of the juveniles, plus try to establish mentoring relationships. These relationships provide positive role models and identify opportunities for the juveniles to improve their lives and succeed in the community.

This respondent agrees with this finding.

F3: Programs like the Boys and Girls Club and the Table Mountain School provide valuable services and reinforce positive behavior.

This respondent agrees with this finding.

F4: Counselor safety would be improved with earlier pepper spray training and more staff to deal with disturbances.

This respondent disagrees with this finding.

F5: Due to increased numbers of gang-affiliated juveniles in custody, with limited options for separation, the potential for violence is increased.

This respondent agrees with this finding.

F6: A significant number of juveniles return multiple times to Juvenile Hall.

This respondent agrees with this finding.

F7: Visitation during the workweek is hard for some parents and guardians due to their work schedules.

This respondent agrees with this finding.

F8: The safety and security of the exercise yard is an issue. Access to the perimeter fence around the exercise yard is unsecured. Passing contraband over or through the fence is possible, although a visual check before use minimizes the risk. The lack of security cameras for the entire yard limits electronic monitoring capability.

This respondent agrees with this finding.

F9: Juvenile Hall needs a combination of more inside/outside security cameras to cover unmonitored areas and a security system upgrade for outdated and obsolete equipment.

This respondent agrees with this finding.

F10: Knowledge of the proposed security system upgrade was varied among the staff counselors.

This respondent agrees with this finding.

RECOMMENDATIONS:

R1: Add pepper spray training earlier in the formal training program given to new counselors.

This recommendation will not be implemented. This recommendation is not warranted as deployment of chemical agents is not a routine occurrence within Juvenile Hall and significant observation and training of newer staff is required prior to issuance of pepper spray.

R2: Increase staff to provide more safety, security, and one-on-one juvenile counseling.

This recommendation will not be implemented. The recommendation is not warranted as Butte County Juvenile Hall staffing levels are within the levels required by the Board of State and Community Corrections. Adding additional staff is not reasonable as budgetary constraints do not allow for this.

R3: Explore opening a fourth pod for separating increased gang population and longer-term serious offenders.

This recommendation will not be implemented. Opening of a fourth pod is not reasonable as Butte County Juvenile Hall currently operates under a Board of State and Community Corrections capacity rating of 60 beds. Opening a fourth pod would require the hiring of numerous additional staff and a cost of around one million dollars additional County general fund to operate annually.

R4: Continue to improve and expand programs that deal with family counseling and parental interaction.

This recommendation has been implemented. Butte County Juvenile Hall have dedicated outside counselors and therapists who interact with both the minors in custody and their families. Additionally, more effective ways to transition minors from juvenile hall back to the community are being explored through various partners including the Boys and Girls Club. Finally, Probation Officers and Juvenile Hall Counselors are now jointly managing caseloads for minors in custody which enables better interaction with parents during non-traditional work hours and establishes a more effective transitional plan.

R5: Look at adjusting visiting hours to provide more weekend opportunities for parents and guardians.

This recommendation will not be implemented. This recommendation is not warranted as Juvenile Hall currently has visitation both during the week and also on the weekends. Additionally, Juvenile Hall has accommodated special visitation for minors whose parents legitimately cannot make normal visitation due to work schedules. Special additional family visitation is also allowed for minors who have served more than 30 days in custody, birthdays, and certain holidays. Juvenile Hall currently exceeds minimum standards as they pertain to visitation.

R6: Limit public access to the exercise yard.

This recommendation will not be implemented as it is not warranted. An additional exterior fence surrounding the current fence would still not prevent contraband being thrown over it. The current fence has been built within industry standards for Juvenile Halls throughout the State of California. Prior to outdoor exercise, a check of both the fence and field is performed by Juvenile Hall staff. Staff have the ability to radio for additional assistance, including police, if security concerns arise during field use.

R7: Make use of the jail drug dog to randomly search the exercise yard.

This recommendation will be implemented by January 2014. Following further analysis and coordination with the Sheriff's department the staff will work to implement periodic utilization of the dog both outside and within the facility.

R8: Make sure the Security System Upgrade Project includes some cameras with day/night recording capability to be deployed in the classrooms and around the exercise yard.

