

The word 'YOLO' is rendered in large, bold, sans-serif letters. Each letter is filled with a different agricultural scene: the 'Y' shows a sunset over a field; the first 'O' shows a green field; the 'L' shows a red tractor in a field; and the second 'O' shows a sunset over a field. Below 'YOLO', the word 'COUNTY' is written in a smaller, bold, green, sans-serif font.

YOLO COUNTY



Grand Jury Final Consolidated Report

2021 - 2022

2021-22 YOLO COUNTY GRAND JURY FINAL CONSOLIDATED REPORT

A Report for the Citizens of Yolo County, California

JUNE 29, 2022



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ACKNOWLEDGMENTS

The 2021-22 Yolo County Grand Jury is composed of citizen volunteers from throughout the county. The Final Consolidated Report represents the commitment and hard work of the jurors, who were dedicated to impartially evaluating each issue so that any published report would improve financial transparency, local government accountability, and ultimately, the county community.

We wish to express our sincere gratitude and admiration to all those jurors who applied their various skills and interests in accomplishing this task. The grand jury appreciates and thanks the Yolo County employees and officials, as well as those in Jury Services who provided us with support and guidance throughout the process. Finally, we would like to thank all those who participated in the interview process, making these reports possible. It has been our honor and privilege to serve the citizens of Yolo County.

Special thanks to several community members of Yolo County who were unable to complete their term but contributed invaluable time and effort.

LETTER TO HONORABLE DANIEL M. WOLK

Honorable Daniel M. Wolk
Judge, Superior Court of California
1000 Main Street
Woodland, CA 95776

Dear Judge Wolk,

The 2021-22 Yolo County Grand Jury is honored to prepare and present our Final Consolidated Report to you and to the citizens of Yolo County.

The grand jury received and reviewed 27 citizen complaints. Of those complaints, seven were referred to the different Grand Jury Committees. Due to the timing of some submitted complaints, seven are being forwarded to the incoming grand jury so the complaints may receive adequate review and investigation.

The grand jury inspected the Yolo County Monroe Detention Facility as stipulated by the California Penal Code. In its Final Consolidated Report, the grand jury presents three reports based on investigations initiated by the grand jury and four based on citizen complaints.

The 2021-22 Yolo County Grand Jury is composed of a diverse group of selfless volunteers from throughout the county. The Final Consolidated Report represents the commitment and hard work of the jurors, who were dedicated to finding the truth and improving the county community. I personally wish to express my sincere gratitude and admiration to all those who applied their various skills and interests in accomplishing this task.

The grand jury appreciates and thanks all the Yolo County employees and officials, as well as those in Jury Services, providing us with support and guidance throughout the process. It has been our honor and privilege to serve the citizens of Yolo County.

Michael Familia

Michael Familia, Foreperson
2021-2022 Yolo County Grand Jury

RESOLUTION

The 2021-22 Yolo County Grand Jury Approves the Final Report

WHEREAS, the 18 members of the 2021-22 Yolo County Grand Jury (“Grand Jury”) conducted investigations and prepared various reports, all of which are included in its consolidated final report for the 2021-22 term; and

WHEREAS, as is customary, the Grand Jury handled each investigation through committees that are each vested with primary responsibility for (among other things) determining the investigation strategy, conducting interviews and gathering other evidence, and producing various review versions of each report; and

WHEREAS, four members of the Grand Jury have recused themselves from all aspects of one investigation and related work by the Grand Jury, including review and approval of the final investigation report; and

WHEREAS, the purpose of this Resolution is to facilitate approval of the consolidated final report by the Grand Jury while also preserving the prior recusal of the four members on the single report mentioned above;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Grand Jury finds the foregoing recitals are true and correct.
2. By adoption of this Resolution, the Grand Jury hereby approves the final, consolidated report for the 2021-22 term, with its members voting as shown below. In voting to approve this Resolution, the four grand jurors that previously recused themselves from participating in the Grand Jury’s efforts on the report entitled “You Only Vote Once” specifically maintained their recusal as to that matter but are deemed to have approved all other reports included in the consolidated report.

PASSED AND ADOPTED by the Grand Jury this 20th day of June 2022, by the following vote:

AYES: Michael Familia, Jeff Fortis, Judy Lindenmuth, Steven Oldham, Jennifer Robinson, Dianne Schaufenbuel, Miriam Schroeder, Virginia Herold, Allen Lowry, Dale Striver, Samantha Smith, Harel Ho, Susan Pelican, Mike Munoz

NOES: None

ABSENT: Elizabeth Yeh, Santos Cervantes, Tony Marigo, Emily MacDonald

ABSTAIN: None

Michael Familia

Michael Familia, Foreperson

THE YOLO COUNTY GRAND JURY ROSTER

Michael Familia, Foreperson, Woodland
Jeffrey Fortis, Foreperson Pro Tempore, Woodland
Jennifer Robinson, Secretary, Woodland

Santos Cervantes
Woodland

Virginia Herold
Davis

Harel Ho
Davis

Judy Lindenmuth
West Sacramento

Allen Lowry
Davis

Emily MacDonald
Woodland

Tony Marigo
Davis

Mike Munoz
Woodland

Steven Oldham
West Sacramento

Susan Pelican
Woodland

Dianne Schaufenbuel
Davis

Miriam Schroeder
Woodland

Samantha Smith
West Sacramento

Dale Stiver
Woodland

Elizabeth Yeh
Davis

ABOUT THE GRAND JURY

The California Constitution requires that each county appoint a grand jury to guard the public interest by monitoring local government. Per California Penal Code section (§) 888, the Yolo County Superior Court appoints 19 grand jurors each year from a pool of volunteers. These Yolo County citizens, with diverse and varied backgrounds, serve their community as grand jurors from July 1st to June 30th. The Yolo County Grand Jury is an official, independent body of the court, not answerable to administrators or to the Board of Supervisors.

PURPOSE

The California Grand Jury has three basic functions: to weigh criminal charges and determine whether indictments should be returned (Penal Code §917); to weigh allegations of misconduct against public officials and determine whether to present formal accusations requesting their removal from office (Penal Code §992); and to act as the public's watchdog by investigating and reporting on the affairs of local government (e.g., Penal Code §§919, 925, et seq.). The purposes of any grand jury civil investigation are to identify organizational strengths and weaknesses and to make recommendations aimed at improving the services of county and city governments, school districts, and special districts under study. Based on these assessments, the grand jury publishes its findings and may recommend constructive action to improve the quality and effectiveness of local government.

Recommendations from the grand jury are not binding on the organization investigated. However, the governing body of any public agency must respond to the grand jury findings and recommendations within 90 days, and an elected county officer or agency head must respond to the grand jury findings and recommendations within 60 days. The following year's grand jury will then evaluate and report on the required responses.

All reports included in the document have been approved by at least 12 jurors. Any juror who has a personal interest or might be perceived to have a personal interest in an investigation, is recused from discussion and voting regarding the matter. All reports are reviewed by the grand jury's lead advisors to ensure conformance with prevailing laws.

The grand jury investigates complaints from private citizens, local government officials, or government employees; initiates investigations based on ideas generated from the jury; and follows California Penal Code that requires it to inspect the county's jails.

Copies of the Grand Jury's Final Consolidated Report, consisting of each year's individual reports on departments and agencies and responses to the prior year's report, are available in hard copy at the courthouse, in all public libraries, and on-line via the grand jury's website, <http://www.yolocounty.org/grand-jury>. Grand jurors and all witnesses are sworn to secrecy and, except in rare circumstances, records of meetings may not be subpoenaed. This secrecy ensures that neither the identity of the complainant nor the testimony offered to the grand jury

during its investigations will be revealed. The grand jury exercises its own discretion in deciding whether to investigate or report its findings on all complaints.

HOW TO SUBMIT A COMPLAINT

Complaints must be submitted in writing and should include any supporting evidence available. A person can pick up a complaint form at the county courthouse, the jail, or any local library. Alternatively, a person can request a form be mailed by calling 530-406-5088, by writing to the Grand Jury at P.O. Box 2142, Woodland, CA 95776, or by accessing the grand jury's website at <http://www.yolocounty.org/grand-jury>.

Complaints should be mailed to P.O. Box 2142, Woodland CA 95776 or sent to the grand jury's email address, grandjury@yolocounty.org. It is not necessary to use the printed form as long as the essential information is included in the complaint. Complaints received after February, when the grand jury's investigative work is wrapping up, may be referred to the next year's grand jury for consideration.

REQUIREMENTS AND SELECTION OF GRAND JURORS

To be eligible for the grand jury you must meet the following criteria:

- You must be a citizen of the United States;
- You must be 18 years of age or older;
- You must have been a resident of Yolo County for at least one year immediately before selection;
- You must be in possession of your natural faculties, of ordinary intelligence, of sound judgement and fair character;
- You must possess sufficient knowledge of the English language;
- You are not currently serving as a trial juror in any court of this state during the time of your grand jury term;
- You have not been discharged as a grand juror in any court of this state within one year;
- You have not been convicted of malfeasance in office or any felony; and
- You are not serving as an elected public officer.

In addition to the requirements prescribed by California law, applicants for the grand jury should be aware of the following requirements:

- Service on the grand jury requires a minimum of 25 hours per month at various times during the day, evening and weekend. During peak months, 40 hours a month is typical, with more hours for those in leadership positions.
- Jurors must maintain electronic communications to participate in meeting planning, report distribution, and other essential jury functions.

Each spring, the Yolo County Superior Court solicits applicants for the upcoming year's grand jury. Anyone interested in becoming a grand juror can apply to the court in the spring, usually in

April. Application forms are available at the courthouse or from the grand jury's website at <http://www.yolocounty.org/grand-jury>. Applications are managed by the Jury Services Supervisor, Yolo County Courthouse, 1000 Main Street, Woodland, CA 95695, telephone 530-406-6828. The court evaluates written applications and, from these, identifies and interviews potential jurors to comprise the panel of nineteen citizens and alternates. Following a screening process by the court, grand jurors are selected by lottery as prescribed by California law.

Investigative Reports

Yolo County Grand Jury Final Consolidated Report

The 2021-22 Yolo County Grand Jury is honored to present the Final Consolidated Report to the citizens of Yolo County. In its Final Consolidated Report, the grand jury presents three reports based on investigations initiated by the grand jury and four based on citizen complaints.



A SNAPSHOT IN TIME

An overview of the Yolo County jail

Published by 2021-22 Grand Jury on May 20, 2022

SUMMARY

The 2021-22 Grand Jury conducted the mandated annual tour of the Monroe Detention Center (MDC) on November 18, 2021. This report focuses on the conditions of the MDC including mental health, nutrition, visitation, COVID-19 restrictions, grievances, and pre-release efforts. In particular, this grand jury is concerned about the archaic means MDC staff currently use to track grievances and the lack of pre-release planning afforded to inmates. A separate report entitled “**CANCELLED!**” by this YCGJ addresses the topic of inmate visitation.

The grand jury finds that changes are primarily needed in two areas. The grand jury recommends the Yolo County Sheriff's Office (YCSO) establish a basic computer software program to electronically track inmate grievances, resolutions, and dispositions. The grand jury also recommends that the YCSO prioritize the hiring of a full-time program coordinator to better support inmates in preparing for their release back into our community.

DEFINITIONS

BSCC	California Board of State and Community Corrections, a state agency that conducts biennial inspections of state, county, city, and court detention facilities.
COVID-19	A communicable disease leading to emergency public health measures beginning in March 2020.
HHSA	Yolo County Health and Human Services Agency
LMC	Walter J. Leinberger Memorial Center, and will be the minimum custody inmate housing facility, that is scheduled for completion in December 2022
MDC	Monroe Detention Center, a jail facility for medium and maximum custody adult inmates, originally opened in 1988.
YCSO	Yolo County Sheriff's Office located in Woodland, California

BACKGROUND

The MDC and Leinberger Memorial Center (LMC) are divisions of the YCSO. The grand jury reviewed prior grand jury reports from the 2014-15 term through the 2019-20 term. Previously, the California Board of State and Community Corrections (BSCC) conducted the 2018-20 biennial inspection of MDC operations on June 12, 2019.

The MDC is a facility rated to house inmates with several different security classifications (minimum, medium, maximum). During the November 18, 2021 tour, the grand jury observed the areas toured were generally clean and well maintained. There were 254 males and 26 females housed there on the day of the visit. Custodial staffing included 95 non-sworn correctional officers, 4 correctional sergeants, 3 correctional lieutenants, and 1 sworn correctional captain. MDC staff stated that rule violations have declined during the ongoing COVID-19 pandemic.

On March 27, 2020, the YCSO received approval from the BSCC to suspend normal operations at the MDC due to the COVID-19 pandemic. Suspended inmate programs include: inmate education plan; social visiting; exercise and recreation; individual/family service programs; and religious programs. The YCSO must request approval from the state for continued suspension of normal operations on a monthly basis and has done so as recently as April 4, 2022 (Exhibit A). This April 2022 BSCC approval no longer lists *Visitation* or *Inmate Education* as suspended. During the tour, staff discussed current issues impacted by the suspension of the non-essential inmate programs. The emergency suspension of the BSCC standards has meant that non-essential staff and all volunteers have not been allowed to enter the MDC.

APPROACH

Annual visits by the grand jury are mandated by California Penal Code Section 919 (a)(b). The grand jury conducted a tour of the MDC on November 18, 2021. Special permission was needed in this case due to two separate inmate outbreaks of COVID-19 at the MDC during the Fall of 2021. On the day of the tour, detention staff reported there were no positive cases of COVID-19 among the inmate population or staff. As published in the “**CANCELLED!**” report, the general public has been denied the ability to visit inmates at the MDC since March 2020. MDC staff was very accommodating from beginning to end to ensure that the tour was safe for everyone involved.

The MDC areas toured by the grand jury include: intake booking and release, healthcare wing, inmate housing pods, recreation yard, main kitchen, laundry, central control, staff offices/training rooms, and inmate visiting areas. There was no inmate movement during the tour due to the lockdown of inmates in their housing units caused by COVID-19 restrictions. The grand jury interviewed several custodial line staff, supervisory staff, and non-custodial staff, as well as inmates. Jurors reviewed written policies from the YCSO Custody Policy and Procedures Manual specifically pertaining to visiting policies and the inmate grievance policy. The grand jury was provided a copy of the Inmate Rules Handbook.

On December 14, 2021, two jurors returned to the MDC for a follow-up site visit, specifically to review staff logs of inmate grievances. MDC staff was unwilling to provide the jurors with hard copies of inmate grievances for the previous 12-month period. The jurors were instead provided with summary tracking logs to allow for manual counting of the total number of grievances. Approximately 22 pages of the paper tracking logs were reviewed and broken down into categories and sub-categories (EXHIBIT C). The overall process of reviewing the logs was

cumbersome and time consuming. After logs were reviewed, the jurors interviewed a staff member knowledgeable about pre-release planning for inmates.

DISCUSSION

Mental Health

MDC staff estimated that 70 - 80% of the inmate population have mental health concerns. At the present time, the Yolo County Department of Health and Human Services (HHSA) contracts with Wellpath¹, a for-profit healthcare provider for correctional facilities for medical, mental health, and dental services at the MDC. Staff noted that Wellpath provides one part-time psychiatrist and one part-time dentist for the whole MDC population.

Nutrition and Laundry

The grand jury toured the kitchen building and an adjacent laundry room. These areas appeared clean and well maintained. Kitchen staff provided a sample meal to the grand jury members. The serving was adequate and nutritious and was said to meet the daily dietary needs of the inmates. The inmates receive two hot meals and one sack lunch per day, which are consumed in their cells. Several inmates interviewed complimented the food served at MDC. Notably, when inmates are disciplined, punishment may include receiving alternative meals. The MDC laundry room was in operation during the tour. Staff and several minimum custody inmates working here appeared content with their jobs.

Visitation

Grand jurors were given a copy of the current MDC visiting policy within the Custody Policy and Procedures Manual. The grand jury inquired about previous grand jury recommendations for an on-line visiting scheduling software program for use by family and friends. The lack of implementation of recommendations is an ongoing issue addressed by the 2021-22 Grand Jury in a separate report entitled "**CANCELLED!**".

COVID-19 Restrictions

There appeared to be excessive isolation among the inmate population due to the current lockdown. Inmates are provided with a minimum of one hour and a maximum of 6 hours of out-of-cell time per day, depending on an individual's security level. It is only during this time that they may enjoy the recreation yard connected to their housing unit, check-out books from the book cart, participate in video education programs, etc. The grand jury observed that inmates are fed in their cells and not in common dining areas, due to continuing COVID-19 restrictions. As mentioned above, volunteers from the public, such as those involved in self-

¹ <https://wellpathcare.com/>

help programs, have not been allowed inside the MDC. The grand jury observed that all staff were masked while the inmate population did not wear masks.

Grievances

A copy of the Inmate Grievance Procedure was provided to the grand jury (Exhibit B). The jurors reviewed copies of grievance logs provided by staff to determine which issues were most often grieved by inmates. A total of 630 grievances were submitted by inmates during the 2021 calendar year. As of March 7, 2022, a total of 127 grievances had been submitted for the 2022 calendar year. The handwritten logs did not record the decision or disposition of each grievance (Exhibit C). Each grievance form submitted is given a log number and manually categorized by issue. The five issues most grieved were ranked as: (1) medical; (2) programs; (3) housing; (4) commissary; and (5) complaints against staff. The grand jury was not permitted to inspect copies of the grievances themselves.

