

SAN BERNARDINO COUNTY  
GRAND JURY



FINAL REPORT  
2013-2014

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2013-2014

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The Editorial Committee acknowledges and thanks the following individuals for their hard work and invaluable assistance in the preparation of the Final Report of the 2013-2014 San Bernardino County Grand Jury.

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# GRAND JURY



COUNTY OF SAN BERNARDINO

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July 1, 2014

Honorable Marsha G. Slough, Presiding Judge  
Superior Court of California, County of San Bernardino  
247 West Third Street, 11th Floor  
San Bernardino, CA 92415-0302

Dear Judge Slough:

On behalf of my fellow 2013-2014 Grand Jury members and in compliance with Penal Code 933, it is my honor and privilege to present our Final Report to you and to the San Bernardino County Board of Supervisors, as well as to the citizens of San Bernardino County.

This Grand Jury was formed on July 1, 2013, as nineteen citizens came together, each bringing their own individual experiences and knowledge, to work towards our common goal of ensuring our County is being governed honestly and efficiently, County monies are being spent appropriately and, as mandated by law, to inquire into the conditions and management of our public Detention Centers. As we began our term, we were issued laptops and introduced to the start of the electronic age of the Grand Jury. All of our necessary documentation was completed online and shared within our group, in place of hard copies. This new system greatly reduced the amount of paper that is normally required by Grand Jury members to document all of their proceedings during the year and it helped speed up the internal documentation sharing process between our members. This new system also provided several proceedings. All of our members agreed this is a valuable addition to the Grand Jury and it will continue to be of great benefit to all future Grand Jury members.

Throughout our term, Grand Jury members met and interviewed numerous employees of our County, Cities, and Special District Operations. The vast majority of those we contacted were extremely helpful in answering our questions and in providing all of the information that was requested of them. On behalf of our entire Grand Jury, I would like to thank all of those contacted, including employees, department heads and elected officials, for their cooperation and willingness to assist us in the completion of our task. Our County is fortunate to have so many hard working employees that are educated in providing our citizens with the best service possible.

Honorable Marsha G. Slough, Presiding Judge  
Superior Court of California, County of San Bernardino  
July 1, 2014  
Page Two

We also received and investigated various complaints from our fellow citizens. Some of these complaints did not fall within the jurisdiction of the Grand Jury and unfortunately had to be rejected. However, we investigated those that did fall within our jurisdiction and they are included as part of our Final Report.

I would like to acknowledge our Legal Counsel, Charlie Umeda, and our Administrative Assistant, Melonee Vartanian, for all of their valuable assistance they provided to us during our term. Their knowledge and expertise of the Grand Jury process proved very beneficial as we progressed through our term. Without their assistance, our Final Report would not have been possible.

This Final Report represents the combined efforts of 19 dedicated Grand Jury members who spent countless hours interviewing various County, City and Special Districts personnel and then evaluating and documenting their findings. I am proud of each one of them and the efforts they put forth to complete our assigned task.

It has been an honor and a privilege to serve as Foreman of the 2013-2014 Grand Jury. Thank you, Judge Slough, for providing me with this opportunity when you selected me Foreman at the beginning of our term.

Respectfully,

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

Rosie Hinojos, Foreman  
2013-2014 Grand Jury

# 2013-2014 GRAND JURY SAN BERNARDINO COUNTY

OFFICERS:

Rosie Hinojos	◇	Foreman
Robert “Bob” Rice	◇	Foreman Pro Tem
Susan Brewster	◇	Secretary
Jan Flammang	◇	Assistant Secretary
Darrell Freeland	◇	Sergeant-at-Arms
Richard Skeate	◇	Assistant Sergeant-at-Arms

MEMBERS:

Allen “Skip” Burt	◇	Alta Loma
Ben Basquez	◇	Upland
Robert “Bob” Rice	◇	Running Springs
Darrell Freeland	◇	Victorville
Dave Hutson	◇	Fontana
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Jean Biordi	◇	San Bernardino
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Kristen S. Atkinson	◇	Grand Terrace
Marilyn Tolone	◇	Crestline
Midge Baltimore	◇	Apple Valley
Richard Skeate	◇	Crestline
Rosie Hinojos	◇	Helendale
Ruth McMillan	◇	Rancho Cucamonga
S. Walls, Jr.	◇	Rialto
Susan Brewster	◇	Alta Loma

FORMER MEMBERS:

David Barkdoll	◇	Lake Arrowhead	◇	Resigned February 2014
Sandy Richmond	◇	Crestline	◇	Resigned March 2014

ADMINISTRATION:

Presiding Judge	◇	Marsha G. Slough
Legal Advisor	◇	Charles J. Umeda
Grand Jury Assistant	◇	Melonee A. Vartanian

# 2013-2014 GRAND JURY SAN BERNARDINO COUNTY



*Front Row (left to right):* Robert “Bob” Rice, Richard Skeate, Kristen S. Atkinson, Rosie Hinojos (foreperson), Jan Flammang

*Middle Row (left to right):* Kent Fogleman, Douglas C. Kinzle, Susan Brewster, Ruth McMillan, Darrell Freeland

*Back Row (left to right):* Allen “Skip” Burt, Dave Hutson, S. Walls, Jr., Midge Baltimore, Jean Biordi, Ben Basquez



Honorable  
Marsha G. Slough



Melonee Vartanian, Grand Jury Assistant  
and Charlie Umeda, Grand Jury Legal Advisor

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# COMPLAINTS



## COMPLAINTS

The Grand Jury receives numerous citizen complaints throughout the year. Every complaint is carefully reviewed by the Grand Jury for issues regarding appropriate jurisdiction and importance of the complaint topic.