This recommendation has been implemented. The Juvenile Hall has received approval from the Board of Supervisors to upgrade the entire camera system which includes numerous additional cameras and recording capabilities. This project is expected to be finished during the 2013-14 Grand Jury tenure.

R9: Proceed with acquiring funding and installation of the Security System Upgrade Project.

This recommendation has been implemented. On April 23, 2013, the Board of Supervisors approved the funding of the project. This project is expected to be finished during the 2013-14 Grand Jury tenure.

R10: Better communicate details and updates about the security system upgrade to staff.

This recommendation has been implemented and will be ongoing as the project progresses. Staff have received verbal updates, emails, memos, and the updated timelines and project details are posted and updated as the project progresses.

Sincerely,

Steven K. Bordin
Chief of Probation
County of Butte

Cc: Butte County Board of Supervisors



WATER AND RESOURCE CONSERVATION

308 Nelson Avenue, Oroville, CA 95965

Telephone: (530) 538-4343

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www.buttecounty.net/waterandresource

bcwater@buttecounty.net

Paul Gosselin, Director

August 7, 2013

Hon. Stephen E. Benson, Presiding Judge
c/o Court Administration
Superior Court of California, County of Butte
One Court Street, Oroville, CA 95965

Superior Court of California
County of Butte
AUG 09 2013
Kimberly Flener, Clerk
By *[Signature]* Deputy

Re: Response to the 2012-2013 Grand Jury Report

Dear Judge Benson:

Please find below the responses to the 2012-2013 Grand Jury Report in accordance with Penal Code Sections 933 and 933.05. The Department of Water and Resource Conservation appreciates the long hours and diligence of the members of the Grand Jury in investigating, researching and reviewing water issues.

FINDINGS

F1: The water resources of Butte County continue to be the focus of an ever increasing demand statewide.

Response: The respondent agrees with the finding.

F3: Butte County currently has the option of using or leasing its Table A water which currently provides a revenue source to the county general fund.

Response: The respondent agrees with the finding.

F4: The City of Chico is 100% reliant on the Tuscan Aquifer for its water

Response: The respondent agrees with the finding.

F5: In Butte County, the Lower Tuscan Aquifer groundwater elevation has dropped 13 feet or more over the last 20 years.

Response: The respondent agrees with the finding.

F6: A report on the Lower Tuscan Aquifer is scheduled to be completed in June 2013 by the Butte County Department of Water and Resource Conservation.

Response: The respondent agrees with the finding.

F12: The Butte County Department of Water and Resource Conservation has not received any required permit requests for groundwater pumping as a substitute for surface water exported and sold outside the county.

Response: The respondent agrees with the finding.

F14: The Butte County Department of Water and Resource Conservation study of the Tuscan Aquifer may yield a future strategy to halt the decline of the aquifer.

Response: The respondent agrees with the finding.

RECOMMENDATIONS

R2: The Butte County Department of Water and Resource Conservation needs to work closely with DWR to protect county Area of Origin water rights.

Response: The recommendation has been implemented. The protection of Area of Origin and County of Origin water rights is a long held policy of Butte County. Most recently, it was included as a policy in the 2030 General Plan. However, Area of Origin water rights remain an unsettled legal term. Butte County and those that support Area of Origin water right protections often are at odds with state and federal agencies and other interests. The Department understands the intent of the recommendation, but would like to acknowledge that the protection of Area of Origin water rights requires a constant monitoring of state and federal policies, programs and legislation that would erode Area of Origin water rights and the willingness to take appropriate measures to assure that those protections remain intact.

R3: The Butte County Department of Water and Resource Conservations needs to explore strategies to fully utilize the Table A Water allocations for the benefit of Butte County.

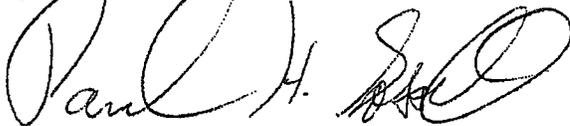
Response: The recommendation has been implemented. In 2010, the Department prepared for the Board of Supervisors a strategy for fully utilizing the Table A Water allocation. The most immediate action was to transform the Table A allocation from a fiscal liability to a sustainable asset for the County. The County has achieved that objective. Implementing strategies that will fully utilize the Table A allocation within the County will be a longer term venture. However,

actions to identify the most viable options are being conducted. One of these options involves assisting the California Water Service on their feasibility study that is evaluating options of utilizing the Table A allocation in the Chico area.