The BSCC does not require a computerized grievance tracking system, it only requires that a detention facility have an inmate grievance process in place. The YCSO does not currently have a computerized inmate grievance tracking system. A simple software program would enable analysis and tracking of inmate grievances rather than, or in addition to, the handwritten “binder” system currently used. A basic data tracking system would allow MDC staff and the YCSO to identify trends early on, to promote resolutions, and to allow for prompt, evidence-based action. For example, this would be helpful in quickly determining the exact number of grievances, the category and subcategory of those grievances, and the individual grievances themselves. Additionally, a computerized program would enable greater organization and transparency. The last grand jury to inspect actual hard copies of inmate grievances was the 2015-16 Yolo County Grand Jury.

Staff Concerns

The grand jury interviewed custodial and non-custodial staff on both tour dates. Staff reported that California Assembly Bill 109 (AB 109) resulted in more inmates serving longer sentences in the MDC than before. AB 109, known as Realignment, is a measure passed in 2011 that diverts defendants convicted of less serious felonies to serve their time in local county jails rather than state prisons. Due to those changes, one result was an increase in average levels of criminal sophistication among the inmate population. Staff also expressed concerns with the aftermath of Proposition 47, The Safe Neighborhood and Schools Act, a ballot initiative approved by voters in 2014, which they claim correlates with higher rates of recidivism and potentially increases the average criminality in the inmate population. As a result, safety concerns for staff and inmates have continued to increase. Staff also reported that involuntary over-time had recently occurred as a result of the COVID-19 lockdown. Supervisory staff reported that staffing at the MDC is adequate at this time, although there are currently six vacancies.

Inmate Pre-Release Planning Efforts

Another area of concern is the minimal level of assistance provided to inmates prior to release. Assistance is limited to only those inmates who request pre-release planning and those referred by medical or mental health staff. Housing is the most requested form of assistance from inmates who are pending release. Staff also expressed concern that many inmates are released back into our community with very little or no “case management” or follow-up care surrounding their mental health, drug treatment, or physical health appointments. During the COVID-19 pandemic, staff reportedly tried to assist with emergency housing options however, homeless shelters and other available outside resources were very limited. Newly released inmates are provided with YoloBus vouchers to any part of the county, if they request it. Inmates are not released with any “gate funds” beyond their own possessions and may be released at any time during the day or night. If requested, inmates can seek assistance with job search and placement prior to their release date. Recidivism remains a big concern for Yolo County as inmate recidivism within five years of original conviction sits at over 50%².

There is *no* full-time staff member solely assigned to assist inmates in developing a pre-release plan. There are kiosks in the inmate housing pods with informational handouts regarding available re-entry planning.

MDC staff provided follow-up information concerning pre-release efforts. One staff member’s job duty includes assisting inmates with community re-entry matters, among other assigned responsibilities at the MDC. There are several Yolo County partner agencies that manage inmate cases and assist in release planning, including: HHSA, Probation Department, California Department of Corrections and Rehabilitation (Parole Unit), Office of the Public Defender, and CommuniCare. Staff from these partner agencies normally refer inmates back to the designated staff person at MDC who assists with re-entry planning. Inmates may request substance abuse residential treatment and/or transitional housing through the HHSA referral process.

FINDINGS

- F-1 The current tracking system for inmate grievances (paper, pens) does not lend itself to analysis of the dispositions, tracking or data searching to make reports, discern trends or proactively identify areas of concern.
- F-2 There are inadequate pre-release planning and resources available for inmates pending release.

² <https://www.yolocounty.org/home/showpublisheddocument/65272/637414760246630000>; accessed 04/23/2022

RECOMMENDATIONS

- R-1 The grand jury recommends that the YCSO utilize computer programming already procured and paid for by Yolo County, Microsoft Excel, to establish a simple computerized grievance system. If necessary, the grand jury recommends that the YCSO request funding from the County Board of Supervisors to fund a basic computerized grievance system. This should be completed by December 31, 2022.
- R-2 The YCSO should develop a procedure and train staff to use the computerized grievance tracking system by December 31, 2022.
- R-3 The YCSO should prioritize the hiring of a full-time program coordinator to better support inmates in preparing for their release back into our communities, by December 31, 2022.

COMMENDATIONS

It should be noted that the grand jury was not made aware of any formal complaints from the public regarding the MDC.

REQUIRED RESPONSES

Pursuant to California Penal Code Section 933.05, the YCGJ requests a response from the Yolo County Sheriff to Recommendations R-1 through R-3 by October 1, 2022.

EXHIBIT A: BSCC approval to the Yolo County Sherriff's Office to continue to suspend standards at the MDC, April 4, 2022.



TO: Tom Lopez, Yolo County Sheriff
FROM: Linda Penner, Chair, Board of State and Community Corrections
DATE: April 4, 2022
RE: COVID-19 EMERGENCY SUSPENSION OF STANDARDS THROUGH May 3, 2022

In response to the COVID-19 pandemic, and in accordance with federal, state and local public health guidance and directives, the Yolo County Sheriff's Office requested emergency suspension of the following standards in their local detention facilities:

- 3/20/2020 § 1065. Exercise and Recreation.
- 3/20/2020 § 1070. Individual/Family Service Programs.
- 3/20/2020 § 1072. Religious Observances.

The BSCC has reviewed your request for suspension of standards and plans to mitigate impact of the suspension. I hereby grant the Yolo County Sheriff's Office's request for Emergency Suspension of Standards pursuant to Title 15, Section 1012, Emergency Suspension of Standards, **until May 3, 2022**. Prior to May 3, 2022, BSCC staff will contact you or your designee to determine whether the agency anticipates continuing the emergency suspension of standards.

The BSCC will consider and grant requests for continued emergency suspensions of standards in 30-day increments.

If you need any assistance, or your agency suspends additional standards please notify your assigned Field Representative immediately.

Thank you,

A handwritten signature in blue ink, appearing to read "Linda Penner".

LINDA PENNER
Chair

EXHIBIT B: Yolo County Sheriff's Office's Detention Division Policy Manual

**YOLO COUNTY
SHERIFF'S OFFICE**

**DETENTION DIVISION
POLICY MANUAL**

TITLE: Inmate Grievance Procedure

S.O. NO.: R - 400

EFFECTIVE DATE: 07/01/02

REVISION DATE: 07/09/03
01/31/07
12/15/09
01/16/15
06/09/16
02/08/17

POLICY:

A viable complaint process is available to inmates to allow systematic redress of conditions relating to confinement. All complaints shall receive written, signed response within a reasonable period of time.

GENERAL INFORMATION:

This policy encourages internal problem solving at the level of most direct inmate contact. Additionally, it offers the facility a means for continuous review of administrative policy and decision as well as acquiring written documentation of an incident for possible subsequent judicial reviews. A viable grievance procedure reduces the numbers of court filed suits. Should a case come to court, acquired documentation may facilitate a speedier decision. The grievance procedure shall function as the proper appeal method for dispositions passed by the institution discipline committee or for minor disciplinary action.

REFERENCES:

Title 15 Section 1073

DEFINITIONS:

GRIEVANCE: A circumstance action considered to be unjust and grounds for complaint or resentment.

TORT CLAIM: A wrongful act (not involving a breach of contract), which results in an injury, loss or damage, for which the injured party can bring civil action.

PROCEDURES:

INFORMAL RESOLUTION:

Informal resolution between the inmate and staff member is strongly encouraged. If the inmate cannot find an informal solution and wishes to utilize the grievance procedure, he/she shall file their complaint with the housing unit officer for processing. If dissatisfied with the housing unit officer's solution, the inmate may appeal to the Correctional Sergeant.

FILING PROCESS:

An inmate may mail the complaint or file a lawsuit directly with the appropriate court. Inmates should be so advised, however, that courts frequently require evidence that grievance procedures have been exhausted before ruling on a complaint. Grievances shall be submitted by individual inmates. Mass grievances by groups of inmates are unacceptable. Grievances with foreign substances on it will be rejected. Inmates shall limit the text of the complaint to the space provided on the grievance form.

1

PROGRAM RESPONSIBILITY AND PROCESSING:

Program operation shall be the responsibility of the Correctional Lieutenants. The investigation of complaints and drafting of reply shall be accomplished by a Correctional Lieutenant or their representative and subject to review by the Detention Commander.

NOTIFICATION:

All inmates shall be advised of this grievance procedure policy statement. This shall be addressed through, but not limited to, all inmate bulletin boards, inmate publications and the admission/orientation process.

RECORD KEEPING:

The Correctional Lieutenants shall maintain a log of grievances filed under this procedure.

USE OF THE GRIEVANCE FORM:

Every effort will be made to resolve grievances at the lowest level. An inmate wanting to file a grievance will request an inmate grievance from the Pod officer. After completion, the grievance will be forwarded to the Correctional Lieutenants.

The Correctional Lieutenants will assign a log number for the grievance. The name of the inmate and the nature of the complaint will be documented in the logbook along with the date received, the name of the staff member assigned to respond to the grievance and the date the grievance was answered and returned to the inmate.

A copy of each grievance answered will be filed in a binder in the Correctional Lieutenant's office. The original will be returned to the inmate.

LEVEL ONE:

The Correctional Lieutenant will review the grievance and assign it for response.

Within a reasonable amount of time, the assigned officer will either provide a resolution for the grievance or advise the inmate that he/she is unable to resolve the matter. In either case, the responding officer will write his/her actions in the appropriate area of the grievance form. A copy of the answered grievance will be forwarded to the Correctional Lieutenants for review and placed in the grievance binder in the Lieutenants office. The original will be returned to the inmate. If the inmate is dissatisfied with the level one response, the grievance can be appealed to the next level within (72) hours. The inmate will sign the original and a copy of the original grievance and initial and date acknowledging he/she received a copy and has acknowledge they have (72) hours to appeal the decision. A copy of the grievance and the original will be taken to the inmate to acknowledge that they have received the first level review. The inmate shall initial / date each grievance and be given the original grievance. The copy will be placed in the binder in the Lieutenants office.

LEVEL TWO:

A grievance can be directed to level two by inmate appeal. Level Two provides a review by the Lieutenants.

Personnel reviewing the grievance at level two will either provide a resolution or respond as "unable to resolve" within a reasonable amount of time. Any action by level two personnel will be recorded on the original grievance submitted for appeal. A copy of the grievance and the

original will be taken to the inmate to acknowledge that they have received the second level review. The inmate shall initial / date each grievance and be given the original grievance. The copy will be placed in the binder in the Lieutenants office.

LEVEL THREE:

If the inmate is dissatisfied with the level two resolution, the grievance may be appealed to the final level. Return the grievance to the Lieutenants to be logged and forwarded to the Jail Commander. The Jail Commander will review and record comments or resolutions and return within a reasonable amount of time. A copy of the grievance and the original will be taken to the inmate to acknowledge that they have received the third level review. The inmate shall initial / date each grievance and be given the original grievance. The copy will be placed in the binder in the Lieutenants office. Review by the Jail Commander will be the final administrative remedy available to the inmates in the inmate grievance process.

EXCEPTIONS:

This policy statement shall not be construed to affect, in any way, the separate procedure established pursuant to the Federal Tort Claims Act, the Claims for Inmate Injury Compensation or other applicable statutes.

EXTENSIONS OF TIME PERIODS:

The periods of time referred to for action by the reviewing officials may be extended for a like period if findings indicate that the initial period is insufficient to make an appropriate decision. This shall be communicated in writing to the complainant.

INMATE ABUSE OF THE GRIEVANCE PROCEDURE:

The Jail Commander may order a limit of the number of grievances by an individual inmate should it appear if the grievances are in excessive in number and of frivolous in nature. The Correctional Lieutenants will evaluate the potential abuse and advise the Jail Commander. When abuse is determined, the inmate will be limited to two grievances a month.

Detention Commander

Date

EXHIBIT C: Copy of Grievance Log in 2021

Grievance #	Inmate Name & Booking	Complaint	Assigned to	Date Received First Level	Date Returned First Level	Assigned to	Date Received Second Level	Date Returned Second Level	Date Received Third Level	Date Return Third Level
21-001	[REDACTED]	MEDICAL	[REDACTED]	1/5	1/13					
21-002	[REDACTED]	MEDICAL	[REDACTED]	1/5	1/13	[REDACTED]	1/10	2/2		
21-003	[REDACTED]	MAIL	[REDACTED]	1/5	1/13	[REDACTED]	1/14	1/15		
21-004	[REDACTED]	CLEANING	[REDACTED]	1/5	1/7	RESOLVED				
21-005	[REDACTED]	SHOWER	[REDACTED]	1/5	1/7	RESOLVED				
21-006	[REDACTED]	CLASS	[REDACTED]	1/5	1/6	[REDACTED]	1/11	1/12		
21-007	[REDACTED]	TIME CALC	[REDACTED]	1/5	1/7	[REDACTED]	1/11	1/11	1/15	1/22
21-008	[REDACTED]	TV	[REDACTED]	1/5	1/6	:				
21-009	[REDACTED]	MEDICAL	[REDACTED]	1/5	1/13	[REDACTED]	1/21	1/21		
21-010	[REDACTED]	TIME CALC	[REDACTED]	1/5						
21-011	[REDACTED]	MAIL	[REDACTED]	1/5	1/13					
21-012	[REDACTED]	MEDICAL	[REDACTED]	1/5	NIC					
21-013	[REDACTED]	VISIT	[REDACTED]	1/5						
21-014	[REDACTED]	CLOTHING	[REDACTED]	1/8	1/12	[REDACTED]				



Visitation policies at the Monroe Detention Center
Published by 2021-22 Grand Jury on May 20, 2022

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SUMMARY

The 2021-22 Yolo County Grand Jury finds that the Sheriff’s Office did not implement promised and funded changes to visitation policies at the Monroe Detention Center (MDC) in Woodland, CA. The Sheriff’s Office received funding for a visitation scheduling process and video visitation system in 2018 but as of March 2022 these improvements have not been made. A February 2020 pledge to maintain visitations was broken without notice one month later and continues to the time of the writing of this report. The Sheriff’s Office claimed Coronavirus Disease 2019 (COVID-19) as the reason for the cancellation, but it appears the Sheriff’s Office made no effort to reinstate visits using common safeguards.

The 2021-22 grand jury finds that social visitation policies at the county’s MDC remain unacceptably restricted years after earlier grand jury reports first noted the problem. The jail in Woodland, CA was previously cited by the 2017-18 and 2019-20 Yolo Grand Juries for unreasonably limiting visitation and employing a needlessly cumbersome system for scheduling visits and appointments. While COVID-19 social distancing restrictions have limited the choices for the Sheriff’s Office to make reasonable accommodations for social visitation of inmates, available measures (such as remote visitation or socially distanced in-person visitation) have not been put in place. Now the situation is worse with family and other in-person or video social visits terminated. The MDC has been on modified operational status since March 2020, due to protocols implemented to reduce spread of COVID-19. As of March 2022, restrictions from March 2020 are still in effect. Two years later, there is no identified timeline or strategy to reinstate in-person social visits.

The Yolo County Board of Supervisors provided funding for a new Jail Management System in 2018. This system would create remote onsite visitation and online scheduling. To date the system has not been implemented.

The grand jury inspected the MDC facility twice at the end of 2021.

BACKGROUND

Past Recommendations, Responses and Updates

The 2017-18 Grand Jury made the following recommendations (Exhibit A):

- R2 - The Yolo County Board of Supervisors should allocate funding for implementation of an online system for making visiting appointments (to be implemented by Dec. 31, 2020, with evidence of planning by Oct. 31, 2018)
- R3 - The Yolo County Board of Supervisors should allocate funding for implementation of a video visiting system (to be implemented by Dec. 31, 2020, with evidence of planning by Oct. 31, 2018)

The Yolo County Sheriff's Office responded in May 2018 that the "recommendation requires further analysis" and in July 2018 the Board of Supervisors invited the Sheriff to apply for funding for an online system under an "IT Innovation Fund".

The 2019-20 Grand Jury again wrote to the Sheriff's Office on January 23, 2020 to request an update on this inquiry. The Sheriff's Office replied on February 4, 2020 stating the Sheriff's Office had purchased a "Jail Management System (JMS)" that "is scheduled to go live at the end of 2020" and it is "therefore expected that scheduling for visitation will be an option for family and friends of inmates in 2021" (Exhibit B).

In the same February 4, 2020 response, and concerning video conference visitations, the Sheriff's Office responded that "while the Detention Center is not currently equipped to handle videoconference visitations, this is a technology that will be included with the upcoming jail expansion". The Sheriff's Office further stated that the system would be completed in phases so that "inmates would not lose any privileges" and concluded by stating "we anticipate the conversion project to be completed within the next 6 months barring any major setbacks." The schedule described meant completion by roughly August 2020.

The Sheriff's Office on November 20, 2020 further responded to the 2019-20 Grand Jury that the JMS would "go-live" in March of 2021 (Exhibit C). The Sheriff's Office stated the visitation scheduling and video visitation would be delayed since the module required to implement them would require a different contractor as the JMS contractor was exiting the inmate telecommunications industry. The Sheriff's Office stated in this November 20, 2020 response that neither recommendation has been implemented "but will be implemented in the future, within a year". According to the Sheriff's Office timeline, this system should have been available by November 2021, nearly 15 months after the initial August 2020 pledge. The Sheriff's Office has not revised their February 4, 2020 statement that "inmates would not lose any privileges", even though the Sheriff's Office has terminated all social visitation by press release of March 13, 2020 (Exhibit D).