After initial review of a complaint, the Grand Jury may approve the investigation of the complaint and assign it to the appropriate committee for investigation. The committee will investigate the complaint with appropriate oversight by the Grand Jury. A written report regarding a specific complaint may or may not be included in this year-end Grand Jury Report.

The process to submit a complaint is to obtain a Confidential Citizen Complaint Form from either the Grand Jury website (<http://cms.sbcounty.gov/grandjury/Home.aspx>) or by calling the Grand Jury office (909) 387-3820. Once the form is completed and signed, the form is returned to the office. Although the Grand Jury normally does not investigate unsigned complaints, depending on the issue, it may conduct an investigation from an anonymous source.

The 2013-2014 Grand Jury received 19 new complaints and three referred from the 2012-2013 Grand Jury. Of those 22 complaints, 19 were assigned and investigated. The Grand Jury found that seven of those complaints were not within the jurisdiction of the Grand Jury. Twelve complaints were investigated and closed due to various reasons. The additional three complaints were not assigned to a committee, but instead rejected by the Grand Jury due to the nature of the complaints. There are no reports included in this Final Report regarding results stemming from any of these investigations.

There are no complaints being referred to the 2014-2015 Grand Jury.



# REPORTS



# GRAND JURY FINAL REPORTS

## INTRODUCTION

The Grand Jury is tasked with conducting operational audits and reviewing various aspects in offices throughout San Bernardino County, which includes offices of the County, Cities, Special Districts and School Districts. The Grand Jury divided into four separate committees in order to optimize their time and resources. Those committees were Cities/Special Districts, County, Human Services and Law & Justice.

Many of the agencies/departments that may be visited are:

- Airport
- Assessor/Recorder/County Clerk
- Auditor/Controller-Treasurer/Tax Collector
- Behavioral Health
- Board of Directors
- Board of Supervisors
- Central Collections
- Children and Family Services
- Cities/Municipalities
- Community Services
- County Administrator
- County Clerk – Elections
- County Counsel
- County District Attorney
- County Fire Department
- County Probation Department
- County Public Defender
- County Sheriff/Coroner
- County Superintendent of Schools
- Department of Social Services
- Detention Facilities
- Economic Development Agency
- General Services
  - Building – Grounds
  - Emergency Services
  - Fleet Management Department
  - Mail Services/Printing
  - Purchasing
  - Real Estate
  - Risk Management
  - Human Resources – Civil Service
  - Permit and Resource Management Department
  - Public Works

Hospital  
Human Resources  
Human Services  
Juvenile Dependency Court - Probation  
Mental Health Services  
Municipal Fire Departments  
Municipal Police Departments  
Preschool Services  
Public Guardian  
Public Health  
Public K-12 School and Community College Districts  
Senior Services  
Special Districts (Community Service Districts and others including Water, Fire Protection, Parks and Recreation, Street Lighting)

This year, the Grand Jury was busy with visits to the following agencies/departments:

211 Call Center  
Affordable Health Care  
Airports  
Arrowhead Regional Medical Center  
Assessor/Recorder  
Auditor/Controller-Treasurer/Tax Collector  
Barstow Cemetery  
Big Bear Alpine Zoo  
Board of Supervisors  
City of Chino  
City of Grand Terrace  
City of Ontario  
City of Rancho Cucamonga  
City of Rialto  
City of San Bernardino  
County Library  
County of San Bernardino Superintendent of Schools  
Daggett  
Department of Aging and Adult Services  
Department of Behavioral Health  
Department of Public Health  
Detention Centers  
Economic Development Agency  
Fifth District Supervisor  
First 5  
First District Supervisor  
Fleet Management Department  
Housing Authority of the County of San Bernardino  
Newberry Springs

Probation Department  
Program Integrity Division  
Public Health  
Public Works  
Purchasing  
Registrar of Voters  
San Bernardino Associated Government  
San Bernardino County Local Agency Formation Commission (LAFCO)  
sbX Omnitrans  
Second District Supervisor  
Sheriff/Coroner Department  
Transitional Assistance Department  
Veteran Affairs  
Victor Valley Union High School District  
Workforce Investment Board (WIB)  
Yermo

California Penal Code (CPC) 919(b) states: “*The Grand Jury shall inquire into the condition and management of the public prisons within the County.*” Therefore, the following penal institutions, which are designated detention centers by the County of San Bernardino, were inspected and are included in this report:

Central Detention Center  
Glen Helen Detention Center  
High Desert Detention Center (opened February 2014)  
Victorville Jail  
West Valley Detention Center

In addition to the Detention Centers, the following reports were written and approved for inclusion in this, the 2013-2014 Grand Jury Final Report:

Freeway Service Patrol  
Sheriff/Coroner, Ethics  
Sheriff/Coroner, Mobile Command Unit  
Sheriff/Coroner, Specialized Investigations Division, Hi-Tech Crime Unit  
Victor Valley Union High School District, Tracking Equipment and Assets

## **FREEWAY SERVICE PATROL**

### **BACKGROUND**

The Freeway Call Box program had been studied by the 2012-2013 Grand Jury and it was noted that \$500,000 had been allocated to the Freeway Service Patrol (FSP) Program. The 2013-2014 Grand Jury members were not aware of the FSP Program and decided it would warrant their attention. The FSP Program is a complimentary program serving two purposes: quick-fix repairs of disabled cars on heavily traveled freeways and removal of disabled cars to a designated location (drop site). The program strives to lessen traffic delays, reduce fuel consumption and vehicular emissions. In addition, it seeks to reduce the amount of time a motorist is in unsafe conditions and the likelihood of a secondary traffic incident.

### **METHODOLOGY**

**Research:** Grand Jury members reviewed the budgets for Fiscal Year 2013-2014 funding the Freeway Service Patrol. These budgets included Service Authority for Freeway Emergencies (SAFE) and California Department of Transportation (Caltrans). The Grand Jury members reviewed the coverage area for the FSP in San Bernardino County (referred to as Beats), available on the San Bernardino Associated Governments (SANBAG) website at [www.sanbag.ca.gov](http://www.sanbag.ca.gov). The FSP Standard Operating Procedures (SOP) were reviewed by the Grand Jury. The SOP, updated in January 2009, was issued in conjunction with the California Highway Patrol, Riverside County Transportation Commission, SANBAG and Caltrans. SANBAG's agendas and minutes available on the internet were consulted to obtain timely information.

**Interviews:** The Grand Jury visited the SANBAG office interviewing the Air Quality & Mobility Program Specialist with SANBAG, the Director of Management Services and the Chief of Air Quality and Mobility Programs to discuss program policies and procedures, budgets and operations. Grand Jury members visited a recommended service provider of the San Bernardino County FSP located in Rialto, California. Additional specific information on the daily operations and the enforcement of program guidelines were discussed with the FSP drivers.

### **FACTS**

The FSP is funded by Caltrans (80%) and by SAFE (20%) paid through vehicle registration fees of \$1.00 per vehicle. The FSP budget contains allocations for Employees, Professional Services, Consulting Services, Legal Fees, Maintenance, Training, Postage, Travel, Printing, Communications, Office Expense, Meeting Expense and Indirect-Allocations.

Several tow companies have serviced San Bernardino County including Roy and Dot's Towing, Pepe's Towing, Pomona Valley Towing and Steve's Towing. SANBAG approves the release of a Request for Proposals (RFP) when a service provider is needed for a Beat. The RFPs are posted on SANBAG's website and published in the *San Bernardino Sun*, *The Press Enterprise*, the *Inland Valley Daily Bulletin*, and *La Opinion*. RFP notifications are sent to vendors in the area who specialize in the needed services. Proposals for FSP service providers are rated on the following categories: Qualifications, Related Experience and References-35%; Proposed Staffing and Project Organization-30%; Work Plan-10% and Price-25%. Based on ratings a short list is given to the FSP RFP Evaluation Committee who conduct additional interviews and site visits prior to making its decision. Each contract is valid for five (5) years with no extensions available. The FSP has brought on three (3) new service providers within the last year.

A procurement process is used when bringing new Beats into existence. The number of FSP Beats has varied since the inception of the program. Eight (8) Beats exist during fiscal year 2013-2014. A Benefit Cost Model is utilized to determine potential Beat changes or additions. The model depends on traffic volume, population, topography, carpool lanes and the availability of freeway shoulders. If a Beat has a score greater than three, then it is a location that warrants coverage by FSP service providers. Scores of the different freeways within San Bernardino County vary. Beat 4 has scores greater than nine. FSP provides service hours in the morning and afternoon rush hours that may vary on holidays. Payment to tow providers is based on a negotiated contracted hourly rate.

### **Temporary Procedures**

A temporary Beat may be initiated during a construction project for the length of the construction project only and is funded by the construction project. Caltrans and SANBAG have a major Construction FSP project (Beat 9C) beginning March 20, 2014, from Palm/Kendall on the I-215 N. to Cleghorn on the I-15 N. Funding is set at \$2M for a five-year construction project. Drop sites are appropriately located throughout this construction Beat. Approximately 60 hours a week, including Saturday and Sunday, will be the patrol times for this Beat.