R4: The Butte County Department of Water and Resource Conservation should continue to study the Tuscan Aquifer and keep the public informed of the findings.

Response: The recommendation has been implemented. One of the Department's core responsibilities includes evaluating, assessing and reporting groundwater conditions. Additionally, special project studies will be implemented based on available funding. In the 2013-14 fiscal year budget, the Board of Supervisors allocated resources for the Department to conduct water resource research as outlined in the Water Resource Protection and Sustainability Project.

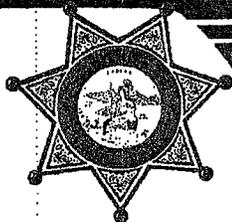
Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Paul H. Gosselin". The signature is written in dark ink and is positioned to the right of the typed name below it.

Paul H. Gosselin, Director

Attachment B

Elected Department Head Response



BUTTE COUNTY OFFICE OF THE
SHERIFF

JERRY W. SMITH
SHERIFF-CORONER

August 12, 2013

Honorable, Stephen E. Benson Presiding Judge
c/o Court Administration
Superior Court of California, County of Butte
One Court Street
Oroville CA 95965

F Superior Court of California F
I County of Butte I
L AUG 13 2013 L
E Kimberly, Flener, Clerk E
D By *K. M. Flener* Deputy D

RE: RESPONSE TO 2012-2013 GRAND JURY REPORT

Dear Judge Benson:

On behalf of the Butte County Sheriff's Office, I would like to thank the members of the Grand Jury for their many hours of dedicated service to the citizens of Butte County. The Grand Jury function is critical to ensuring the efficient operation of local government and I appreciate their efforts in regards to the Sheriff's Office. In accordance with Penal Code Sections 933 and 933.05, please accept this response to the findings and recommendations of the 2012-2013 Grand Jury.

BUTTE COUNTY JAIL

Grand Jury Findings:

F1: The Butte County Jail is operating well. Professionalism by correctional deputies and staff was demonstrated throughout the tour and interviews. Inmates were treated with respect and the jail was clean and orderly.

The respondent agrees with this finding.

F2: Jail overcrowding is evident now and destined to become worse in the near future if additional space is not found. The Sheriff's Office is actively searching for solutions.

The respondent agrees with this finding. That said, the jail is better described as being at capacity as opposed to being overcrowded.

F3: Alternative Custody Supervision programs are an effective way to minimize overcrowding and reflect a collaborative effort of the Sheriff's Office, Probation Department and the courts.

The respondent agrees with this finding.

F4: Modification in the pod tower control center would improve safety for correctional deputies. In the event of a disturbance in the housing pods, as it stands now, a door has to be opened to use deterrents such as pepper spray. This exposes the deputy to potential danger.

The respondent agrees with this finding. The addition of secure ports in the pod tower glass over each housing unit would allow introduction of deterrents into the unit while greatly reducing the danger to staff.

F5: In the protective custody housing sections T3 and T4, the camera only shows the hallway. A camera is needed over the door so officers can monitor what's going on in the cells.

The respondent agrees in part with this finding. The need for additional cameras in that area of the jail warrants further study.

F6: The wait for medical and dental appointments is sometimes excessive. Before AB109, most sentences were short term, and the County Jail was more involved with medical emergencies. Now there is a greater need to focus on long-term medical care.

The respondent agrees in part with this finding. Although the wait time for routine medical and dental appointments has increased as the jail has experienced higher average daily populations post AB 109, the time frame for inmates to be seen by a medical professional is in accord with community standards. Emergency and/or serious medical conditions are handled expeditiously.

F7: Butte County Jail is not set up to effectively treat mental health disorders.

The respondent does not agree with this finding. The Butte County Jail, through its contracted health care provider, has the ability to competently treat inmates with a wide range of mental health disorders. The jail has 24 hour, 7 day per week access to a Board Certified Psychiatrist, a Marriage Family Therapist (MFT), a Licensed Clinical Social Worker (LCSW), registered nurses with mental health training and a discharge planner. The services offered to inmates with mental health disorders include:

- Psychiatric assessments and treatments with Board Certified Psychiatrist,
- Assessments, referrals and therapy (with a Cognitive Behavioral emphasis) with a MFT,
- Assessments and referrals with a LCSW,
- Discharge planning for transitions back into the community including collaboration with probation, public health, housing, social services and treatment programs,
- Socializing and psycho-educational opportunities targeting patients in isolated housing, and
- Intercommunication and collaborating with Butte County Behavioral Health, the legal system and other entities to facilitate stabilization of patients in crisis or with severe mental health issues.