The 2021-22 Grand Jury wrote to the Sheriff's Office on October 15, 2021, calling for a status update by December 30, 2021. On December 6, 2021, the Sheriff's response included the following (Exhibit E):

"The expected implementation date of our new Jail Management System (JMS) has been pushed back to the end of April 2022. The reasons for this postponement include continuing headwinds cause by pandemic induced staffing challenges, the vendor's inability to complete data conversion, and Records Management System/JMS integration testing that found significant errors. For GTL to begin video visitation and online visitation scheduling, an interface between the JMS and GTL software must be active and correct. The Sheriff's Office has chosen not to invest in a costly interface with the current JMS because it will become obsolete in less than a year. A new interface has been developed and tested between GTL and the new JMS and will be ready at inception."

The Sheriff's Office response of December 6, 2021 did not explicitly state any date for implementation of social visitation (live or virtual). The grand jury was later informed through the investigative process that implementation of the JMS would not necessarily result in simultaneous visitation resumption. This latest development places the visitation appointment system and video visitation system behind schedule and with no estimate for when to expect these systems to be available for use. Again, no mention is made of the March 2020 termination of all social visitation. The termination of live visits and failure to implement video visits effectively ended all family and friend visitation at the MDC.

DISCUSSION

The Grand Jury Visits the MDC 2021

On November 18, 2021 members of the 2021-22 Grand Jury toured the MDC. Such tours are annual events conducted by the Yolo County Sheriff's Office. Officers present were Capt. Oviedo, Capt. Davis, Lt. Day, and Lt. Timm. Staff provided the grand jury the same informational booklet provided to inmates upon booking. The MDC housed about 280 inmates (254 males and 26 females), and was staffed by 95 non-sworn officers, 4 sergeants, 10 lieutenants, and 2 captains at the time of the visit.

The nine grand jury visitors were tested for COVID-19, a seven-minute test, and all jurors tested negative. Staff explained that these tests were similar to the tests given weekly to the staff and to inmates. An officer explained that infections among staff were so low that they had never seen a positive COVID-19 result. Separately, other staff advised the grand jury that COVID-19 levels for inmates in the facility were historically low.

Grand jury members asked questions to follow-up on prior grand jury queries about visitation. Some questions focused on the proposed online scheduling system for making appointments, as well as the promised online video visitation option for inmates. The Sheriff's Office staff

advised grand jury visitors that the contractor for the Yolo County contract (that included the video visitation system) assigned the contract to another contractor. The new contractor in turn was unable or unwilling to perform the work, requiring revision of the original contract to exclude the work, therefore requiring a new contract with a different contractor.

Six members of the grand jury, in pairs, interviewed three inmates privately utilizing closed-circuit telephones in booths separated by plate glass. The grand jury asked various questions of inmates about whether they were treated respectfully and felt safe, and solicited any significant complaints. The inmates reported the only outsiders visiting them, either at all or for a very long time, were the grand jurors.

The 2017-18 and 2019-20 Yolo County Grand Juries, and many corrections experts, have stressed the rehabilitative and humanitarian benefits of in-person visitation. The Sheriff's Office policy on visitation, with an update recorded on May 15, 2020, writes: "The Detention Division shall enable and encourage inmates to maintain relationships with family and friends through the visiting process. Visits are scheduled on a regular basis, limited only by the physical and personnel constraints of the facilities" (Exhibit F).

Members of the 2021-22 Grand Jury addressed with the Sheriff's Office policies regarding inmate access to outside communications. During the 2021-22 Grand Jury investigation, the MDC staff indicated that the following policies were in effect:

1. One free telephone call is permitted per week; additional calls can be purchased.
2. Ten free texts are permitted (time frame unclear). Inmates may purchase additional texts.
3. Use of U.S. mail is permitted (limitations not specified).
4. General population inmates are provided with several internet-enabled tablets for in-cell educational opportunities and limited texting.
5. Use of closed-circuit telephones in booths divided by plate glass for in-person visits, as provided to the grand jury for inmate conversations. The staff stated this system was not available for social visits due to COVID-19 policies. The Sheriff's Office staff stated to grand jurors that the Sheriff's Office acted on general advice from the Yolo County Health Officer.

The visitation area used by grand jurors for inmate interviews contained four booths total. Entry was through an external door at the end of the structure. Grand jury members used the booths at either end, about 12 feet apart. Staff reported that the use of these booths for family and friend visitations were suspended due to COVID-19.

The Sheriff's Office staff presented a Detention Division Policy Manual excerpt updated May 15, 2020, as current at the time of the MDC visit by the grand jury (Exhibit F). The Policy Manual references Title 15, section 1506 of the California Code of Regulations (15 CCR 1506). Title 15 concerns minimum standards for inmates. 15 CCR 1506 entitled *Visiting* relates to inmate visitation policies and procedures at correctional facilities.

This Policy Manual (Exhibit F) includes statements to the following effect:

- The Detention Division shall enable and encourage inmates to maintain relationships with family and friends through the visitation process. Visits are scheduled on a regular basis.
- Each inmate shall be permitted a minimum of two 30-minute visits per week unless circumstances dictate temporary suspension.
- Visitors shall be subjected to security controls established by the Detention Division.
- A Regular Visit is defined as a visit with family and friends.
- While the Detention Division attempts to honor all visit reservations, visits may be changed or cancelled without notice.
- Violation of any of the rules by a visitor may subject an inmate to loss of visiting privileges.

There is no mention of COVID-19 precautions in the Detention Division Policy Manual excerpt. The Policy Manual still details visitation options that are, in fact, not available. Other policy statements from the Sheriff's Office neither disclose nor suggest cancellation of family and friend visitation. The Sheriff's Office COVID-19 online information page does not mention cancellation of visitation (Exhibit G). The inmate information booklet for newly admitted inmates was provided to the grand jury and similarly does not refer to the cancellation of visitation for COVID-19. There is no known written policy regarding COVID-19.

The Sheriff's Office did not explain why there was a cancellation of social visitation within the already established visitation facilities at the MDC. To this grand jury's knowledge, the Sheriff's Office published no additional information other than the March 2020 press release on the issue (Exhibit D). When visitation was previously allowed, visitors to the MDC were protected from inmates (and vice versa) because visits took place in sealed, glass-divided booths.

There have been many changes in the COVID-19 situation since March 2020. COVID-19 vaccinations are available and have been given to the great majority of adults in Yolo County and California. The COVID-19 vaccine is also available at no-cost to inmates at MDC. Testing and social distancing protocols are in use at the MDC for daily operations and other MDC activities, including professional visitations.

It is not clear that the Yolo County Sheriff's decision to continue cancelling family and friend visitation is justified. Protective actions should be based on present or probable conditions and should be subject to modification. Neither the Center for Disease Control and Prevention (CDC)³, the Board of State and Community Corrections (BSCC)⁴, nor the California Department of Corrections and Rehabilitation⁵ require cancellation of inmate visitations or discourage

³ <https://www.cdc.gov/coronavirus/2019-ncov/community/correction-detention/guidance-correctional-detention.html>, accessed March 26, 2022

⁴ <https://www.bscc.ca.gov/wp-content/uploads/Adult-Facilities-4-3-2020.pdf>, accessed March 26, 2022

⁵ <https://www.cdcr.ca.gov/visitors/visiting-status/>, accessed March 26, 2022

alternative means for visitation due to COVID-19. In fact, the CDC acknowledges that “some COVID-19 prevention measures, such as prolonged quarantine periods, repeated isolation, and restrictions on visitation and programming, are known to lead to negative impacts on mental health and well-being.”⁶

The Sheriff’s Office informed the 2021-22 grand jury that California continues to allow the waiver of California Code of Regulations Title 15 requirements pertaining to minimum standards for inmates, arguably making the MDC social visiting ban lawful. While this approach may be legal, this policy is more than two years old and has not been updated. It is not reasonable nor transparent to effectively establish an unlimited ban on family and friend visitation for inmates.

Jail Management System

Sheriff’s Office staff informed the 2021-22 Yolo County Grand Jury that a JMS by Tiburon, a software solution for managing the jail population first used at MDC in 2006, cannot handle visitation scheduling. Roadblocks to implementing a virtual visitation system have caused delays in implementing the new JMS. All videos must have a capability to record and allow deputies to be able to virtually monitor and control the system. Sheriff’s Office staff stated in a grand jury interview that there was a new target, the end of 2022, for a JMS with video visit capability. A Louisiana-based consultant, Praeses⁷, is assisting with a new JMS contract. The grand jury was unable to verify the status of these contracts.

The MDC expansion did create space for video visits to potentially eliminate the need for visitors to enter the secure area of the jail, and incidentally to help with COVID-19 exposure issues. MDC staff advised the grand jury that video kiosks were installed but not yet operational. Once operational, video visitors must be on-site and not remote.

FINDINGS

- F-1 The Sheriff’s Office has failed to provide an online visitation scheduling system despite appropriated funding by the Yolo County Board of Supervisors in 2018. The Sheriff’s Office committed that scheduling would be available by the end of 2020. This constitutes a broken pledge.
- F-2 The Sheriff’s Office has failed to provide a video visiting system despite appropriated funding by the Yolo County Board of Supervisors in 2018. This constitutes a broken pledge.
- F-3 The Sheriff’s Office stated in February 2020 that inmates would be able to access new visitation options and not lose any visitation access during the transition. Within a

⁶ <https://www.cdc.gov/coronavirus/2019-ncov/community/correction-detention/guidance-correctional-detention.html>, accessed March 26, 2022

⁷ <https://praeses.com/business-technologies/>, accessed March 26, 2022

CANCELLED: Visitation policies at the Monroe Detention Center

month, the Sheriff's Office cancelled all social visits and has not made any efforts to reinstate these visits.

- F-4 The Sheriff's Office's public statements erroneously state that social visitation is permitted. In fact, no system is in place to permit such visitation. This contradiction misleads the public.

RECOMMENDATIONS

- R-1 The Sheriff's Office should resume in-person social visitation by September 1, 2022.
- R-2 The Sheriff's Office should update handbooks, websites, and other public communications to reflect the most accurate and up-to-date policies of social visitation by September 1, 2022.
- R-3 The Sheriff's Office should update the grand jury on the progress of the implementation of the round-the-clock online visitation scheduling system by September 1, 2022.
- R-4 The Sheriff's Office should update the grand jury on the progress of implementation of the promised video visitation system by September 1, 2022.
- R-5 The Sheriff's Office should update the grand jury and the public on the status of the contracts fulfilling the Jail Management System and Video Visitation System by September 1, 2022.

REQUIRED RESPONSES

Pursuant to Penal Code sections 933 and 933.05, the Grand Jury requests responses from the Yolo County Sheriff Findings F-1, F-2, F-3, F-4, and Recommendations R-1, R-2, R-3, R-4, and R-5.

EXHIBIT A: Excerpt from 2017-18 Grand Jury Report (page 5)

FINDINGS

F-1. The Monroe Detention Center permits visits with inmates by family members and friends, but its scheduling procedure is unduly inconvenient and discourages rather than encourages such visits.

F-2. The Monroe Detention Center would benefit from an online system that would allow visitors to make appointments more conveniently.

F-3. The Monroe Detention Center would further enable and encourage visits by investing in video-visiting technology that allows remote visits with inmates by family members and friends.

RECOMMENDATIONS

R-1. The Yolo County Sheriff should direct the Monroe Detention Center to implement a revised, more convenient and more family-friendly schedule for making visiting appointments (to be implemented by Oct. 31, 2018).

R-2. The Yolo County Board of Supervisors should allocate funding for implementation of an online system for making visiting appointments (to be implemented by Dec. 31, 2020 with evidence of planning by Oct. 31, 2018).

R-3. The Yolo County Board of Supervisors should allocate funding for implementation of a video visiting system (to be implemented by Dec. 31, 2020, with evidence of planning by Oct. 31, 2018).

EXHIBIT B: Excerpt from 2019-20 Grand Jury Report (pages 5-6)

Inmate Visitation Policy at the Yolo County Monroe Detention Center

Recommendation 2: The Yolo County Board of Supervisors should allocate funding for implementation of an online system for making visiting appointments (to be implemented by Dec. 31, 2020 with evidence of planning by Oct. 31, 2018).

Agency responses to Recommendation 2:

Yolo County Board of Supervisors (July 10, 2018)	The Board of Supervisors maintains an IT Innovation Fund to fund innovative online projects and welcomes an application by the Sheriff should he seek to implement such a system
Yolo County Sheriff (May 25, 2018)	This recommendation requires further analysis

In response to the follow up status inquiry dated January 23, 2020, the Sheriff’s Office submitted the following updated response in a letter dated February 4, 2020:

“The Sheriff’s Office purchased a new Jail Management System (JMS) in October 2019 and is in the beginning phases of project implementation. The new system is scheduled to go live the end of 2020. Although the new JMS does manage inmate visitation, unfortunately it does not offer an online portal for family and friends to schedule visitation. Family and friends would still need to call Records in the jail to schedule visits. For this reason, once the new JMS is live, the Sheriff’s Office will contract with a third-party software vendor and develop an interface with the new JMS to offer seamless online visitation scheduling. The Sheriff’s Office is asking County BOS to include this cost in the FY20/21 budget. It is therefore expected that online scheduling for visitation will be an option for family and friends of inmates in 2021.”

Recommendation 3: The Yolo County Board of Supervisors should allocate funding for implementation of a video visiting system (to be implemented by Dec. 31, 2020 with evidence of planning by Oct. 31, 2018.)

Agency responses to Recommendation 3:

Yolo County Board of Supervisors (July 10, 2018)	The Board of Supervisors maintains an IT Innovation Fund to fund innovative online projects and welcomes an application by the Sheriff should he seek to implement such a system
Yolo County Sheriff (May 25, 2018)	This recommendation requires further analysis. While the Detention Center is not currently equipped to allow videoconference visitations, this is a technology that will be included with the upcoming jail expansion.

CANCELLED: Visitation policies at the Monroe Detention Center

In response to the follow up status inquiry dated January 23, 2020, the Sheriff's Office submitted the following updated response in a letter dated February 4, 2020:

"In 2007, the concept of video visitation was adopted as part of the jail expansion project. We broke ground on construction mid-year of 2018. Since that date, we have been working to implement both in person and video visitation for all inmates.

"Currently the visitor center is built and awaiting installation of hardware, in- person phones and video kiosks. The Sheriff's Office is currently coordinating with the contractors and phone vendor to plan the complex rollout. This will involve installing in-person visiting phones in the visiting center, installing video kiosks in the visiting center and converting the in-person visiting booths in the housing units to video kiosks.

"The project will be completed in phases so inmates will not lose any visiting privileges while the conversion is taking place. For example, B-1 pod inmates will be escorted to the visiting center for in person visiting while that housing unit's visiting phones are being converted to video kiosks. Once the kiosks are completed, the B-1 pod inmates will have video visitation while the next housing unit is being converted. This phased rollout, will continue until all housing units are converted to video kiosks. Once the conversion has been completed, all inmates will have the opportunity of in-person and/or video visitation throughout the facility. We anticipate the conversion project to be completed within the next 6 months barring any major setbacks."

Follow-Up: Elections Office Indiscretions and Culpability

Recommendation 1: Because of the critical need for ongoing training in all areas, the Elections Office should maintain documentation of all training classes and individual instruction that includes, at minimum: signatures of individuals attending with date and topic covered.

EXHIBIT C: Yolo County Sheriff's Response to the 2019-20 Grand Jury, November 20, 2020



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FOOD SERVICES
RECORDS
TRANSPORTATION

To: Honorable Sonia Cortés
Superior Court of California, County of Yolo
1000 Main Street
Woodland, CA 95695

November 20, 2020

To: Yolo County Grand Jury
P.O. Box 2142
Woodland, CA 95776
via e-mail: grandjury@yolocounty.org

RE: 2019-2020 Yolo County Grand Jury Report: Monitoring Compliance with 2017-2018 Yolo County Grand Jury Recommendations

Honorable Sonia Cortés:

The following is the response to the findings and recommendations in the 2019-2020 Yolo County Grand Jury Report titled, "Monitoring Compliance with 2017-2018 Yolo County Grand Jury Recommendations" from the Yolo County Sheriff.

FINDINGS:

R1. By July 1, 2021 the Yolo County Sheriff's Office should provide a status update to the Grand Jury on the new Jail Management System, specifically its ability to provide online visitation scheduling.

Sheriff-Coroner-Public Administrator Response:

R1: The recommendation has not yet been implemented, but will be implemented in the future, within a year.

The Sheriff's Office has begun implementation of the new Jail Management System with an expected go-live in March of 2021. However, this software does not include a visitation scheduling module. After further analysis it was determined the best option to offer the community the opportunity to schedule inmate visitation is to incorporate the functionality with the video visitation software. This will allow friends and family to schedule in-person and video visitation online in one solution. The Sheriff's Office will utilize the on-line visitation scheduling module included with the video visitation software provided by G.T.L. (see below).