Another Construction FSP project is the Bi-County project (Beat 6C) that occurs on the I-215 in Riverside and San Bernardino Counties. Because of construction in the Grand Terrace area with reduced lanes and no shoulders, there is coverage for Beat 6C from 5:30 a.m. to 7:00 p.m. Monday through Friday.

## **Operational Procedures**

FSP trucks are clean, well-maintained and easily identifiable with the logo prominently displayed on magnetic signs affixed to the truck. FSP trucks are stocked with a variety of required tools and equipment including five (5) gallons of gas, five (5) gallons of diesel, and water. Towing and safety equipment are stowed in an organized manner in the truck. Drivers are assigned to the same truck each day to maintain responsibility for tools and equipment. Two trucks patrol each Beat for disabled vehicles on opposite sides of the freeway and respond to CHP dispatch calls for service. A certified FSP backup truck is ready on each shift if a primary truck goes out of service for any reason. A certified FSP backup truck can be called to service within forty-five minutes. When a Beat ends, the magnetized signs are removed from the vehicle and the driver changes from the FSP identifiable uniform. The truck can then be used for regular service provided by the tow truck company.

Recipients of FSP assistance receive a standardized level of service from trained drivers. FSP drivers must attend the CHP training class, pass background checks and drug screening, and follow procedures in the SOP Manual. The drivers participate in ongoing training through the CHP. The FSP driver's tow truck must pass a daily CHP checklist to ensure the vehicle contains the required supplies and is road ready and safe. The drivers are required to wear their FSP Operation Uniform consisting of a navy blue uniform, black boots with steel toes and a safety vest. Drivers may not wear piercings or display tattoos. They may not accept gratuities for their services. In addition, service providers may not recommend a repair site to the driver of the disabled vehicle.

FSP Program explanations are found in brochures that are distributed to drivers of disabled vehicles on the selected freeway segments. Drivers having disabled vehicles sometimes resist assistance from the FSP due to unfamiliarity with the program. Time is of the essence as the service provider has approximately 10 minutes to provide a quick repair or move the disabled vehicle to an approved drop site. Quick repairs might include a tire change, providing "jump" starts, taping of hoses, refilling of radiators or providing a gallon of gas or diesel. If disabled vehicles need to be moved, they are taken to an established CHP approved drop site. One requirement for an approved drop site includes a well-lit location. Tow truck drivers are provided maps for each established drop site. Drop sites can vary due to changes in city codes or changes in curb zoning. Disabled vehicles may be moved to the approved drop site, but under no condition are they towed to a vehicle repair site or a site of the driver's choice.

In addition to the FSP brochure distributed to drivers, a customer service card with a unique six (6) digit number is provided to drivers of disabled vehicles who may evaluate the service received, either by computer or phone. In fiscal year 2012-2013 the San Bernardino County FSP Program responded to 30,347 assists and 1,037 evaluation responses were received. During 2013 more than 31,000 stranded motorists were assisted by the FSP.

Count	Assist Type in 2013
1,557	Abandoned Vehicle
2,360	Accident
2,530	Debris removal
733	Electrical problem
4,714	Flat tire
11,496	Driver safety check
12	Lock-out
4,325	Mechanical
2,521	Out of gas
1,206	Overheated
26	Fire
74	Unable to locate

Since the FSP Program has been in existence, more than 8,000 comments from those assisted have been received. Overall, 99.6% of the drivers ranked their experience as excellent or good.

### **Management Procedures**

The CHP is actively involved in management of the FSP Program along with SANBAG's active management. A CHP Dispatcher begins each shift with a roll call to make sure that all Beats are covered with two (2) tow trucks. A service provider who does not meet service standards during the contractual period can be terminated by SANBAG or a driver who does not meet service standards can be terminated from the program by the CHP. Names of displaced drivers are placed on a statewide list so other service providers are aware of their noncompliance. The CHP changes drop sites when there are changes to city codes or changes in sites becoming red-curbed.

The FSP can respond to issues other than disabled vehicles. Freeway hazards such as debris in lanes can be removed, when time allows and traffic conditions are appropriate. Tire treads are the major traffic debris. When service providers on Beat 5 frequently noted congestion ahead of them and their Beat was to end at Summit in Rancho Cucamonga, they requested and were approved on a trial basis to extend their Beat to Sierra Avenue in Fontana. These types of changes in the Beats may occur during the course of the contract to ensure maximized benefit through the FSP Program.