- F8: There are some concerns among the correctional deputies due to the stress of managing security issues in an overcrowded jail.

The respondent partially agrees with this finding. The jail is full, but not overcrowded. Correctional deputies do face increased challenges providing safety and security for a more criminally sophisticated and longer term inmate population.

- F9: Having only seven female deputies is insufficient for a 24/7 operation.

The respondent partially agrees with this finding. Currently the Butte County Jail employs 16 female correctional deputies in various capacities. Due to a variety of reasons, the jail does face recurrent challenges ensuring adequate staffing of female correctional deputies.

Grand Jury Recommendations:

- R1: The Butte County Sheriff's Office, in cooperation with other county agencies, is encouraged to actively search for interim housing to accommodate inmates until jail expansion is completed.

This recommendation is being implemented. The Sheriff's Office has an agreement with the Sutter County Sheriff's Office to house low level sentenced offenders at the Sutter County Jail. This agreement has allowed the Sheriff's Office to house a limited number of inmates in the Sutter County Jail. Additionally, the Sheriff's Office has issued a Butte County centered Request for Proposal (RFP) for Sober Living Environment (SLE) housing with an aim to place otherwise homeless inmates into an SLE situation if they would benefit. The Sheriff's Office will explore the possibility of utilizing SLE placement over the course of the next year.

- R2: The Butte County Sheriff's Office should continue its search for adequate funding to enlarge the jail.

This recommendation is being implemented. In an effort to obtain jail expansion funding pursuant to Senate Bill 1022, we have contracted with a consultant to help us apply for funding and are working closely with the Butte County Administration Office and General Services Departments to coordinate the effort.

- R3: Develop a tracking system to evaluate the effectiveness of the ACS programs.

This recommendation has already been implemented. The Butte County Sheriff's Office, specifically its Alternative Custody Supervision (ACS) unit, enjoys a close relationship with criminal justice researchers from the California State University, Chico. Those researchers have twice, since October 2011, published independent academic studies of the programming offered through ACS, gauging effectiveness and efficiencies when measured against "best practice" norms.

- R4: Install ports in the pod tower control room to have direct access to the interior of the pods to introduce deterrents.

This recommendation is being implemented. Earlier this year, jail staff examined a commercially manufactured aluminum port and evaluated its utility as a "pass-through port" for the West Facility tower control rooms. We requested the manufacturer to design and build a larger version as the currently offered version is too small to allow for the use of sighting devices on weapon platforms, such as the less-lethal 40mm munitions launcher. We are also in discussion with a local glass company examining alternative means of installing secure ports in the tower windows.

- R5: Install a security camera over the doors of T3 and T4 so officers can monitor activity in the cells.

This recommendation will be studied further. T3 and T4 have traditionally housed female inmates. Out of a heightened sense of privacy protection, we have historically not placed security cameras in locations that would diminish the privacy of female inmates using the shower and/or toilets in those housing units. Over the course of the next six months we will evaluate whether this practice should continue or be modified.

- R6: Due to increased incarceration time, expand medical and dental care to cover the longer term needs of inmates.

This recommendation is being implemented. We are currently negotiating a contract with a local optometrist and dentist to assist with some needs and have added more dental hours under the current contract. We are exploring expansion of jail medical care with our contracted health care provider.

- R7: Look for evidence-based methods of dealing with mental health disorders and formulate a plan for implementation at the County jail.

This recommendation is being implemented. In the last contract we added staff for release planning to help with coordinating after care for at risk people as well as expanding the socialization program for administratively segregated persons suffering from isolation or mental illness. It is our desire to substantially improve Mental Health Services in the jail by locating and operating a Psychiatric Health Facility (PHF) as part of the proposed jail expansion. This concept is currently being discussed between the Sheriff's Office and the Butte County Department of Behavioral Health.

- R8: Conduct an anonymous survey of the correctional deputies for any possible concerns. Formulate a plan to address any issues and provide feedback to the deputies.