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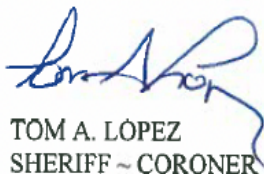
R2. By July 1, 2021 the Yolo County Sheriff's Office should provide an update to the Grand Jury on the operational status of the video kiosks

R2: The recommendation has not yet been implemented, but will be implemented in the future, within a year.

The Sheriff's Office's current vendor for inmate phones, Legacy, is in the process of transferring the Sheriff's Office inmate phone contract to G.T.L. The initial intent was for Legacy to provide video kiosks and video visitation as well as inmate phones. Unfortunately, Legacy is exiting the inmate telecommunications industry. The Sheriff's Office is currently waiting for the transfer of the contract to G.T.L., which requires approval by the F.C.C. Until this transfer is complete, the Sheriff's Office is unable to proceed with the implementation of video visitation.

While FCC approval is pending, the Sheriff's Office is currently in contract negotiations with G.T.L as a provider for inmate video visitation and an outward facing online citizen scheduling platform that has the capacity for friends/family to schedule both in-person and video visitation. Although the Sheriff's Office does not yet have an exact cost, \$116,000 has been allocated for the project.

Respectfully submitted,



TOM A. LOPEZ
SHERIFF ~ CORONER
PUBLIC ADMINISTRATOR

EXHIBIT D: Press Release from the Yolo County Sheriff's Office, March 13, 2020



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Press Release

Subject: COVID-19 Preparedness

Contact: Lieutenant Matthew Davis (530) 406-5395

Date: March 13, 2020

In order to prevent the spread of the COVID-19 virus, the Yolo County Sheriff's Office is taking steps to protect the health of staff, inmates, and the community.

Effective immediately, and until further notice, all jail visitation will be cancelled. Additionally, all public Live Scan fingerprinting is suspended until further notice.

The Sheriff's Office values visitation as an essential part of our jail operations, but at this time the health and wellness of all those who work, live, and visit our campus must be protected. Legal and professional visits will continue as scheduled.

We will continue to ensure the safety and security of the people who work in our facilities, and the continuation of access to medical, and mental health services for the inmate population.

It is important to note that at this time there are no suspected or confirmed cases of COVID-19 in the Yolo County Jail.

The Sheriff's Office is prepared to address exposure to COVID-19 through infection control practices already in place to prevent the spread of any communicable diseases. Our primary focus during this time is to:

- Prevent the spread of the disease
- Promptly identify and isolate patients with possible COVID-19
- Care for patients with confirmed or suspected COVID-19
- Initiate COVID-19 emergency procedures in the event of an escalating outbreak
- Monitor and manage potential staff exposures

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EXHIBIT E: Yolo County Sheriff's December 6, 2021 Response to the 2021-22 Grand Jury



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P.O. Box 2142
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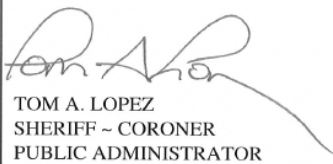
Re: 2019-2020 Yolo County Grand Jury Report: Monitoring Compliance with the 2017-1018 Yolo County Grand Jury Recommendations

Dear Mr. Familia and Yolo County Grand Jury,

In response to your inquiry dated October 15, 2021, please understand that there have been delays caused by factors beyond the control of the Sheriff's Office.

The expected implementation date of our new Jail Management System (JMS) has been pushed back to the end of April 2022. The reasons for this postponement include the continuing headwinds caused by pandemic induced staffing challenges, the vendor's inability to complete data conversion, and Records Management System/JMS integration testing that identified significant errors.

For GTL to begin video visitation and online visitation scheduling, an interface between the JMS and GTL software must be active and correct. The Sheriff's Office has chosen not to invest in a costly interface with the current JMS because it will become obsolete in less than a year. A new interface has been developed and tested between GTL and the new JMS and will be ready at inception.


TOM A. LOPEZ
SHERIFF ~ CORONER
PUBLIC ADMINISTRATOR

"Honored to Serve"

EXHIBIT F: Detention Division Policy Manual excerpt, May 15, 2020

**YOLO COUNTY
SHERIFF'S OFFICE**

**DETENTION DIVISION
POLICY MANUAL**

TITLE: Inmate Visiting

S.O. NO.: T-300

EFFECTIVE DATE: 10/01/99

REVISION DATE: 05/31/02
12/15/09; 07/13/11; 03/26/14
10/16/15; 06/23/16; 11/23/16
05/15/20

POLICY:

As of May 2020, Leinberger Center is closed and any reference to the facility in this policy is suspended until the new facility is opened.

The Detention Division shall enable and encourage inmates to maintain relationships with family and friends through the visiting process. Visits are scheduled on a regular basis, limited only by the physical and personnel constraints of the facilities.

Each facility shall maintain a visitors' log and document all visiting in the Tiburon System. All visitors shall be required to show proper identification. Each inmate shall be permitted a minimum of two 30 minute visits each week unless circumstances dictate temporary suspension. The inmate may elect to use both visits on the same day, totaling one hour. The week period begins on Mondays and ends on Sunday. Visits for inmates at Monroe Center and Leinberger Center are by appointment.

Visiting is normally limited to one visitor per inmate. Mother and Father may visit at the same time. Grandmother and Grandfather may visit at the same time.

Visitors shall be subjected to security controls established by the Detention Division to prevent the introduction of contraband or weapons in the facilities. Visitors normally are not restricted to the number of inmates they may visit, unless the facility security is jeopardized by such visits. Jail staff will not listen to the conversations during visiting but may visually observe the visit. Visits at Monroe Center are subject to audio recording. Minors must be accompanied by their parent or legal guardian. Proof of legal guardianship must be provided upon request of jail staff.

A Correctional Sergeant may make exceptions to the time allotted for visiting to grant additional time as indicated by special circumstances including, but not limited to the distance a visitor must travel to get to the jail or health problems of the visitor that limit the frequency of the visits.

REFERENCES:

Title 15, Section 1062

DEFINITIONS:

Regular Visit: A non-contact visit between an inmate and family and friends.

Contact Visit: A visit between an inmate and a non-inmate which permits informal communication in a supervised area. Contact visits normally require a Court Order and Sheriff's Department approval.

Professional Visit: A confidential contact or non-contact visit, depending on the circumstances, between an inmate and attorney or other officials such as law enforcement agents, doctors, and clergy.

Family Visits: A non-contact visit for the children, grandchildren, siblings, or children under guardianship under the age of 18 visiting an inmate.

Court-Ordered Visits: A special visit for an inmate requested by a Superior Court Judge. Court Ordered visits are subject to approval of the Sheriff's Department.

Valid Identification: Valid identification is any current government issued identification card showing their name, date of birth, and shall contain their photograph.

PROCEDURE:

IMPORTANT Jail Visitors need to be checked in 30 minutes PRIOR to the visitation session time.

Social visits are non-contact, conducted through a visit window using telephone handsets. Each facility has a visit schedule that specifies the days and times available for inmate social visits and are subject to change without notice.

REQUIRED IDENTIFICATION

Only those visitors with the following types of valid photo identification shall be allowed to visit inmates in the custody of the Sheriff:

- Driver's license
- Federal, state, local government identification card (any state)
- Military identification
- Passport
- U.S. Immigration identification (including visas)
- Border crossing card issued by the United States Department of Justice
- Current high school identification for children who do not possess a current California driver's license or California I.D. card
- Matricula Consular ID card issued after April 22, 2002 by the Consul General of Mexico

A maximum of 3 visitors (including children) may visit an inmate at any one time. Minors must be accompanied by their parent or legal guardian.

Visit Reservations

When preparing to schedule a visit, please have the following information ready for all visitors.

- Full name
- Identification number
- Date of birth
- Current home address

While we attempt to honor all visit reservations, visits may be changed or cancelled without notice. Also, changes in the inmate's housing assignments may automatically cancel a scheduled visit.

Inmates have the right to refuse visits at any time.

There is no expectation of privacy in a jail facility. Social visits may be monitored or recorded. Visitors who have been incarcerated within the past 60 days shall not be permitted to visit

If you have previously been convicted of a felony and served time in state prison, you may not enter the grounds of a county jail without the permission of the Facility Commander. That permission should be obtained in writing before attempting to schedule a visit. Entry to the facility grounds without such permission is a felony (California Penal Code §4571).

Visitors may be subject to a search of their person and belongings by deputies and are subject to warrant checks and arrest.

Visitors must be 18 years or older to visit. Anyone under 18 must be accompanied by a parent or legal guardian. Children may not be left unattended at any time.

No smoking is allowed in any part of the Sheriff's Office property.

All visitors must dress in appropriate attire. Visitors who fail to comply with the dress code will be denied their visit. Visitors clothing must not refer to gang affiliation, display sexual or lewd comments or pictures, or have the potential for being offensive to others. Clothing must cover the upper torso and lower/mid body parts. Skirts must be at least to mid-thigh length. A sleeveless blouse is acceptable.

Visitors are only allowed to visit with the inmate they signed up to visit. You may not change or trade inmates with another visitor. Once a visitor departs the visitation area, the visit with the inmate is terminated.

Covertly communicating with an inmate by using notes, letters, hand gestures associated with gang affiliation, etc. is strictly prohibited and the visit may be terminated and the visitor barred from visiting in the future.

Any visitor committing a criminal act anywhere on jail property is subject to arrest. Any visitor bringing illegal contraband into the visiting area is subject to arrest.

Violation of any of the rules by a visitor may subject him/her to loss of visiting privileges.

Nothing is to be brought into the facility except I.D. and a car key.

Hospital Visits

Occasionally, inmates may be admitted to hospitals for medical treatment. Visits may be allowed for hospitalized inmates, subject to approval of the Jail Commander. Persons wishing to visit a hospitalized inmate must check at the appropriate facility and register for the visit. The Jail Commander will be consulted concerning the inmate's suitability to have visitors. If the visit is approved, a visit pass will be issued, which can be taken to the hospital and presented to the assigned Deputy or Guard. In addition to normal visiting guidelines, the following rules apply to visits occurring in hospitals:

- ï All visits must conform to the hospital's regular visiting hours and policies
Only two visitors are allowed at a hospital visit for the duration of 30 minutes.
- ï Two visits per week are allowed, Sunday through Saturday.
- ï Inmates cannot receive items of any type from social visitors.
- ï Any deviation from the above rules requires Jail Commander approval.

Media Access to Persons in Custody

News media representatives have no greater right of access to detention facilities or inmates, than any other member of the public. A visit by news media personnel shall be considered a social visit, not a professional visit.

Access to Courts & Counsel

Inmates are entitled to confidential correspondence and consultation with the courts and legal counsel. Attorneys and other professionals of record can visit an inmate by presenting photo identification and a professional card. The visit is limited to a reasonable length of time, which is determined in part by facility operations and needs. Foreign citizens can have professional visits with consular staff from their country.

Staff in all facilities within the Yolo County Sheriff's Detention Division reserve the right to terminate any visit if deemed necessary for security purposes. If this occurs, staff members will ask visitors to safely exit the facility.

1. Attorney Visits

a. Pre- Arraignment

Any Attorney wishing to visit an inmate shall be allowed a confidential contact visit, upon the inmate's approval.

b. Post-Arraignment

- An attorney may visit an inmate if he or she has been named attorney of record by the court.

CANCELLED: Visitation policies at the Monroe Detention Center

- The attorney of record in all criminal matters shall be given priority access to confidential visit rooms. All other attorney visits shall be accommodated on a space available basis.
- An attorney, who is not the attorney of record, shall provide the following information, prior to visiting:
 - Declare that:
 - The attorney either by appointment by the court or at the inmate's request
 - Has been requested by a judge to interview a named inmate for purposes of possible appointment as counsel by the same court; provide the name of the Court
 - Is requesting to visit an inmate who may be a witness directly relevant to a legal process, purpose, or proceeding; provide Court Case number
 - Is seeking to interview a named inmate, at the request of the inmate, for the purpose of representation of the inmate in a legal process, for a legal purpose or in a legal proceeding.
 - Has been requested by a third party to consult with the inmate because the inmate cannot do so because of a medical condition, disability, or other circumstance.

An attorney or any other visitor shall not accept or pass to an inmate any communication that is not specifically related to attorney/client relationship. All material to be passed between an inmate and an attorney such as books, legal pads, writing tools, etc., shall be viewed by the officer on duty and checked for contraband for security purposes.

All items entering the facility are subject to search by security staff.

In addition to confidential correspondence, inmates have access to unlimited collect telephone calls to their attorneys during their recreation time. The facility correctional staff can also provide the inmate with various in-house and community legal resources.

Attorney Representatives: Attorney's assistants, law clerks, investigators, paralegals, or interpreters will not be permitted to visit until the sponsoring attorney receives notification that their request has been reviewed and approved. Each attorney's representative must obtain prior approval. Individuals who are acting as an attorney's representative, who had a previous social relationship with an inmate, will only be permitted to visit the inmate with the attorney present or during the inmate's regular social visiting hours. The attorney may conduct only one such visit at a time. Processing of attorneys will take precedent over social visitors. Professional visits between inmates and non-bar card holding individuals may be limited to the non-contact visiting area.

1. Attorneys may visit with as many clients as they require; however, legal visits are limited to one inmate at a time.
2. Personal Property: All of the attorney's legal material will be searched. Handbags, newspapers, magazines, cellular phones, tobacco, food items, and non-legal material are not allowed in the visiting room. Video recordings are permitted but must be viewed only in the visiting room and returned to the attorney or paralegal after viewing.
3. Legal Mail Deposit: If an attorney needs to provide legal documents for the inmate's possession, the documents should be provided to the Correction Sergeant. Each item

deposited should be in an envelope labeled as Legal Mail and contain the attorney's name and title, inmate's name, register number, and return address. Note: inmates are limited to three pounds of paper goods in their cells. If the items provided exceed the limit, the items shall be broken down into smaller groups, by the attorney and label in the order that they wish their client to receive them. Please consider that legal documents are not the only paper goods inside an inmate's cell.

4. Joint defense Counsel Meetings: Joint Defense Counsel Meetings (visits between verified co-defendants and their legal counsel) may only occur upon written consent and approval of the Facility Manager.
5. Foreign Attorneys: Foreign attorneys who are not licensed in a state or jurisdiction of the United States must provide verification of their status as a licensed attorney in good standing in a foreign jurisdiction. This is normally handled by contacting their respective Consulate's office, which will provide official documentation to the United States Government. The Consulate or other verifying authority must forward the verification to the Yolo County Sheriff's Detention Records Manager. Records staff will notify the Facility Manager of the verification. Once the status of the foreign attorney has been confirmed and before the initial visit, the Facility Manager will have the documentation placed into the inmate's file. The attorneys will then be processed as legal visitors for future visits.
6. Official Visitors: U.S. Attorneys, law enforcement agents, military personnel conducting investigations, U.S. Court officials, U.S. Probation Officers, Consulate representatives, and staff from the Federal Public Defenders office will be permitted to visit upon presentation of appropriate identification. These individuals are required to clear electronic screening procedures and will be required to sign the appropriate log books. Any questions regarding the above officials will be directed to the Facility Manager during normal duty hours, and the on-call Jail Administrator after normal duty hours.
7. Special Non-Social Visits: Non-law enforcement personnel requesting to visit inmates must submit a written request in advance and receive written approval from the appropriate Facility Manager prior to entering the institution. These individuals include, but are not limited to: court appointed psychologist, medical personnel, Minister of Record, clergy, educational and religious volunteers, and representatives of the media. All such visits must be reviewed by the Facility Manager and approved by the Jail Commander or designee.
 - a) Minister of Record: An inmate wanting to receive visits from his/her minister of record must submit a written request, blue card, to the Jail Commander. Upon approval, unit staff shall add the name and title (minister of record) to the inmate's visitor list.
 - b) An inmate may only have one minister of record on his/her visiting list at a time. The addition of the minister of record will not count against the total number of authorized regular visitors an inmate is allowed to have on his/her visiting list and will not count against the total number of social visits allowed.
 - c) Clergy: Visits from clergy (other than the minister of record) will be in accordance with the general visitor procedures and will count against the total number of regular visits allowed.
 - d) Ordinarily, clergy visits will not be accommodated unless requested by the inmate. However, the Jail Commander or designee may approve a visitation request initiated by the clergy if the inmate wishes to visit with the clergy.
 - e) The Facility Manager may establish a limit to the number of minister of record and clergy visits an inmate receives each month, consistent with available resources.

CANCELLED: Visitation policies at the Monroe Detention Center

However, during times of personal or family emergencies, an inmate will be authorized a visit from his/her minister of record.