Beat Expense	Beat Mileage	Area Served	Beat #	Service Provider	Comments
\$187,060	8.16	I-10 Indian Hill (LA County Line) to Haven Ave.	1	Pomona Valley	
\$189,194	8.6	I-10 Haven Ave. to Sierra Ave.	2	Pepe's Towing	Partial Year
\$184,500	9.04	I-10 Sierra Ave. to Waterman Ave.	3	Roy & Dot's Towing	
\$189,320	9.96	SR-60 Reservoir St.(LA County Line) to Milliken Ave.	4	Roy & Dot's Towing	
\$176,898	9.61	I-15 Jurupa St.(Riverside County Line) to Summit Ave./Sierra Ave.	5	Steve's Towing	Partial Year
\$185,752	6.79	I-215 Center St. (Riverside County Line) to 2nd St.	6	Pepe's Towing	
\$185,752	7.3	I-215 2nd St. to Palm/Kendall Ave.	7	Pepe's Towing	
\$184,500	7.9	I-10 Waterman Ave. to University St.	8	Roy & Dot's Towing	

SANBAG does not publicize the FSP Program due to concern about abuse of the service. It does provide the previously mentioned brochures to motorists with disabled vehicles. On occasion drivers have expected a full tank of gas.

### Technological Procedures

Updated technology is used. FSP drivers utilize their individual Personal Digital Assistant (PDA) Data Collection System to enter assist information at the site of their service. PDA's are downloaded to a Microsoft SQL server database at the service provider's headquarters at the conclusion of a shift. Utilizing cell service providers to download information throughout the shift would be preferable. The CHP can access the FSP driver's location and verify that a service provider is at a designated location through the use of Automated Vehicle Locator (AVL) Units. Modifying the FSP communication/tracking equipment so it does not function properly is strictly prohibited. In addition, length of time at a site can be determined. Riverside and San Bernardino Counties are among the first of the 14 counties in the FSP Program that can gather data and tie it back to the precise driver who provided the assist. FSP drivers are recognized publicly by the SANBAG Board of Directors and on the SANBAG website for their service. For the past five (5) years, the Top Driver and Drivers of Excellence of the prior calendar year are selected and recognized based on a minimum of 1,000 assists, no "write-ups" noting failure to follow FSP procedures, no late arrivals when beginning the Beat, a 99% accuracy rate of entering assist data into the data device and compliments from motorists on the comment cards.

Some of the FSP fleets have been converted to compressed natural gas (CNG) but the conversion is not yet mandated. Because fleets are voluntarily converting to CNG, using incentives from various sources including the California Energy Commission, allocations in the budget designated for incentives for conversion may be reallocated to other areas.

## **FINDINGS**

All current service providers and their drivers are in compliance with SANBAG and CHP standards.

Flexibility exists in the FSP Program as Beat specifications can be adjusted. SANBAG, the CHP and the FSP drivers proactively respond to issues impacting the safety of motorists.

Data is used effectively to determine top priority areas for service and monitor tow vehicles and drivers.

The FSP budget does not have an allocation for education/publicity. With excess funds in some allocations, monies can be transferred to other areas on an as-needed basis.

SANBAG and the CHP continue to seek the best service providers; whether tow truck operators, cell phone coverage or new technology.

## **COMMENDATION**

The 2013-2014 Grand Jury commends SANBAG for its exceptional management of the Freeway Service Patrol Program. With the increase in traffic and local freeway construction, the issues being faced by SANBAG are increasing. They are proactive in pursuing new technology that will continue to assist the motoring public. The Grand Jury appreciates the provision of requested documentation and the facilitation of the visit to the local service provider. Staff at the tow yard provided the Grand Jury an excellent overview of their role in the administration of the Freeway Service Patrol Program.

## **SHERIFF-CORONER DEPARTMENT DETENTION CENTERS**

### **BACKGROUND**

The Grand Jury, per Penal Code 919(b), is mandated as follows: “The Grand Jury shall inquire into the condition and management of the public prisons within the county.” Each of the County adult facilities has been designated by the California Code of Regulations (CCR) Title 15 as a Type II facility, which is described as: “A local detention facility used for the detention of persons pending arraignment, during trial, and upon a sentence of commitment.”

The five detention centers the Grand Jury inspected are:

- Central Detention Center
- Glen Helen Rehabilitation Center
- High Desert Detention Center (opened February 2014)
- Victorville Jail
- West Valley Detention Center

The State of California, Department of Corrections and Rehabilitation, Corrections Standards Authority conducts biennial inspections of the adult detention facilities for compliance with the minimum standards as outlined in CCR Titles 15 and 24. The state inspection is in conjunction with the annual inspections and reports of the San Bernardino County Health Officer and State Fire Marshal. The most recent state inspection per Penal Code Section 6031 dated March, 2014 covered inspections conducted September, October, November and December 2013. The results of the inspections at all five detention centers indicated no issues of non-compliance. However, the inspections reported that since Assembly Bill 109 (AB109) went into effect October 2011 to relieve overcrowding in State Prisons, there have been changes within the jail system. In the last two (2) years County detention centers have experienced a large influx of inmates causing new problems. West Valley Detention has had to install new fencing, security cameras in cell areas and lighting to handle the higher security risk of incoming inmates. The County has opened the new High Desert Detention Center which is the most modern and secure jail in San Bernardino County.

Visitation reports were written on each of the above facilities.

The Grand Jury developed an extensive inspection survey used to conduct the on-site inspections of the detention centers. The inspection reports of High Desert, Central, West Valley, Victorville and Glen Helen detention centers are incorporated herein.