This recommendation will be studied further. The Sheriff's Office values input from staff members and has practices in place designed to elicit input and address concerns of staff. Jail managers and supervisors meet regularly with members of the Corrections Division including representatives from the employees' bargaining unit. We have found this style of communication to be an effective way for line staff to communicate concerns to management and for management to return feedback and updates to staff. Additionally, in conjunction with researchers from California State University, Chico we have used anonymous surveys

in the past to elicit input and feedback from staff in reference to our implementation of programs designed to deal with the impact of AB 109. Over the course of the next six months we will evaluate this recommendation to determine if the use of a survey is warranted.

R9: Recruit additional female deputies.

This recommendation has already been implemented. Currently we have 16 female Correctional Deputies. We continue to actively seek out and recruit new female correctional deputies; in fact we swore in our newest female correctional deputy on July 2, 2013.

BUTTE COUNTY'S RESPONSE TO AB109

Grand Jury Findings:

F1: AB109 realignment legislation has aggravated an already serious overcrowding problem. This has emphasized the need for additional jail space.

The respondent agrees with this finding, but would add the following clarification. The Butte County Jail is better described as being at full capacity. The rated capacity of the Butte County Jail is 614 beds. The jail has maintained an average daily population (ADP) of 600 since AB 109 went into effect in October of 2011. Prior to that, the ADP was 540 inmates per day. At no time has the jail exceeded its maximum capacity or entered into an "overcrowded" status. This is due to the court ordered population cap known as the "Consent Decree," which provides a mechanism for early releases. Without the Consent Decree, the Butte County Jail would in fact be overcrowded. That said, there has been an increase in the number of inmates who should be housed or remain housed in the jail due to concerns for public safety. Additionally we have seen a significant increase in the number of early releases from custody, as mandated by the Consent Decree, since the implementation of AB 109. This does indeed illustrate the need for additional capacity within the jail.

F2: The Butte County Sheriff's Office has approached realignment in an innovative manner.

The respondent agrees with this finding.

F3: Inadequate local information and community conversation have resulted in a misunderstanding of AB 109 by the public.

The respondent agrees in part with this finding. Although confusion and misunderstanding of AB 109 still exist in some segments of the community, substantial effort has been made to provide information to the public about the impacts of AB 109 in Butte County by the Sheriff's Office and other Criminal Justice Stakeholders.

F4: The Day Reporting Center program has been implemented in a manner that has been cost effective for county taxpayers.

The respondent agrees with this finding.

F5: There are inmates in the County Jail that could qualify for Alternative Custody Supervision if they had an acceptable place to live.

The respondent agrees with this finding.

F6: Medical needs of inmates in alternative custody programs are not taken care of by jail medical services or other governmental programs.

The respondent agrees with this finding, but would add that there are governmental programs on the horizon which will mitigate this condition.

F7: The CSUC research group is a valuable resource for the Butte County Sheriff's Office and this is a productive partnership.

The respondent agrees with this finding.

Gran Jury Recommendations:

R1: Butte County needs to obtain funding to expand the critically overcrowded Butte County Jail, as recommended in the March 2013 Jail Needs Assessment

The Sheriff Office is working to implement this recommendation. Under our efforts to obtain jail expansion funding pursuant to Senate Bill 1022, we have contracted with a consultant to help us apply for funding and are working closely with the Butte County Chief Administrator's Office and the Finance and General Services Departments to coordinate the effort.

R2: The Sheriff's Office should designate a public information officer to keep the citizens of Butte County better informed.

This recommendation has already been implemented. The Butte County Sheriff's Office employs a media liaison, who coordinates media inquiries and manages the content of the Sheriff's Face Book and Twitter pages. The media liaison has provided information pertaining to AB 109 on a number of occasions. Since October 2011, the Sheriff's Office authored and distributed press releases regarding our successes and challenges dealing with the impacts of AB 109. Additionally members of the Sheriff's command staff have made public presentations pertaining to AB 109 to numerous community based organizations including Rotary clubs, Exchange clubs, Kiwanis clubs, the Oroville and Chico Republican Women's club, the Chico Tea Party, the League of Women Voters and the Butte County Homeless Continuum of Care.