- f) Visit Termination/Denial: The Shift or Booking Sergeant may terminate/deny a visit that is disruptive to the overall security or good order of the facility. This may involve conduct initiated by the inmate and/or visitor(s). The right to receive future visits may be denied or restricted as part of any administrative action following the incident. If the Shift or Booking Sergeant terminates a visit, they must inform the Facility Manager.
- g) Visitor Personal Property: Lockers are not available to store personal articles not allowed in the visiting room. Visitors will be required to place all personal articles and handbags in their vehicle prior to security screening. No bags of any kind will be permitted into the visiting room. The only exception will be infant care items including one pacifier and one baby blanket.
- h) Inmate Personal Property: Inmates will not be permitted to receive any item(s) from a visitor.
- i) Inmate Separatees: Inmates and their separatees, and families of separated inmates, will not be placed in the visiting room at the same time. Visitation for inmates with separation assignments will be processed on a first come first served basis. The remaining visitors will be processed as soon as the visiting room officer notifies the front lobby that the inmate and his/her visitors have departed. 12. Inmates Under Supervised Medical or Psychological Care: Inmates under supervised medical or psychological care and inmates who are being physically restrained or in negative pressure cell will not normally be permitted to visit. Circumstances may exist in which the Facility Manager, in conjunction with Health Services and/or Psychology Services, may determine that a visit is appropriate. The appropriate location of the visit will be determined by the consulting individuals. Inmates admitted to local hospitals for medical treatment may be permitted social visits with the approval of the Jail Commander. In instances where authorization has been granted, visitors will visit in accordance with the medical facility's schedule. Visitors will be limited to immediate family.
- j) 13. Loss of Visiting Privileges: Upon a finding of guilty for violating institution regulations, inmates may be subject to disciplinary sanctions as outlined by policy, i.e., loss of visiting privileges for a specified period of time.
- k) 14. Special Rules for Children: Visitors are responsible for their minor children. Children may not be disruptive in the waiting visiting room and should remain seated at all times with their parents/guardians. There is no play area available for children.

Detention Commander

Date

CANCELLED: Visitation policies at the Monroe Detention Center

EXHIBIT G: Screenshot of Yolo County Sheriff's Office Web page concerning COVID-19, March 19, 2022

The screenshot shows the Yolo County Sheriff's Office website. At the top, there is a navigation bar with social media icons, a "YOLO ALERT" button, a language selector, and a search bar. The main header features the Yolo County Sheriff's Office logo and the slogan "HONORED TO SERVE". Below the header is a navigation menu with links for HOME, ABOUT, SERVICES, FORMS & FEES, OUTREACH, JOIN, I WANT TO..., and CONTACT US.

The main content area is titled "COVID-19" and includes a link to "Check Here for YCSO COVID-19 Statistics". The text states: "The health, safety, and wellbeing of the incarcerated, our staff, and the public is of the utmost importance to the Yolo County Sheriff's Office. Throughout the pandemic, the Sheriff's Office has worked closely with Yolo County Health Officials and WellPath (corrections' medical provider) to ensure we are employing the best practices within our facilities. We actively monitor the state of the pandemic and consistently update our practices to ensure we are providing the safest environment feasible. The following is a summary of our safety practices and protocols:"

Medical Screenings
All inmates are medically screened on arrival. All inmate workers (those who travel throughout our facility) are medically screened daily. All staff members are medically screened prior to the start of each shift. In addition, any person (vendor, attorney, etc.) entering the jail is medically screened prior to entering the jail facility.

If an incoming inmate does not meet the medical guidelines for admittance into the facility, the inmate is routed to the hospital for medical clearance. If the medical guidelines are not met by a staff member or vendor, they are also denied admittance to the facility.

Testing
All incoming inmates are tested for COVID-19. Any current inmate with COVID-19 symptoms or presenting with a complaint of sickness is tested for COVID-19. All staff entering the jail facility are tested for COVID-19 at least once weekly.

Vaccinations
COVID-19 vaccinations are available to anyone incarcerated desiring to be inoculated. The County of Yolo has implemented a mandatory vaccination policy which applies to all Sheriff's Office staff.

Decreased Movement / Physical Distancing
Inmates are now housed in single cells as population allows. Housing pods have been reorganized to provide for 6-foot distances between chairs. Inmates are required to social distance and wear masks when out in general areas. Inmates are provided with literature regarding the importance of physical distancing. Staff members now distribute commissary rather than the vendor.

Sanitation
The jail has employed increased cleaning and sanitation measures. Hand sanitizer is provided to the inmate population. Mail is held for 24 hours prior to distribution.

Preparation
Isolation unit with up to 23 beds is utilized for any inmate Positive for COVID-19. An additional 26 beds have been prepared as an additional quarantine unit if necessary.

Releases
Upon release, inmates are provided with literature regarding available emergency housing.

Related Pages
Crime Desk
COVID-19
Detention Facilities
Inmate Commissary
Inmate Mail Policy
Programs
Booking Statistics

Contact Info
ADDRESS: Yolo County Sheriff's Office
140 Tony Diaz Drive
Woodland, CA 95776
Get Directions
EMERGENCY: 911
NON-EMERGENCY: 530-668-8282
ADMINISTRATION: 530-668-5280
ADMINISTRATION FAX: 530-668-5238
ANIMAL SERVICES: 530-668-5287
DETENTION (MAIN JAIL): 530-668-JAIL
CLICK FOR OTHER DIVISIONS

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YOU ONLY VOTE ONCE

Elections integrity in Yolo County

Published by the 2021-22 Grand Jury on May 27, 2022

ABSTRACT

Yolo County continues to provide a secure and accurate voting process.

BACKGROUND AND SUMMARY

Our U.S. democracy is supported by the active engagement of citizens during periodic voting processes. It is a public goal to have children and new citizens be aware of the importance of voting, and how such actions support the smooth transition of power from one individual to another over time. Public education and substantial media coverage are often used to ensure that the U.S. population is aware of the importance of voting and when key election dates will occur. Maintaining the integrity and accuracy of the voting process is necessary to maintain public confidence in this vital piece of the American democratic process.

The U.S. Constitution empowers each state in the Union to run its own elections process. Voters may participate either in person on established election dates or through submitting mail-in-ballots to specified locations and during specified periods. In recent years, and perhaps in part fueled by the COVID-19 pandemic, mail-in ballot methods have increased by which voters submit their votes.

The prior 2019-20 Yolo County Grand Jury (YCGJ) addressed the important issue of election security, concluding that:

“...the quality, security, and transparency of work performed by the Yolo Elections Office met the requirements of California Election codes. Furthermore, the Yolo Elections Office ensured that the public had many opportunities to observe the election process in action by advertising those opportunities by way of multiple platforms. The office went beyond minimum requirements to increase voting opportunities for Vote by Mail drop-offs and same day voter registration. The Grand Jury also found that the Yolo Elections staff interfaced and trained with a variety of local, state, and federal election and security entities and organizations to improve County election security and cybersecurity.”

Based on its findings from investigations during that term, the 2019-20 Yolo County Grand Jury recommended that a public-domain disaster response plan should be available for the Yolo Elections Office. As of April 13, 2022, we are still waiting for the County to implement this recommendation.

After receiving a complaint alleging improprieties at our County Elections Office in 2020, the 2021-22 Yolo County Grand Jury decided to investigate our county elections process and evaluate its integrity.

This time, the 2021-22 YCGJ was pleased to find that our County carried out its electoral duties with award-winning dedication, professionalism, and meticulous adherence to state and federal guidelines during the timeline alleged in the complaint. We have found no evidence of inappropriate behavior by any member of the County Elections Office and can therefore only make a general commendation regarding the integrity of our voting system. The purpose of the remainder of this report is to consider the outstanding issues raised by the previous grand jury, such as the request for a public viewing of a disaster response plan, even in advance of a county-wide department-by-department plan.

APPROACH

The 2021-22 Yolo County Grand Jury conducted this investigation through a number of parallel strategies including: conducting interviews of Yolo County employees; collection of citizens' reports of election monitoring; conducting unannounced site visit to the Elections Office; reviewing of newspapers and online news media; and reviewing of publicly accessible county, state, and federal websites and guidelines.

DISCUSSION

The 2021-22 Yolo County Grand Jury investigation found a well-organized Elections Office (office). We can confirm this is an efficient voting system that invites expanded participation by all eligible voters and opportunities for citizens to monitor its operations. The office was inspected during a grand jury unannounced visit on January 4, 2022. The grand jury found clean and efficient facilities, meticulously organized supplies, and enthusiastic staff who engaged with the public in person, over the phone, and via internet portals. We inspected the Agilis ballot scanning and sorting machine, the Hart ballot tabulation machine, and their electronic and physical security measures. We learned that in the 2020 general election, approximately 120,000 ballots were cast in Yolo County, of which fewer than three percent were referred for a curing process to verify the identity of the voter. No single case of voting fraud was found. This office follows state and national guidelines for training its staff to collect, verify, tabulate and secure ballots, and to maintain the voter roll.

FACTS

1. Yolo County uses both electronic and physical security measures to assure the integrity of our elections process.
2. Yolo County uses a state-of-the-art ballot tabulation and sorting machine that is produced and monitored by a state-certified vendor and that does not connect to the internet.

3. Physical security measures include having tamper-resistant ballot drop boxes bolted to the ground, signature verification procedures, and at least two trained county employees present at every step of the elections process, such as when emptying ballot drop boxes.
4. Election observers are welcomed at many points in the process.
5. Maintenance of the voter roll is a continuous process that follows the guidelines of the California Secretary of State and of the National Voter Registration Act.
6. Yolo County elections staff keep its websites updated and continuously seek to engage with the public regarding voting rights, registration to vote, and the elections process in general.
7. The Yolo County elections office mailed all active and inactive registered voters a Living Location/Address Confirmation postcard on Friday, March 11, 2022.
8. Yolo County Elections Office won the EAC Clearinghouse Award for Best Practices in Election Administration for outstanding innovations in elections on January 31, 2020.

FINDINGS

- F-1 The Yolo County Elections Office is an exemplary administrator and guardian of our democratic electoral mechanism. Its employees are dedicated to the provision of a comprehensive and transparent mechanism for the citizens of our country to participate in elections.
- F-2 We have found no evidence of systemic or other significant fraud in our county elections since at least 2001.
- F-3 The Yolo County Elections Office has not published a departmental emergency response plan, as the YCGJ 2019-20 had recommended.

RECOMMENDATIONS

- R-1 Yolo County Elections Office should prepare a departmental summary of an emergency response plan that is appropriate to release to the public by October 1, 2022.

COMMENDATION

Yolo County Elections Office deserves congratulations for its efforts at keeping our democracy safe from potential fraud using state-of-the-art technology and practices.

REQUIRED RESPONSES

Pursuant to Penal Code sections 933 and 933.05 the Grand Jury requests responses from the Yolo County Registrar of Voters for Finding F-3 and Recommendation R-1.

CLOVER TAKING OVER!: Where did the grass go in Davis parks?

CLOVER TAKING OVER!

Where did the grass go in Davis parks?

Published by the 2021-22 Grand Jury on June 1, 2022



SUMMARY

The 2021-22 Yolo County Grand Jury investigated the City of Davis Parks and Community Services Department (Parks). In particular, the grand jury sought to find out why the Davis parks show a significant lack of greenery during summer months. The grand jury also reviewed the 2018 Measure H spending to evaluate the effect that this parcel tax had on the overall parks operation. This measure was renewed in 2018 for a 20-year term at the current \$49 per parcel per year with a modest 2% increase annually.

The grand jury now recommends the following ideas to the City of Davis for improving our parks:

- address the weed infestation in the parks and green belts, with removal of weeds such as foxtails;
- restore turf grass areas and irrigation; promote volunteer programs already in place; use transparent bidding practices when hiring contractors;
- recruit to fill the Integrated Pest Management (IPM) Specialist position or outsource this function; and
- publicize an annual Measure H spending report detailing expenditures and how Measure H specifically benefits the city's parks and aquatics centers.

BACKGROUND

In 1998 Davis voters passed Measure H, "the park maintenance tax", which assessed an annual parcel fee of \$49 per parcel. Over the years this park tax was renewed by voters 4 times with no increase in the amount per parcel. When the park tax was passed it made a significant impact for maintaining the Davis parks. In 1998 the park tax covered 50% of the Parks budget. When Measure H was renewed by Davis voters in 2018, the \$49 parcel tax only covered 10%, or \$1.4 million, of the Parks budget of \$14.525 million.

Of the 2021 Parks management budget, \$7.7 million goes toward salaries and retirement of Parks staff; \$4.4 million goes toward a contractor to supplement the maintenance of parks and other areas; and \$1.8 million goes toward interdepartmental charges (funds paid by the Parks Department to other city departments, including Information Technology, Finance/Budget, Payroll, Fleet, Facility Maintenance, for providing support services).

As of April 2022, the Parks Division has a total of 18 full-time staff members and two-part time positions:

- 1 Parks Director
- 1 Parks Manager
- 1 Assistant Director
- 2 Park Supervisors (1 for maintenance, 1 for irrigation)

CLOVER TAKING OVER!: Where did the grass go in Davis parks?

- 1 Crew Supervisor
- 4 Irrigation Specialists
- 8 Park Maintenance Workers
- Parks Maintenance Aide I/II (part-time/temporary) (vacant position)
- Parks Maintenance Aide (part-time) (vacant position)

The Parks Director has offices in two locations: one at City Hall and the other at the Corporation Yard. The parks manager and assistant director are both located at the Corporation Yard. The park supervisors split their time between the field and the Corporation Yard doing administrative work. The crew supervisor, irrigation specialists and park maintenance staff all work directly in the field.

The city maintenance staff and contractor support the following municipal green space:

- 5 Community Parks, 89 acres
- 28 Neighborhood Parks, 135 acres
- 29 Greenbelts, 175 acres
- Streetscapes, 83 acres
- 14,556 street trees
- 8,964 Park and Greenbelt trees

According to park staff there is an annual shortfall of \$500,000 to \$800,000 for park maintenance. Davis parks are maintained using a combination of a contractor and City of Davis maintenance staff. The parks with the highest visibility (for example, Central Park) are maintained by City of Davis staff. The City of Davis uses one contractor, Brightview Landscape Services, to aid in maintaining the city parks. In the past the city has contracted with 2 outside businesses to help maintain city parks. While the city does have other sub-contractors they could use, only Brightview is completing maintenance outside of what city staff maintains. It is unclear if the City of Davis uses a competitive bidding process when awarding maintenance contracts.

In summer and fall months, there are significant dry areas in the majority of parks and green belts (Exhibit A). Bike/pedestrian paths in North Davis green belts were rebuilt in late 2019 and 2020. Lawns adjacent to these bike paths had the water turned off for months at a time during bike path construction; the grass died, and weeds took over. Once construction ended and the water was turned back on, there was no remediation to address the weed issue and restore the grass areas.

Play Fields Park in South Davis shows signs of deficient maintenance. Clover has completely taken over the two softball fields (Exhibit B). Mace Ranch Park shows signs of dryness in the summer and fall, with significant weeds taking over (Exhibit C). The soccer fields in Northstar Park have shown major wear and again the weeds have taken over (Exhibit D). The city has no plan for remediation.

CLOVER TAKING OVER!: Where did the grass go in Davis parks?

Throughout the investigation and visitation of the parks, the grand jury noted that:

- The parks are clean, and graffiti is removed in a timely manner;
- Trash cans are placed at appropriate areas and trash is collected on a regular basis;
- Bathrooms in parks are kept clean and well maintained;
- Parks are mowed on a regular schedule;
- Grass areas are green during the winter months (However, upon close inspection the greenery is a mix of grass, weeds and clover);
- At times, non-grassy areas and cracks in pavement show significant weed growth (Exhibit E);
- Maintenance staff takes little action to remedy the parks' shortcomings including weed control in the turf areas of the green belts and parks;
- City staff repairs safety items first, then addresses other maintenance areas.

In January 2020 the Davis City Council voted to end the use of herbicide containing glyphosate (AKA Roundup). During this meeting it was recognized that there would be significant increase in costs to maintain the parks throughout Davis. According to *The Davis Aggie*:

“The Davis City Council did allow for the use of Tier 2 (moderate concern) pre-emergent herbicide... In addition to using Tier 2 pre-emergent herbicides, city staff added future goals for pesticide use in the city, including the development of an Integrated Pest Management Technical Advisory Committee and added mapping of pesticide hazard and reduction mapping. Ultimately, the city staff is looking to respond to the public's concerns with minimal use of pesticides.”⁸

Davis Parks staff has reported that the position of IPM Specialist has been recruited in the past but has been unsuccessful in filling this position. The City of Davis has budgeted for an IPM Specialist in the 2021-23 current budget. However, at the time of the writing of this report, this position has not been filled and there is no job opening for this position on the City of Davis website.⁹

Through investigation, the grand jury discovered that all capital projects are managed by the Public Works Department. The maintenance of city parks is the responsibility of the Parks and Community Services Department. There needs to be better communication between the Public Works Department and the Parks Department when capital projects affect both of these departments. For example, when the Public Works Department repaved the bike path, the Parks Department shut off the water, resulting in the death of the grass around the bike path. Better communication and collaboration between these departments would have prevented the loss of greenery.

⁸ TheDavisAggie.org, published 2/24/2020

⁹ <https://www.governmentjobs.com/careers/davis?page=1>, accessed May 9th, 2022

APPROACH

The grand jury investigated this matter using the following means:

- Publicly available data on various public websites: charters, planning documents, budgets, reports and meeting minutes.
- Data provided by the City of Davis website.
- Several visits to Davis parks between the months of August and December 2021.
- Interviews of city staff responsible for Davis park maintenance and related activities.