## **CONCLUSION**

There were no discrepancies found at any of the five County Detention Centers the Grand Jury inspected. All personnel during each site visited were knowledgeable and professional.

\* \* \* INSPECTION FORM \* \* \*

Please fill out those sections that apply to the facility you are inspecting

INSPECTION DATE: November 04, 2013	FACILITY NAME: Central Detention Center
LAST CORRECTIONS STANDARDS AUTHORITY INSPECTION DATE: March 06, 2013	FACILITY CAPACITY: 1104
Telephone Number: 909-386-0923 Fax Number: 909-386-0924	ADDRESS: 630 East Rialto Ave, San Bernardino, CA 92415
	TYPE OF FACILITY:  DETENTION CENTER

Any Additional Information/Notes:

- There are 70 cameras in the facility, except in the cells.
- Each housing unit has a metal detector.
- The facility has a backup generator which is checked periodically.
- Fire hoses are in every other hallway.
- CDC is in compliance with American Disability Act.
- All inmate grievances were minor.
- All inmates are screened by a psychiatrist.
- The budget includes purchasing washers and dryers.

## GENERAL INFORMATION

- What is the capacity of the facility? 1,104; Male-930 Female-174
- What is the number of pretrial inmates? Unavailable
- Has the facility exceeded capacity since the last state (CSA) inspection? No
- What is the average length of detention? CDC is 147 days
- What is the inmate classification system? Inmates shall be considered general population (GP)
- Number of weekend offenders? 0
- Are inmates oriented to rules and procedures? Yes
- Are rules and grievance procedures posted? Yes
- Are rules and grievance procedures understood by inmates? Yes - 270 inmate grievances to date
- Number of inmate suicides: 2
- Number of attempted suicides: 1
- Number of deaths from other causes: 0
- Numbers of escapes: 0
- Date of last fire/emergency drill: 10/31/13

## STAFFING

- Is there enough staff to monitor inmates? Yes
- Does staff communicate in language that an inmate can understand? Yes. The staff speak a variety of languages.
- Diversity of staff? Yes
- Impression of staff/inmate interactions: N/A

## PROGRAMS

- Exercise:
  - Is it inside or out? Both. Outside/Inside recreation yard
  - How frequently is it offered? Monday-Thursday
  - How much time is each inmate offered? Inside- 1 hour per day/Outside-3 hours per week.
  - Do men get more exercise time than the women? No
- Are there clergy available to inmates upon request? Yes
  - Are there religious services? Yes. Bible Studies- 2 on Tues. and 1 on Wed. /Church Services-4 on Sun.
- Are anger management and other applicable programs available? No. Inmates needing special classes are transferred to Glen Helen Rehabilitation Center

- Are medical services available? Yes
  - How frequently is medical staff onsite? 24 hours a day, 7 days a week (RNs & LVNs are on site 24/7)
  - How long do inmates wait to be seen? Emergency-same day/Non-emergency-next day
  - Is a physician available by phone or on-site? Both: By phone at Arrowhead Regional Medical Center; Physician is on site 3 times a week.
  
- Are mental health services available? Yes
  - How frequently is mental health staff onsite? Mon. to-Fri. -Mental Health Clinician. Sun.- Doctor
  - How long do inmates wait to be seen? Emergency-same day/Non-emergency-within 3 days after submitting a medical request slip.
  - Are vocational classes available? No
  - If so, what types: N/A

## TELEPHONE

- Do inmates have access to telephones? Yes. Housing areas-16 hours a day/Intake-24 hours a day.

## CORRESPONDENCE

- Is there limited free postage for inmates without money? No
- Incoming/outgoing – are inmates aware that mail can be read? Yes, inmate mail is scanned.
- Confidential correspondence – letters to attorneys, legislators, CSA, etc., - how is it handled? Staff shall open or seal legal mail only in the presence of inmates and inspect incoming mail for contraband.

## VISITING

- Is there adequate space, convenient times or accommodations to family's work schedule, etc.? Yes
- Are there provisions for special visits with attorneys/clergy? Yes
  - Does staff supervise visits? Yes
  - Do all inmates have access to visiting? Yes, with the exception of inmates on discipline status

## MEALS/NUTRITION

- The kitchen area – Is it clean? Yes    Are knives and chemicals locked? Yes
- Have the inmates working in the kitchen been trained? Yes
- Have the inmates had a medical clearance/review before assignment? Yes, inmates are required to also complete a questionnaire.
- Are meals served in the cell, dayroom or at a central cafeteria? General population inmates are fed in the central cafeteria. Inmates requiring special housing are fed in their cells.
- Are inmates permitted to converse during meals? No
- Length of time allowed for eating? 15 minutes on average

## HEALTH

- What type of on-site health facility is available to inmates? 24/7 access to healthcare
- What type of on-site dental facility is available to inmates? Full dental available 2 days per week.
- What off-site hospital is used for serious health issues? Arrowhead Regional Medical Center. If determined by the Comm-Center, an inmate may be diverted to Loma Linda University Medical Center or St. Bernadine's Hospital.
- How are inmates transported to off-site facilities? Changes weekly: Emergency by ambulance/Non-emergency by facility transport, usually patrol unit.
- How is security handled? Inmates are escorted/transported by 1 deputy. Inmates classified as high security by 2 deputies. All inmates are waist-chained and leg- shackled prior to leaving the facility.