- R3: Butte County should explore ways to provide temporary housing options for indigent inmates who would otherwise qualify for alternative sentencing.

The Sheriff's Office is working to implement this recommendation. Through our Alternative Custody Supervision unit, we have issued a Butte County centered Request for Proposal for Sober Living Environment (SLE) housing with an aim to place otherwise homeless inmates into an SLE situation if they would benefit.

- R4: Butte County should explore ways to provide basic medical care to those alternative custody inmates who do not qualify for state or federal health care assistance.

The Sheriff's Office is working to implement this recommendation. We currently encourage ACS inmates in need of medical care, whom otherwise cannot pay, to go to Shalom Free Clinic in Chico. We do allow inmates in the ACS program to provide for their own medical care when such care may be accomplished with the use of over the counter medications. We recently opened an internal dialogue to explore the possibility of providing a "clinic day" at the Day Reporting Center. Alternative Custody Supervision inmates in need of basic medical care, treatment or advice could attend the clinic, operated by the jail medical provider, and receive care as if they were in the actual jail.

The Sheriff's Office is also working with Butte County Department of Employment and Social Services (DESS) exploring the possibility of a Certified Expenditures for County Jail Patient Inmates program. Under such a program, hospitalized or inpatient ACS inmates would be covered by MediCal.

With a January 1, 2014 implementation date of the Affordable Care Act (ACA) fast approaching, the Sheriff's Office is partnered with DESS in an effort to assess any impacts the ACA will have on our inmate population.

- R5: Proposed changes in alternative custody programs by the CSUC study group should be prioritized by the Butte County Sheriff's Office.

This recommendation is being implemented. The more CSUC continues to study the effectiveness and efficiency of programming through our Alternative Custody Supervision program the clearer the picture becomes of our efforts. The Butte County Sheriff's Office is committed to remaining a model for California of how an alternative custody program should be run.

BUTTE COUNTY'S RESPONSE TO EVIDENCE STORAGE/MORGUE

Grand Jury Findings:

- F1: The existing Evidence Storage Facility is outdated and needs to be replaced.

The respondent agrees with this finding.

F2: Past attempts, dating back to 2003, to upgrade the Evidence Storage Facility or build a county-owned morgue have failed due to lack of funding.

The respondent agrees with this finding.

F3: Combining evidence storage with a Butte County morgue would be cost effective.

The respondent agrees with this finding.

F4: Any new facility should be located geographically near the Sheriff's Office.

The respondent agrees with this finding.

F5: Evidence is a critical component of criminal cases.

The respondent agrees with this finding.

F6: Butte County Evidence Storage Facility management and staff are doing an exceptional job of protecting evidence within the current facility.

The respondent agrees with this finding.

RECOMMENDATIONS

R1: Continue with the proposed plan for a new modernized evidence storage/morgue facility.

This recommendation has been implemented. The construction of an evidence/morgue facility remains on the list of projects to be completed pursuant to the County's Capital Improvement Program.

R2: Solicit help from all funding sources to secure adequate funding for this critically-needed project.

This recommendation has been implemented. The Sheriff's Office continues to work with the County's Administration and the Board of Supervisors to identify funding for this project.

BUTTE COUNTY JUVENILE HALL

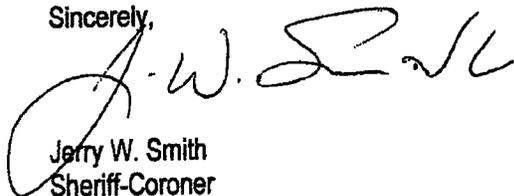
RECOMMENDATIONS

R7: Make use of jail dog to randomly search the exercise yard.

The Sheriff's Office is prepared to implement this recommendation, if the Probation Department determines that it is warranted.

This concludes my response to the 2012-2013 Grand Jury report. Once again, I appreciate all the recommendations made by the Grand Jury, and remain convinced that this type of citizen participation in the operations of government is crucial to our successful operation.

Sincerely,

A handwritten signature in black ink, appearing to read "J. W. Smith". The signature is written in a cursive style with a large initial "J" and "S".

Jerry W. Smith
Sheriff-Coroner

cc: Board of Supervisors
Steve Lambert
Bill Connelly
Larry Wahl
Maureen Kirk
Doug Teeter
Paul Hahn, Chief Administrative Officer