DISCUSSION

1. Davis voters passed Measure H in 1998. It has subsequently been renewed every four or six years until 2018 when voters renewed the measure for a 20-year term with an annual 2% increase (Exhibit F).
2. Davis municipal green space has grown by 30% since Measure H was passed in 1998.
3. When Measure H was passed in 1998 the \$49 annual parcel tax supported 50% of the parks budget. In 2021, Measure H funding provided only 10% of the parks budget.
4. Maintenance of Davis aquatic facilities are also funded through Measure H revenues.
5. Davis parks' appearance suffers from lack of adequate maintenance. An example of this is the predominance of clover in grass areas at Playfields Park in South Davis. This park is maintained by city staff. The desired balanced growth of clover and other grasses is not achieved due to lack of weeding, watering and maintenance.
6. During the winter of 2021-22 all of the observed parks had weed infestations in the grassy areas. Weeds also predominate on the periphery of the parks and greenbelts. High visibility parks (e.g., Central Park) were generally better maintained.
7. The maintenance work of most Davis parks is understaffed and underfunded.
8. Park maintenance staff prioritizes safety items over beautification.
9. Measure H funds are deposited into the Parks and Community Services General Fund with no expenditure itemization.
10. The full-time position of IPM Specialist is not currently filled nor is it currently advertised as a vacant career opportunity.
11. The volunteer opportunities for Park beautification offered by the City of Davis are not well publicized. Volunteer activities focus on issues such as trash-removal or clean-up events.

FINDINGS

- F-1 The Davis Parks budget no longer adequately covers park maintenance throughout the year at satisfactory quality levels.
- F-2 Davis Parks greenery is unkempt and shows a lack of consistent maintenance.
- F-3 The City of Davis has been unsuccessful in hiring additional maintenance staff and an IPM Specialist, as outlined in the City of Davis Policy and Procedures.¹⁰
- F-4 Parks that are maintained by the City of Davis are better maintained than the parks that are serviced by the sole contractor.
- F-5 The City of Davis does not have a transparent policy in place regarding the bidding process for the publicly funded contractor supporting the Parks department.
- F-6 Although the City of Davis has mechanisms in place to promote volunteerism to beautify parks, volunteer opportunities could be better promoted to the public.¹¹
- F-7 There is lack of coordination between the Public Works Department and the Parks Department when capital projects within the park system take place. This leads to the lack of re-greenification of Davis parks.

RECOMMENDATIONS

- R-1 The City of Davis should address the weed infestation in the parks and green belts, with removal of weeds and reinstall grass back to its original form by September 1, 2022.
- R-2 The City of Davis' competitive bidding process should be transparent when awarding contracts to this contractor and should provide an explanation of said process regarding by September 1, 2022.
- R-3 The City of Davis should actively recruit for the IPM Specialist position or in the absence of a qualified candidate, the City of Davis should outsource this position by September 1, 2022.

¹⁰<https://documents.cityofdavis.org/Media/Default/Documents/PDF/PW/Integrated%20Pest%20Management/07-IPM-Policy-ATT2-IPM-Policy-and-Procedures.pdf>

¹¹ <https://www.cityofdavis.org/city-hall/parks-and-community-services/volunteer-opportunities>

CLOVER TAKING OVER!: Where did the grass go in Davis parks?

- R-4 The City of Davis Parks Department should actively promote civic pride and the volunteerism programs already in place such as ADOPT-A-PARK. Additional ideas for volunteer recruitments include:
- enlisting Scout troops to help contain weed growth in the parks.
 - working with service clubs (e.g., Rotary, Lyons Club, Kiwanis) to help maintain the parks.
 - amplifying public service announcements encouraging “pull weeds in your neighborhood green belts and parks. “
- R-5 The City of Davis should publicize an annual Measure H spending report detailing expenditures as they specifically benefit the parks and aquatics centers.

REQUIRED RESPONSES

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

The City of Davis Findings F-1, F-2, F-3, F-4, F-5, F-6, Recommendations R-1, R-2, R-3, R-4, R-5

CLOVER TAKING OVER!: Where did the grass go in Davis parks?

EXHIBIT A: North Davis Green Belts, taken in Oct 2021



CLOVER TAKING OVER!: Where did the grass go in Davis parks?

North Davis Green Belts, taken in Oct 2021



CLOVER TAKING OVER!: Where did the grass go in Davis parks?

EXHIBIT B: Play Fields in South Davis taken fall 2021



Heavy clover within the fields at Play Fields



CLOVER TAKING OVER!: Where did the grass go in Davis parks?

EXHIBIT C: Mace Ranch taken fall 2021



CLOVER TAKING OVER!: Where did the grass go in Davis parks?

EXHIBIT D: North Star Soccer Fields Fall of 2021



CLOVER TAKING OVER!: Where did the grass go in Davis parks?

North Star Soccer Fields Fall of 2021



CLOVER TAKING OVER!: Where did the grass go in Davis parks?

Photos taken in wintertime 2021 of North Star Soccer Fields



CLOVER TAKING OVER!: Where did the grass go in Davis parks?

EXHIBIT E: North Davis Bike Path, taken Spring of 2022



CLOVER TAKING OVER!: Where did the grass go in Davis parks?



EXHIBIT F: Measure H 2018

<https://www.cityofdavis.org/home/showpublisheddocument/17066/637800193630070000>



**Measure H
2018 Parks Maintenance Tax**

Ballot Language:

Shall Ordinance 2521, which renews the existing Park Maintenance Tax of \$49 per year on residential units and on non-residential units in amounts specified in the Ordinance, for 20 years, adds an annual 2% inflator, and is expected to generate \$1.4 million in the first year to fund maintenance of parks, street trees, greenbelts, bike paths, medians, public landscaping, urban wildlife and habitat, swimming pools, and public recreational facilities, be adopted?

What is the Parks Maintenance Tax (Measure H)?

Measure H is a City ballot measure to renew the current Parks Maintenance Tax that was first approved by voters in 1998. Measure H will be on the June 5, 2018 ballot. It requires a two-thirds (66.67%) vote to pass.

Is this a new tax and how much is it?

No, this is not a new tax. It was approved by voters and has been in effect since 1998. Measure H would renew the existing Parks Maintenance Tax at the same rate of \$49 per residential parcel and \$40 per 1,000 sq. ft. for non-residential parcels. The following table compares the current tax with the proposed tax on the June ballot:

Current Parks Tax	Proposed Parks Tax (Measure H)
Single Family Residential - \$49 per house/year	Same
Multi-Family Residential - \$49 per unit/year	
Commercial - \$40 per 1,000 sf, to max of 10,000 sf.	
6 Year Sunset (expires June 2018)	20 Year Sunset (expires June 2038)
Low Income Provision	Same
No Annual Cost of Living adjustment	2%
Use of revenue is restricted to maintenance of parks, open space, greenbelts, medians, pools and recreation facilities	Same
2/3 voter approval required	Same

How does the City use the revenue from the Parks Maintenance Tax?

The Parks Maintenance Tax provides \$1.4 million annually, which currently pays for 18% of parks maintenance costs. The funds are dedicated to assisting with the maintenance of parks, street trees, greenbelts, bike paths, medians, public landscaping, urban wildlife and habitat, swimming pools, and public recreational facilities in the community, such as building in parks, play structures, and courts and fields. As a special tax, revenues must be spent only for these purposes.

Since the initial Parks Maintenance Tax went into effect, the City has added the maintenance of three community parks (Arroyo, Mace Ranch, and Walnut), four neighborhood parks (John Barovetto, Harvest, Market and Cannery Dog Park), the Arroyo pool complex and approximately 43 additional acres of greenbelts and open space.

The City currently maintains:

- 5 Community Parks, 89 Acres
- 28 Neighborhood Parks, 135 Acres
- 29 Greenbelts, 175 Acres
- Streetscapes, 83 Acres
- 14,556 Street Trees
- 8,964 Park & Greenbelt Trees

Why is Measure H on the June 2018 Ballot for renewal?

The Parks Maintenance Tax, renewed by voters in 2012, sunsets in June 2018. The City Council has placed Measure H on the ballot to ask residents to renew the Parks Maintenance Tax.

What will happen if the Parks Maintenance Tax is not renewed?

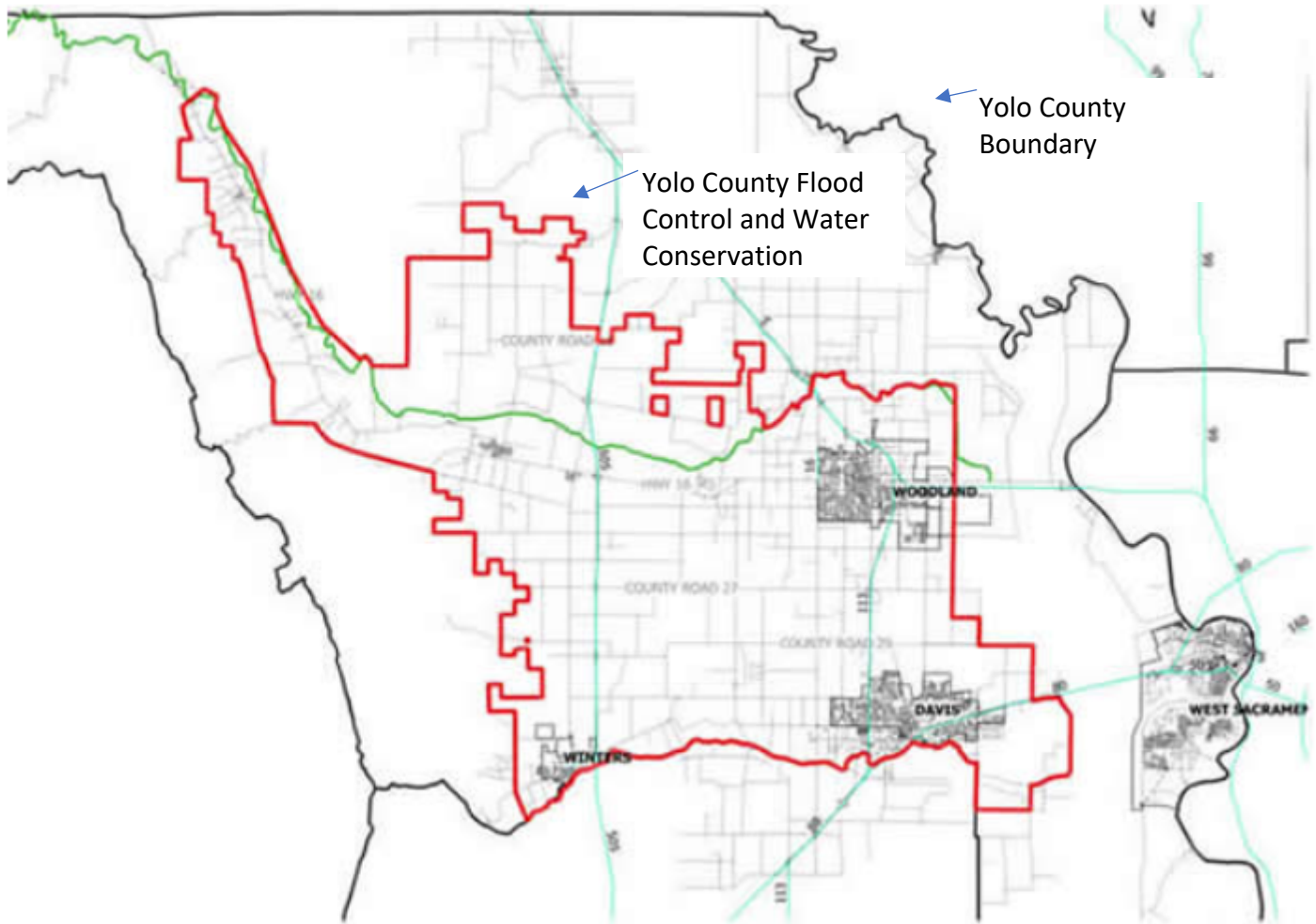
If the Parks Maintenance Tax is not renewed in 2018, the City will need to determine how to reduce services and costs in response to the loss of approximately \$1.4 million. Ultimately, the decision of service level reductions will be decided by the City Council.

For more information, please visit: CityofDavis.org

GOT FLOODING - WHO YOU GONNA CALL?

Flooding Issues in the Yolo County Flood Control and Water Conservation District

Published by the 2021-22 Grand Jury on June 1, 2022



SUMMARY

The 2021-22 Grand Jury reviewed flood control processes of the Yolo County Flood Control and Water Conservation District. This report notes the lack of a complaint or grievance system for reporting emergency flood problems and for use in identifying recurring flooding issues.

DEFINITIONS

District Act	Yolo County Flood Control and Water Conservation District Act
“District” or YCFCDW	Yolo County Water Conservation and Flood Control District

¹² <http://www.ycfwcd.org/servicearea.html>

LAFCo	Yolo Local Agency Formation Commission
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BACKGROUND

In 1951, at the request of the Yolo County Board of Supervisors, the California legislature adopted the District Act. Section 3 of the District Act provides for the management of floodwaters:

“The objects and purposes of this act are to provide, to the extent that the board may deem expedient or economical, for the control and disposition of the storm and flood waters of the District and to that end the District is hereby created to be a body corporate and politic...” (Exhibit A)

Farmers, residential users, and others acquire surface water through the District’s delivery systems. Groundwater management practices of the District and other cooperating governments benefit groundwater users. The District also produces hydroelectric power. The District Act charges the District with the responsibility to serve property owners, land occupants, and other users in an effort to avoid property damage from stormwaters and floodwaters.

Over decades, the District has enhanced and protected its water resources.

- In the 1960’s, the District acquired a water company with rights to Clear Lake water through Cache Creek.
- In the 1970’s, the District added Indian Valley Reservoir and Chapman Reservoir to its supply system.
- In 1983 and 1986, the District developed hydroelectric facilities.
- Over time, the District has also implemented programs to conserve groundwater.

The District’s boundaries now include nearly 40% of the area of Yolo County, a majority of residents of Yolo County, and extensive water supply reservoir ownership and conveyance facilities in Lake and Yolo Counties¹³.

APPROACH

In preparing this report, the grand jury consulted publicly available information including the Yolo County Water Conservation and Flood Control District (YCFCWCD) web site, the Yolo Local Agency Formation Commission (LAFCo) web site, and the Yolo County Flood Control and Water Conservation District Act (District Act). The grand jury interviewed several individuals regarding flooding complaints, concerns, and practices. In November 2021, a committee of the grand jury met at YCFCWCD headquarters with the General Manager of the District who presented information regarding the District.

¹³ <http://www.ycfcwcd.org/district.html>; accessed May 3, 2022

DISCUSSION

District Fulfillment of Flood Control Responsibilities

The grand jury notes that the handling of flood control matters in and around the District have been deemphasized in recent years. In average to above-average rain-fall years, Yolo County experiences numerous instances of flooding upon developed, undeveloped, private, and government properties. Property owners and water users expressed concerns about how flooding has damaged or impaired the use of wells, structures, and ingress-egress on private land. For public property, the most common concern relates to ingress-egress from Yolo County roads, which can create public safety hazards when flooded.

The present District mission statement includes only the water supply function and does not include floodwater and stormwater mitigation:

“To plan, develop and manage the conjunctive use of the District’s surface and groundwater to provide a safe and reliable supply at reasonable cost, and to sustain the socioeconomic environmental well-being of Yolo County.”¹⁴

The mission statement does not include management of flood waters, which was a foundation of the District Act.

The District’s financial expenses are budgeted on an annual basis. District reports from previous years show a recent reduction in flood prevention funding. In 2020-21, the District’s flood management budget allocated \$200,000 for outside services related to flood prevention. In the next fiscal year 2021-22, the District allocated \$20,000 in outside services related to flood prevention. These line items are revenues received from Flood Safe Yolo 2.0¹⁵, a Yolo County program. The total District budget was approximately \$7.2 million in fiscal year 2020-21 and \$3.7 million in fiscal year 2021-22.

Resources built into the District’s service plan may also help reduce flooding. These resources include surface water storage and conveyance, dam maintenance, and community outreach.

When flood problems arise, members of the public might ask the following:

- Is the problem caused by District activities?
- Is the problem within the District?
- Is the problem within a flood control responsibility charged to the District, on its own or with a Yolo County agency, reclamation district, or a state agency?

¹⁴ <http://www.ycfwcd.org/district.html>; accessed May 3, 2022

¹⁵ <https://www.yolocounty.org/government/general-government-departments/county-administrator/county-administrator-divisions/natural-resources/flood-safe-yolo-2-0>; accessed May 3, 2022

Yolo County residents in and near the District report significant difficulty receiving assistance regarding grievances or concerns about flooding, revealing the following problems:

- A lack of reporting system or protocol to initiate investigation of issues.
- A lack of a District-maintained, publicly available mechanism to track flooding complaints.
- A lack of a follow-up system to help the Yolo County resident or owner move toward resolution.
- A denial of responsibility for flooding issues.
- A failure to correctly identify the correct government entity to provide support.

There is no mention of flood-related complaints on the District web site. Although records may be accessed by the public under the California Public Records Act (PRA) if they are created in the first instance, the public lacks access when a public agency fails to create and maintain records.

Confusion among various agencies within Yolo County compounds the problem. Members of the grand jury anonymously called various Yolo County agencies thought to be responsible for flood management. Agency A orally advised the caller to contact Agency B. Agency B, when called, replied that the matter was not within its jurisdiction, and to contact Agency C. Agency C referred the caller back to Agency A. Getting passed from agency to agency without resolution was a consistent problem that each grand jury caller experienced.

The District, which is responsible for flood control under the District Act, has no complaint or grievance system to record, address, or track flooding problems. Implementing such a grievance system might enable a person to contact responsible agencies or sources of assistance as well as to facilitate cooperation with other Yolo County agencies. Since the District does not have a grievance system, it cannot identify its own shortcomings or help address community concerns. A failure to gather flooding information through grievances compromises efforts toward future flood remediation.