# SITE TOUR

## AREA INSPECTED/REVIEWED

(Please Check)

QUALITY OF LIFE	PROGRAMS	PERSONS INTERVIEWED
Physical Plan X	Educational	Inmates
Meals/Nutrition X	Vocational	Facility Manager X
Mental Health X	Community Services	Medical X
Physical/Dental Health X	Domestic Violence	School Staff
Religious Services X	Victim/Gang Awareness	Mental Health Staff X
Visiting X	Substance Abuse	Line Staff X
Volunteer Involvement	Other	Food Services Staff X
Other		Other

Any additional information/notes - Note the following items as you tour the facility:

- Condition of the exterior and interior of the building noting graffiti, peeling paint, unpleasant odors, or other signs of deterioration:  
Well maintained
- Condition of the grounds, exercise areas, playing fields, and exercise equipment:  
Adequate
- General cleanliness of the facility including windows, lighting, lockers, desks, conditions of the mattresses, bedding and pillows:  
Superior
- Condition of sleeping room door panels:  
Fine
- Temperature of living units:  
Good
- Safety and security issues including fencing, outdoor lighting, location of the weapons locker:  
Good
- If a court holding area is present in the facility, ensure access to toilet and drinking water:  
Yes

## **INTERIOR OF BUILDINGS** (walls, paint, floors, drains, plumbing fixtures working, air vents, windows)

- Are cleaning fluids and chemicals labeled and safely stored? Yes
- Weapons locker present? Yes
- Recreation/sports equipment? Adequate
- Are the hallways clear, are doors propped open or closed? Hallways were clear, doors closed
- Holding areas (cells/rooms) – (if present), is there access to drinking water and toilet? Yes
- Are there individual cells/rooms, or dormitories? Individual cells and dormitories
- Beds – Type of bed and is it off the floor? Bunk beds/yes
- Adequate lighting? Yes
- Temperature? Good

## **INDIVIDUAL CELLS/ROOM**

- Condition of walls? Good
- Personal possessions allowed in cell/room (Art, Books, etc.)? Yes
- Graffiti present? No
- Ample bedding? Yes

## **PERSONAL APPEARANCE OF INMATES**

- What is the appearance of inmates (dirty, unkempt, well -groomed, etc.)? Acceptable
- Showers – frequency, privacy, maintained, supervised by staff? Showers always available and supervised by staff
- Are there any reported assaults by inmates on inmates? Yes
- Condition of clothing (does the clothing fit; is it appropriate for the weather, etc.)? Adequate

## **COMMENTS/CONCERNS OBSERVED DURING TOUR:**

- None noted

\* \* \* INSPECTION FORM \* \* \*

Please fill out those sections that apply to the facility you are inspecting

INSPECTION DATE; August 26, 2013	FACILITY NAME: Glen Helen Rehabilitation Center
LAST CORRECTIONS STANDARDS AUTHORITY INSPECTION DATE November 18, 2011	FACILITY CAPACITY: 1,350
TELEPHONE NUMBER: 909-473-2506 FAX NUMBER; 909 473-3633	ADDRESS: 18000 W. Institution Rd. San Bernardino, CA 92407
	TYPE OF FACILITY: DETENTION CENTER

Any additional information/Notes:

## GENERAL INFORMATION

- What is the capacity of the facility? 1,350
- What is the number of pretrial inmates? 381
- Has the facility exceeded capacity since the last state (CSA) inspection? No
- What is the average length of detention? 272 days
- What is the inmate classification system? New classification system based on their behavior
- Number of weekend offenders? 1,100; 394 ankle-monitored
- Are inmates oriented to rules and procedures? Yes
- Are rules and grievance procedures posted? Yes
- Are rules and grievance procedures understood by inmates? Yes
- Are there procedures for handling citizen complaints? Yes
- Number of inmate suicides in the past year: 0
- Number of attempted suicides: 0
- Number of deaths from other causes: 0
- Numbers of escapes: 0
- Date of last fire/emergency drill: August 7, 2013

## STAFFING

- Is there enough staff to monitor inmates? 17 staff per watch
- Does staff communicate in languages that an inmate can understand? Yes
- Diversity of staff? Staff is diverse including Caucasian, African American, Hispanic and other
- Impression of staff/inmate interactions? Very good