FINDINGS

- F-1 The District lacks a complaint or grievance process to gather and assess information regarding flooding. This failure limits long-term planning to reduce the impact of flooding.
- F-2 The District fails to track complaints and grievances concerning flooding, depriving the public and government decision makers of access to information concerning flooding in Yolo County.

GOT FLOODING – WHO YOU GONNA CALL?: Flooding issues in the Yolo County Flood Control and Water Conservation District

- F-3 The District’s official mission statement does not include any responsibility for flood control management as required by the District Act, and fails to acknowledge responsibility for floodwater or stormwater control and remediation.

RECOMMENDATIONS

- R-1 The District, solely or in coordination with County administration, create and implement a procedure to receive and record complaints, grievances, and service requests related to flooding issues. The process should clearly identify the responsible agency.
- R-2 The District document all complaints and outcomes regarding flooding, making them accessible to the public, by September 1, 2022.
- R-3 The District revise its mission statement to include flood control responsibilities under the District Act by September 1, 2022.

REQUIRED RESPONSES

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

Yolo County Flood Control and Water Conservation District Findings F-1, F-2, F-3 and Recommendations R-1, R-2, R-3.

Yolo County Board of Supervisors Findings F-1, F-2 and Recommendations R-1, R-2.

INVITED RESPONSES

Yolo Local Agency Formation Commission (Yolo LAFCo) Finding F-3 and Recommendation R-3.

EXHIBIT A

Subdivisions (p), (q) and (r) of the District Act reflect the two aspects of the District’s authority regarding water in Yolo County, authorizing both distribution of water for use and control of flood and storm waters:

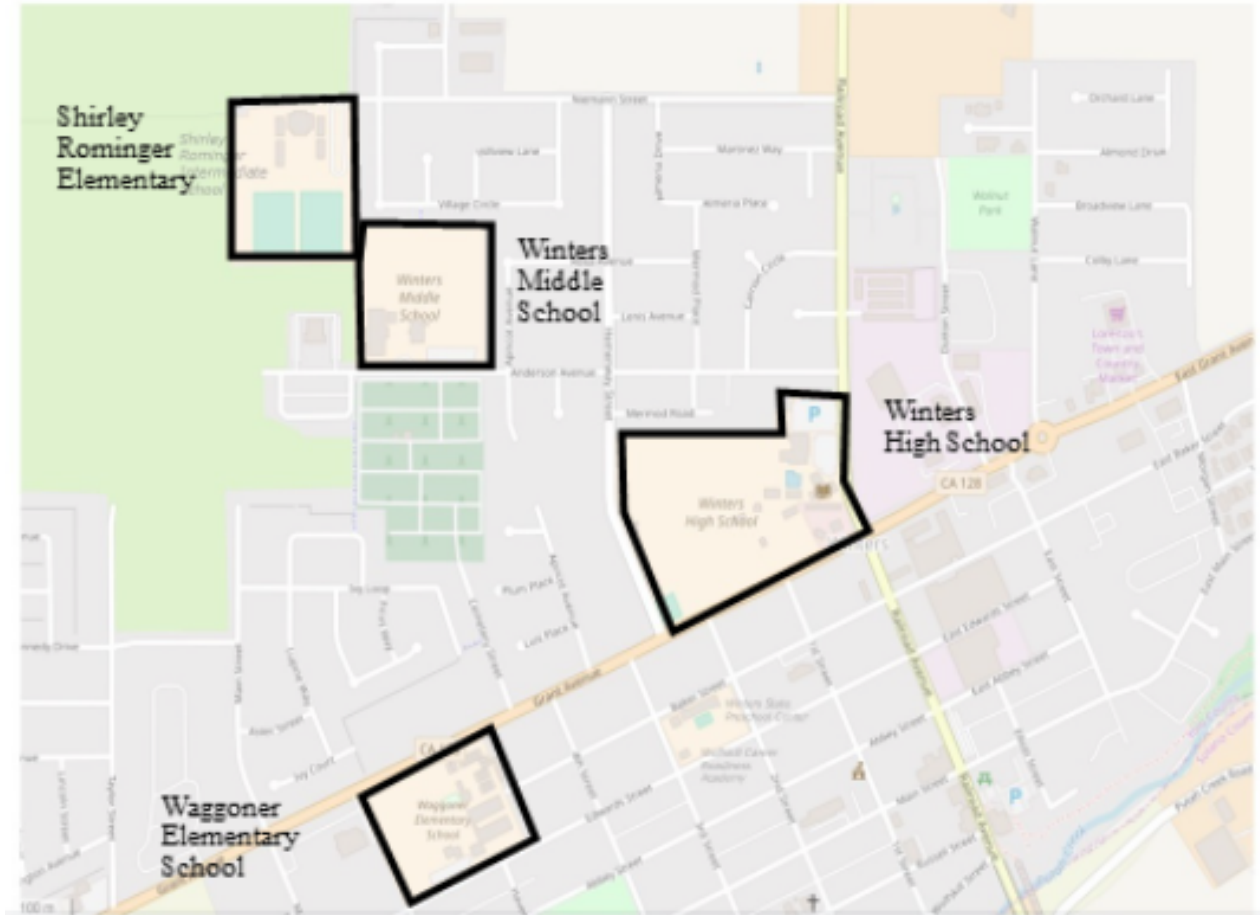
“(p) To construct, purchase, lease or otherwise acquire works and to purchase, lease, appropriate, or otherwise acquire surface waters and water rights, useful or necessary to make use of water for any purposes authorized by this act.

“(q) To do any and every lawful act necessary to be done that sufficient water may be available for any present or future beneficial use or uses of the lands or inhabitants within the District, including, but not limited to, the acquisition, storage, and distribution for irrigation, domestic, fire protection, municipal, commercial, industrial, and all other beneficial uses. Water which is surplus to the needs of the lands and inhabitants within the District may be made available for beneficial use outside the District pursuant to rules and regulations prescribed under subdivision (v) of this Section 3.

“(r) To control flood and storm waters within the District and the flood and storm waters of streams outside of the District, which flow into the District; to conserve such waters by storage in surface reservoirs, to divert and transport such waters for beneficial uses within the District; to release such waters from surface reservoirs to replenish and augment the supply of waters in natural underground reservoirs and otherwise to reduce the waste of water and to protect life and property from floods within the District.”

HELP! I NEED SOMEBODY GETTING AN EDUCATION

The Winters Joint Unified School District
Published by the 2021-22 Grand Jury on June 14, 2022



Winters Joint Unified School District
909 West Grant Ave, Winters, CA 95694
Superintendent: Diana Jimenez

Grades TK-12

Enrollment: Approximately 1,550 per District website on 3.16.22

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SUMMARY

This report evaluates two aspects of the Winters Joint Unified School District (district) in Winters, California:

- The district’s published materials for parents/guardians describing the steps necessary to obtain legally mandated services for a disabled child and classroom accommodations or special education services
- The success of the third through fifth grade English Language Arts program at creating a literate student body

This 2021-22 Grand Jury investigation focused on the district’s execution of its responsibility to produce literate students, and its responsibility to describe to parents/guardians of a struggling student not only the scope of the services to which they are legally entitled, but also the way to obtain these services. This investigation was prompted by citizen allegations that the district is not providing the legally required services to struggling students. In addition to the citizen complaint to the grand jury, in 2019 the California Department of Education produced Investigation Report Case S-0888-18/19, which found the district was out of compliance with certain aspects of its obligation to provide special education services.

This 2021-22 Yolo County Grand Jury recommends that the district improve communication with parents/guardians, specifically with respect to describing the steps required to obtain services for a disabled child. We also recommend that the district maintain a close focus on the English language arts test scores to determine whether its curriculum is producing literate students.

BACKGROUND

The Winters Joint Unified School District has approximately 1,550 students and includes the following schools:

- Winters State Preschool Center
- Waggoner Elementary School (grades TK - 2)
- Shirley Rominger Intermediate School (grades 3 - 5)

HELP! I NEED SOMEBODY, GETTING AN EDUCATION: The Winters Joint Unified School District

- Winters Middle School (grades 6 - 8)
- Winters High School (grades 9 - 12)
- Wolfskill Career Readiness Academy (grades 9 - 12)

A Brief Description of the District's Responsibility to Provide Services to Disabled Students

A free appropriate public education for students with disabilities is a requirement under Section 504 of Public Law 93-112, the federal Rehabilitation Act of 1973. Provisions found in Public Law 94-142 and Public Law 99-457 also relate to a school district's responsibility to provide educational services for disabled students.

A wealth of material related to the three federal laws noted above is available at the U.S. Department of Education website, the State of California Department of Education website and other print and online sources. These resources provide a detailed explanation of the laws, and specify the types of classroom accommodations or special education services school districts are required to provide. An exhaustive description of such services is beyond the scope of this report, and we collectively refer to all legally mandated services for disabled children as educational support services.

Likewise, beyond the scope of this report is a description of the complex process used to determine whether a child is (1) legally disabled and (2) qualifies for coverage under any one of the applicable code sections. Eligible disabilities encompass a wide range of conditions. The district's obligation to provide educational support can range from ensuring the student has a seat at the front of the class, to creating a special education program for the severely disabled. The extent of the disability determines the services to which the child is entitled. However, determining whether a child has a legally recognized disability is the critical first step necessary to determine what, if any, additional services the district must provide. This grand jury has focused on how well the district has described to parents/guardians the steps required to obtain education support services.

Evaluating the Success of the English Language Arts Program

The district is responsible for creating a literate student body. The Common Core State Standard Initiative, adopted by California in 2013, defines literacy through a series of English Language Arts standards, specifically:

- College and career readiness anchor standards for reading, writing, speaking, listening and language
- Reading standards for literature, informational text and foundational skills
- Writing and language standards
- Speaking and listening standards
- Language progressive skills
- Range, quality and complexity of student reading

The California Assessment of Student Performance and Progress System (CAASPP) is a battery of standardized tests that California uses to assess student educational achievement and performance and was established on January 1, 2014.

APPROACH

Evaluating the District's Guide to Guardians Attempting to Obtain Educational Support Services

The 2021-22 Grand Jury reviewed all published district materials for documentation that the district has provided a guide describing steps to obtain classroom accommodations or special education services. The jurors considered whether the information was easily accessible or whether exhaustive effort was required to obtain or understand the materials. Specifically, the jurors looked for information present in district manuals and handbooks available online or upon request. In addition to document review, several district administrators were interviewed, as well as independent educational experts.

The published district materials obtained and reviewed by the 2021-22 Grand Jury include:

- District-wide Parent's Rights Handbook 2021-2022 School Year
- Wagoner Elementary Family Handbook
- Shirley Rominger Intermediate School
- School Plan for Student Achievement
- 2021-22 School Year Parents Rights Handbook
- Winters Middle School 2021-22 Student Planner
- Winters High School Parent and Student Handbook 2021-22
- Yolo County Special Education Local Plan Area -Special Education Rights of Parents and Children-Notice of Procedural Safeguards
- Yolo County Office of Education 2021-2022 Annual Notification to Parents and Guardians

Evaluating the Success of the English Language Arts Program

To evaluate the district's success in creating literate students, the 2021-22 Grand Jury reviewed the English Language Art Test scores for the student body at Shirley Rominger Intermediate School, which has 365 students in grades 3-5. We also identified that the curriculum in use is the Wonders English Language Arts Program published by McGraw-Hill. According to the McGraw-Hill website, and district staff, this program is valuable because: it enables immediate, leveled re-teaching and targeted assignments; groups students automatically to recommended individual lessons; reports results at the individual, class and district levels; and tracks progress in key literacy skills and standards.

DISCUSSION

Evaluating the District’s Guide to Guardians Attempting to Obtain Educational Support Services

The 2021-22 Grand Jury could find no step-by-step guide by which parents/guardians could obtain educational support services for their children.

A reference was found on page 7 of the Parent’s Rights Handbook 2021-22, which directs readers to request a Parent Handbook for Special Education. Jurors requested this document but, in lieu of the Parent Handbook for Special Education, we were provided The Yolo County Special Education Local Plan Area - Special Education Rights of Guardians and Children-Notice of Procedural Safeguards. This document provides an overview of the relevant statutes, but does not describe the steps required to obtain educational support from the district. We understand that district staff are preparing a Parent Handbook for Special Education, but we were unable to find any existing document outlining the steps required to obtain educational support services for a child.

Evaluating the Success of the English Language Arts Program

The following chart combines the results from the 2018-19 Reading Proficiency evaluation conducted as part of the English Language Arts testing program from Shirley Rominger Intermediate to California statewide averages for the same test during the 2020-21 period. At the time this report was written, more recent testing data was not available from Shirley Rominger Intermediate, necessitating comparison between different time periods. Data from Shirley Rominger Intermediate is available on the school’s website and can be found in its *School Plan for Student Achievement*. Statewide data is available at: <https://caaspp-elpac.cde.ca.gov/caaspp/ViewReport>

Reading:						
Demonstrating understanding of literary and non-fictional texts						
	% Above Standard		% At or Near Standard		% Below Standard	
	District 2018-19	CA Avg 2020-21	District 2018-19	CA Avg 2020-21	District 2018-19	CA Avg 2020-21
Grade 3	21.26	16.67	42.52	55.55	36.22	27.89
Grade 4	12.24	17.19	50.00	60.04	37.76	22.37
Grade 5	25.25	18.19	44.44	59.66	30.30	22.15

“Conclusions based on this data” from the 2018-19 School Plan for Student Achievement:

- Due to COVID we did not have CAASPP testing in 2020 and 2021.
- 40% of our students met or exceeded the standard in English Language Arts on the CAASPP in 2018-2019. This was a 2% decrease from 2017-2018.

- We had a 98.2% participation rate in English Language Arts on the CAASPP in 2018-2019.

The data provided in the School Plan for Student Achievement and included above for reference states that no more than 37.76% of the children tested below the reading standard. However, the analysis at the end of the report indicates that 40% of the children did meet the standard. This data reporting and data analysis is incongruent and confusing. Based on Note 2 above, it appears that there are significant literacy issues at Shirley Rominger Intermediate. An ambiguous number of students (the exact number is impossible to determine with the currently available data) do not meet the English Language Arts standard, and thus are not literate.

FINDINGS

- F-1 The district does not have a published step-by-step guide for parents/guardians seeking educational support services for struggling students, making it difficult for parents/guardians to advocate for a child to obtain the support to which they are legally entitled.
- F-2 The most recently available data from the 2018-19 literacy testing at Shirley Rominger Intermediate and the comments in the School Plan for Student Achievement's Note 2, indicate the district struggles with literacy with their third through fifth grade students.
- F-3 The district has been unable to clarify, in publicly available data, the percentage of students who are underperforming in literacy skills.

RECOMMENDATIONS

- R-1 The district create a Parent Handbook for Special Education with the goal of providing a transparent process for parents/guardians and district staff to follow. Provide this document to the grand jury by October 1, 2022, and to families enrolled in the district.
- R-2 The district provide a graphic in a publicly accessible office in each school which clearly outlines the steps required to (a) evaluate a child for disabilities and (b) obtain special education services or classroom accommodations for a child by October 1, 2022.
- R-3 The district complete the CAASPP testing for the 2021-22 school year for grades three-five and report these literacy scores to the Grand Jury by October 1, 2022. Additionally, this grand jury recommends an annual reporting of these literacy scores to grand juries through the 2024-25 school year.
- R-4 The district review the English Language Arts student performance data provided in the School Plan for Student Achievement to ensure the information is clear to a lay public and mathematically accurate.

REQUIRED RESPONSES

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

From the following individuals:

District Superintendent Diana Jimenez Findings F-1, F-2, F-3 and Recommendations R-1, R-2, R-3, R-4.

From the following governing bodies:

Board of Trustees, Winters Joint Unified School District Findings F-1, F-2, F-3 and Recommendations R-1, R-2, R-3, R-4.

INSPECTING THE INSPECTORS

Hiring practices at City of West Sacramento, Building Division

Published by the 2021-22 Grand Jury on June 23, 2022

SUMMARY

There is a potential risk to public safety due to issues with the hiring and vetting process regarding the Building and the Human Resources divisions of the City of West Sacramento.

The 2021-22 Yolo County Grand Jury investigated allegations concerning conduct specifically related to a particular staff member in the Building Division of the Community Development Department in the City of West Sacramento. This employee will be referred to as the Subject of the Complaint (SOTC) throughout this investigative report. The grand jury's investigation focused on additional allegations regarding an inadequate vetting of the SOTC by the Human Resources Department (HR) prior to making a job offer, discussed in detail herein. Through the course of its investigation, the grand jury has determined that the City of West Sacramento conducted an inadequate vetting of the SOTC, that the Building Division has an incomplete system for flagging improper building inspections, and that the Building Division has a history of quelling staff concerns rather than addressing them through the official HR complaint process. In sum, the consequences of the above actions lead this grand jury to be very concerned about the public's safety in and around inspected buildings related to the SOTC's work.

DEFINITIONS

CBC	California Building Code
CBPC	California Business and Professions Code
CDD	Community Development Department
CSLB	Contractors State License Board
HR	Human Resources Division
ICC	International Code Council
Personnel Rules	City of West Sacramento Personnel Rules
SOTC	Subject of this Complaint

BACKGROUND

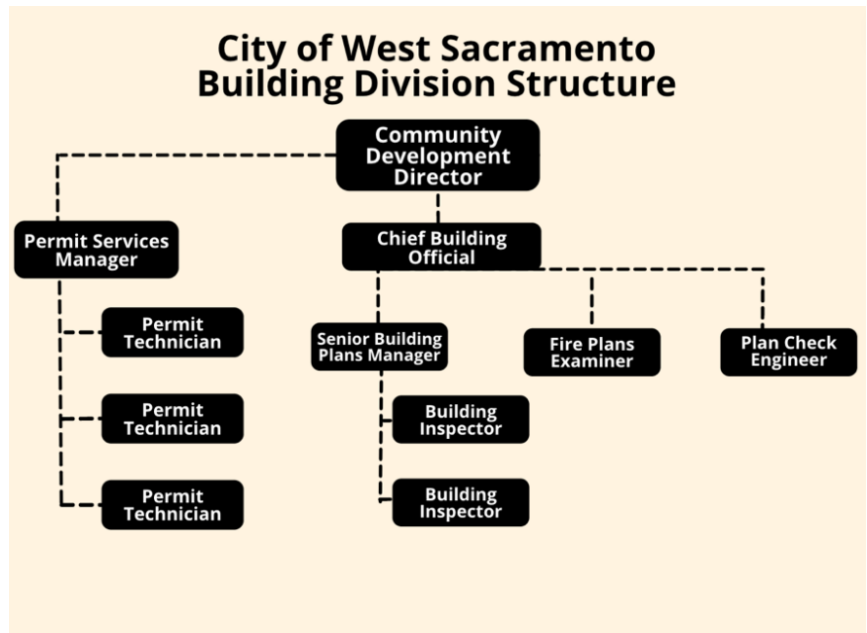
There are eight to ten full-time employees working in the Building Division under the Chief Building Official including the Permit Services Manager, the Senior Building Plans Examiner, three Permit Technicians, two Building Inspectors, a Fire Plans Examiner, and a Plan Check Engineer.

The complaint states that during April 2019 HR staff failed to properly review the prior work experience of the SOTC or conduct a proper background check of the SOTC during the hiring

process. The grand jury concludes that a proper review of the SOTC's recent work background would have revealed that the SOTC, while performing work as a licensed contractor, had been previously suspended due to multiple violations of the California Business and Professions Code (CBPC) for improper building contractor practices.

The following facts were established during the course of the grand jury's investigation. In February 2019, the SOTC applied for a building inspector position with the City of West Sacramento. In April 2019, the SOTC

accepted a full-time position as a Building Inspector II. The grand jury confirmed that the SOTC did not possess any of the certifications to perform the essential duties of a building inspector. While the City of West Sacramento does not require certifications prior to hire, the job description states in part:



"... At the option of the city, persons hired into this class may be required to either possess at entry or obtain within specified time limits, designated licenses, certificates or specialized education and training relevant to the area of assignment. Additional requirements may include, but are not limited to the following:

- *Possession of, or ability to obtain and maintain a Building Inspector's Certificate as issued by the I.C.C. within one (1) year of employment*
- *Certified Combination Inspector*
- *Certified Building Inspector*
- *Certified Electrical Inspector*
- *Certified Mechanical Inspector*
- *Accessibility Specialist Certification"*

Public records obtained from the ICC reflect that the SOTC did obtain a certification as a California Residential Building Inspector on or about October 2020. While the above requirements outline the expectation that an inspector in this position would be certified within one year of their employment, the SOTC took more than 18 months to attain this one certification. Of further concern to this grand jury is the fact that the SOTC was conducting independent inspections of both residential and commercial building projects without any of the above certifications and with a professional history of documented improper business practices, as discussed below in the Discussion section.

During the grand jury's investigation, it was learned that employees in the Building Division began noticing an increase in telephonic complaints from residential and commercial building permit applicants during 2020 and 2021. The community complaints principally centered on the SOTC allegedly not conducting proper construction inspections or not conducting the inspections at all. It was reported by multiple interviewees that these community complaints were particularly of concern because the community reports of the SOTC's actions did not align with the information the SOTC uploaded to the building permit electronic tracking system known as Acela. This concern with the SOTC's inconsistencies was further corroborated with documentation provided to the grand jury. Additionally, it was reported during this investigation that multiple staff reported their concerns about these allegedly improper inspections by the SOTC to management, however staff felt management reprimanded them rather than going forward with a formal HR complaint process. The grand jury requested access to the Acela platform but was not given said access.

The grand jury was notified on April 7, 2022, that the SOTC is no longer employed by the City of West Sacramento. However, the grand jury determined that the issues with HR hiring and vetting practices still need to be addressed.

APPROACH

Testimony and evidence presented to the grand jury during its investigation confirmed the existence of serious problems in the hiring and vetting processes for Building Division applicants, as described in the following section of this report. The grand jury also reviewed public information available from websites including the California Department of Consumer Affairs, Contractors State License Board, the International Code Council, and the City of West Sacramento Building Division.

DISCUSSION

Concern #1 – professional red flags

A review of SOTC's contractor license history reveals that this license was previously suspended or revoked, and later reinstated, on at least 11 occasions between 2007 and 2017. The most recent complaint against the SOTC's contractor's license includes the following statement: *"On or about June 20, 2017, an industry expert retained by the Board inspected the project and found that [SOTC's] construction work did not meet accepted trade standards for good and workmanlike construction."* It was this 2017 CSLB investigation into the SOTC's work product that uncovered 14 reasons for discipline, which resulted in the revocation of the SOTC's contractor's license for at least four years and a payment of a five-figure sum to the substantiated victims of the unbecoming conduct. This information is easily accessible on the CSLB website under a search of the SOTC's name.

There are many unanswered questions regarding how the SOTC's employment application went through the hiring process without a thorough review of the SOTC's past work experience,

INSPECTING THE INSPECTORS: Hiring practices at City of West Sacramento, Building Division

including notable sanctions regarding the SOTC's documented subpar work product. Unfortunately, this grand jury was not given access to the HR documentation for this candidate prior to the drafting of this report.

Concern #2 – failure to certify

Staff corroborated that it was a common practice within the Building Division to require newly hired building inspectors to obtain additional certifications for electrical inspector, plumbing inspector, mechanical inspector, and combination inspector within two years of their hire date.

Available ICC public records reviewed by the grand jury confirm that the SOTC only obtained the California Residential Building Inspector Certification. There is no ICC record showing the SOTC obtained any of the additional certifications mentioned above.

During employment, the SOTC was tasked with inspecting residential and commercial projects, however the SOTC was only certified to inspect residential projects.

Concern #3 – lack of support for staff

Through its investigation, the grand jury has determined that little to no action was taken when staff complaints about the SOTC were brought to management, and that management was hostile after the complaints were made. It has been corroborated throughout the investigation that upper management regularly sided with the SOTC, and staff were chastised or disciplined for elevating concerns to management. There is evidence that concerned staff never filed a formal complaint with HR to have their overall concerns documented and addressed.

FINDINGS

F-1. Management failed to conduct an adequate background check and failed to properly vet the SOTC to ensure all qualifications for the position were met, as specified by the City of West Sacramento's personnel rules.

F-2. Management failed to verify timely completion of certifications necessary for the SOTC to independently inspect construction projects to which the SOTC was assigned during the SOTC's employment.

F-3 For over two years, supervisory and management staff failed to address the pattern of community complaints regarding the SOTC's work.

F-4. The grand jury was not given access to the HR file of the SOTC or to the electronic tracking system, Acela, despite formal and lawful grand jury requests.

RECOMMENDATIONS

R-1. The City of West Sacramento should update the personnel rules to guide management to conduct more thorough background checks of an applicant's work history and implement a vetting process to ensure the candidate selected for hire is fully qualified for the position.

R-2. The City of West Sacramento should update the personnel rules to require that the building department management conduct follow-up annual reviews of professional licenses, certifications and training requirements, to ensure employees are current with requirements for their positions.

R-3. The City of West Sacramento should ensure that supervisory and management staff adhere to the employee complaint policy and act to resolve any verbal or formal complaints filed by staff.

R-4. The City of West Sacramento should ensure that management staff are trained in the HR processes when a staff member lodges a complaint against another City of West Sacramento employee.

R-5. The City of West Sacramento should consider an independent audit of the SOTC's work to ensure the safety and compliance of projects inspected by the SOTC for the safety of the public.

REQUIRED RESPONSES

Pursuant to California Penal Code Section (PC) 933 and PC §933.05:

- The City Council of West Sacramento is requested to respond to Findings F-1, F-2, F-3 and F-4 and R-1, R-2, R-3, and R-4, and R-5 by October 1, 2022.

UNFINISHED BUSINESS: A Continuity Report

Responses to 2018-19 and 2019-20 Yolo County Grand Jury Reports

Published by the 2021-22 Grand Jury June 22, 2022

SUMMARY

The Yolo County Grand Jury functions as a civil watchdog investigating county government departments and agencies, joint powers authorities, special districts and city governments. During a one-year term of service, the grand jury completes multiple investigations addressing various issues affecting our county. Reports are written and published with findings and recommendations, and include due dates for responses from the entities investigated. The California Penal Code defines the manner and time frame for responses. Because the term of each grand jury is limited, tracking of responses becomes the responsibility of subsequent grand juries.

To ensure that the work of the grand jury remains relevant and transparent to the public, the grand jury publishes continuity reports on outstanding commitments by county government entities.

BACKGROUND

The civil role of county grand juries in California is to examine and investigate county government functions and make recommendations to improve systems, procedures and methods of operation to promote honest, efficient government.

While a grand jury has special powers to conduct investigations, including the power to subpoena witnesses, it has no authority to enforce the implementation of report recommendations. The grand jury can ensure that the reports and affected agencies' responses are published for public scrutiny, including those responses in which a department or agency indicates that it will take specific action in the future. While responses to reports by a prior grand jury are generally followed up by the succeeding panel, a challenge arises when responses extend two or more years from the grand jury issuing the report.

At the end of its term, the grand jury publishes a consolidated report of all completed investigations. The consolidated report presents findings and recommendations and calls for responses by investigated agencies. Reporting publicly on the status of previously committed actions enhances the positive impact of the grand jury in its role as a public watchdog.

APPROACH

The 2021-22 Grand Jury reviewed agency responses to prior grand jury reports, wrote follow-up letters to agencies, reviewed publicly available information and documented required grand jury report responses outstanding from prior grand jury terms.

DISCUSSION

The 2021-22 Grand Jury created a summary of the outstanding responses which will be passed on for use by the 2022-23 Grand Jury, and other interested citizens. *Appendix A* presents the 2021-22 Grand Jury Continuity Report in a table highlighting areas for follow-up by future grand juries.

All grand jury reports and complete responses can be found on the county's website.

Appendix A: Follow up to 2017-18, 2018-19 and 2019-20 Grand Jury Reports¹⁶

GJ REPORT	GRAND JURY RECOMMENDATION	AGENCY RESPONSE	OUTSTANDING ISSUE
2017-2018 Report The Looming Crisis of City Pension and Retirement Medical Costs	R-2: By February 1, 2019, city councils and staff should create a simple statistical template and/or graph that shows three-year past (actual) and projected (look back, look forward) pension costs and liabilities and their impact (% of total) on the city budget General and All Fund base. This is necessary to insure transparency to the public.	Latest response from City of West Sacramento December 1, 2021 (Exhibit A).	June 8, 2022 correspondence requesting budget transparency (Exhibit B).
2018-2019 Report Flood Management in the Urban Environment - Yolo LAFCo and the Role of Reclamation Districts 537 and 900 within the City of West Sacramento	R-3: By February 1, 2022, Yolo LAFCo should revisit and publish the MSR/SOI for RD 537 and 900 earlier than scheduled to ensure whatever governance decision is made, the result is not detrimental to the functioning of flood protection.	Response from Yolo LAFCo August 22, 2019: This recommendation requires further analysis. The earliest possible date the RD 537 and RD 900 boundary changes will take effect is July 1, 2020. Currently, LAFCo has the MSR for the Reclamation Districts scheduled for fiscal year 2023/24. Therefore, the current schedule would provide for an MSR three years after the boundary changes would occur. LAFCo reviews this schedule every year.	June 9, 2022 correspondence requesting information on status of R-3 (Exhibit C).

¹⁶ The 2021-22 "Cancelled" report captures continuity issues outstanding from 2017-18, 2019-20 sessions. The 2021-22 "You Only Vote Once" report captures continuity issues outstanding from 2019-20 "Election Security" report.

EXHIBIT A

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December 1, 2021

Honorable Sonia Cortés
1000 Main Street
Woodland, CA 95695

Yolo County Grand Jury
P.O. Box 2142
Woodland, CA 95776

via e-mail: grandjury@yolocounty.org

Re: West Sacramento City Council Response to Grand Jury Report - Monitoring Compliance with 2017-2018 Yolo County Grand Jury Recommendations

Dear Judge Cortés:

The City Council is in receipt of the Grand Jury's letter dated October 15, 2021. This letter references the Grand Jury's 2017-18 report on the Looming Crisis of Yolo County City Pension & Retirement Medical Costs dated June 30, 2018 and the City's follow up letter dated February 18, 2021 which provided responses to the Recommendation R3 of the 2019-2020 Yolo County Grand Jury Report titled Monitoring Compliance with the 2017-2018 Yolo County Grand Jury recommendations. The October 15, 2021 letter from the Grand Jury requests a location on the City of West Sacramento's website that contains either the formal budget document which includes pension and OPEB forecasts or a separate document on the City's website containing the pension and OPEB liability forecasts. As requested, the City Council provides the following response.

The City has recently contracted with ClearGov for a digital budget book and transparency platform. The recently hired Budget Manager is leading the project to develop and implement a digital budget document for the City of West Sacramento. The goal is to have the digital budget document implemented and available for public consumption with the next biennial budget adoption.

In the meantime, there is detailed information on the City's net pension and OPEB liabilities, pension and OPEB plans, and pension and OPEB contributions included in the City's Annual Comprehensive Financial Report (Annual Report) in Notes 10 and 11 (pages 73-88), and in the Required Supplementary Information beginning on page 99 of the Annual Report which is located on the City's website at:

<https://www.cityofwestsacramento.org/home/showpublisheddocument/12151/637550315838070000>

Sincerely,
Digitally signed by:
Martha Guerrero
DN: cn=Martha Guerrero, o=City of West Sacramento

Martha Guerrero
Mayor of West Sacramento

Enclosure

cc: Yolo County Grand Jury Foreperson (via email only)

1110 West Capitol Avenue
West Sacramento, CA 95691
(916) 617-4500
www.cityofwestsacramento.org

EXHIBIT B



GRAND JURY

County of Yolo

P. O. Box 2142
Woodland, California 95776

TO: Martha Guerro
City of West Sacramento
1110 West Capitol Avenue
West Sacramento, CA 95691

June 8, 2022

From: Yolo County Grand Jury

Re: West Sacramento City Council Response to Grand Jury Report - Monitoring Compliance with 2017-2018 Yolo County Grand Jury Recommendations

Dear Ms. Guerro,

This is to follow up on your correspondence dated December 1, 2021 indicating that the City of West Sacramento has contracted with ClearGov for a digital budget document and transparency platform, with a goal to have the digital budget document implemented and available for public consumption with the next biennial budget adoption.

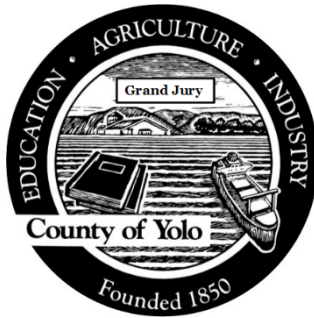
We appreciate this action, but would request that the link provided in your correspondence be provided on the website front and center as well. The information provided in the appendix is critical to anyone truly interested in the City's finances, and it is impossible to find without specific direction.

We appreciate your attention to this matter.

Sincerely,

Michael Familia, Foreperson, YCGJ 2021-22

EXHIBIT C



GRAND JURY

County of Yolo

P. O. Box 2142
Woodland, California 95776

To: Ms. Crawford, Executive Director
Yolo LAFCo
625 Court Street, suite 107
Woodland, CA 95695

June 9, 2022

From: Yolo County Grand Jury
P.O. Box 2142
Woodland CA 95776

Re: 2018-19 Grand Jury Report: Flood Management in the Urban Environment – Yolo LAFCo and the Role of Reclamation Districts 537 and 900 within the City of West Sacramento

Dear Ms. Crawford,

The purpose of this correspondence is to inquire if LAFCo has determined whether an MSR is warranted for RD 537 and RD 900 in advance of the regularly scheduled 2023/24 fiscal year review. This is a follow-up to the 2018-19 Grand Jury Report Flood Management in the Urban Environment Recommendation 3, which is provided below for reference:

R.3: "By February 1, 2022, YLAFCo should revisit and publish the MSR/SOI for RD 537 and 900 earlier than scheduled to ensure whatever final decision in governance is made, the result is not detrimental to the functioning of flood protection."

Based on the maps posted on the RD 537 and RD 900 websites, it appears that a final decision on governance has been made and boundaries for both Districts have been adjusted. However, it was not clear whether LAFCo has revisited the MSR to determine whether the resulting change is detrimental to flood protection.

Please let us know.

Sincerely,

Michael Familia, Foreperson, YCGJ 2021-22