## PROGRAMS

- Exercise:
  - Is it inside or out? Both
  - How frequently is it offered? Daily
  - How much time is each inmate offered? Minimum 3 days per week
  - Do men get more exercise time than the women? Equal access
- Are there clergy available to inmates upon request? Yes
  - Are there religious services? Yes
- Are anger management and other applicable programs available? Yes
- Are medical services available? Yes
- How frequently is medical staff onsite? 24/7
- How long do inmates wait to be seen? Within 24 hours; urgent -the same day
- Is a physician available by phone or comes to the facility? Both
- Are mental health services available? Yes
  - How frequently is mental health staff onsite? 5 days a week
  - How long do inmates wait to be seen? Up to 48 hrs.
- Are vocational classes available? Yes
  - If so, what types?
    - Cooking, baking, print shops, landscaping and auto body

## TELEPHONE

- Do inmates have access to telephones? Yes

## CORRESPONDENCE

- Is there limited free postage for inmates without money? 2 pre-stamped envelopes
- Incoming/outgoing – are inmates aware that mail can be read? Yes
- Confidential correspondence – letter to attorneys, legislators, CSA, etc., - how is it handled?
  - Scanned and sealed by a deputy in the presence of the inmate.



## DOCUMENT REVIEW

### INMATE GRIEVANCES/COMPLAINTS:

RESOLUTIONS	TYPES
Staff reviewed these grievances and were satisfactorily resolved.	Minor grievances

Total Complaints reviewed: 25

Total Complaints during past five (5) quarters: N/A

### MAJOR INCIDENTS:

RESOLUTIONS	TYPES
Inmates involved were disciplined	Racially motivated fights between inmates

Total Complaints reviewed: 2

Total Complaints during past five (5) quarters: N/A

## POLICIES AND OPERATIONS MANUALS

Review the following sections, making notes of each:

- Inmate Grievances:
  - Policies for inmate Programs and Services, Article 6.1061-1073 include inmate grievance procedures. This was found to meet minimum standards for local detention centers.
- Citizen Complaints:
  - All citizen complaints are accepted and logged at GHRC then forwarded to Internal Affairs for investigation and action, if necessary.
- Major Incidents:
  - Policies for incident reports are included in minimum standards for local detention facilities.
- A copy of the Table of Contents for policy manuals was provided to the Grand Jury and reviewed.

# SITE TOUR

## AREA INSPECTED/REVIEWED

(Please Check)

PERSONS INTERVIEWED	PROGRAMS	QUALITY OF LIFE
Inmates	Educational x	Physical Plan x
Facility Manager x	Vocational x	Meals/Nutrition x
Medical x	Community Services x	Mental Health x
School Staff x	Domestic Violence x	Physical/Dental Health x
Mental Health Staff x	Victim/Gang Awareness x	Religious Services x
Line Staff x	Substance Abuse x	Visiting x
Food Services Staff x	Other	Volunteer Involvement x
Other		Other

Any additional information/notes:

This facility operates the Work Release Program for the Sheriff's Department. This includes the Court ordered sentences for one to five days a week of manual labor under local government supervision where crews clean up parks and highway/freeway shoulders.

Note the following items as you tour the facility:

- Condition of the exterior and interior of the building noting graffiti, peeling paint, unpleasant odors, or other signs of deterioration:  
Good
- Condition of the grounds, exercise areas, playing fields and exercise equipment:  
Good
- General cleanliness of the facility including windows, lighting, lockers, desks, condition of the mattresses, bedding and pillows:  
Good
- Condition of sleeping room door panels:  
Good
- Temperature of living units  
Good
- Safety and security issues including fencing, outdoor lighting, location of the weapons locker:  
Good
- If a court holding area is present in the facility, ensure access to toilet and drinking water:  
N/A
- Atmosphere of classroom:  
Good
- Are there adequate supplies (books, paper, computers, etc.)? Yes

**INTERIOR OF BUILDINGS** (walls, paint, floors, drains, plumbing fixtures working, air vents, windows)

- Are cleaning fluids and chemicals labeled and safely stored? Yes
- Weapons locker present? Yes
- Recreation/sports equipment? Yes
- Are the hallways clear, are doors propped open or closed? Yes, and doors are closed
- Holding areas (cells/rooms) – (if present), is there access to drinking water and toilet? Yes
- Are there individual cells/rooms, or dormitories? Yes to all
- Beds – Type of bed and is it off the floor? Yes, bunk beds
- Adequate lighting? Yes
- Temperature: Good

**INDIVIDUAL CELLS/ROOM**

- Condition of walls? Good
- Personal possessions allowed in cell/room (Art, Books, etc.)? Yes
- Graffiti present? No
- Ample bedding? Yes

**PERSONAL APPEARANCE OF INMATES**

- What is the appearance on inmates (dirty, unkempt, well groomed, etc.)? Acceptable
- Showers – frequency, privacy, maintained, supervised by staff? Yes
- Are there any reported assaults by inmates on inmates? Yes
- Condition of clothing (does the clothing fit; is it appropriate for the weather, etc.)? Acceptable

**COMMENTS/CONCERNS OBSERVED DURING TOUR:**

- No additional information recorded.

\* \* \* INSPECTION FORM \* \* \*

Please fill out those sections that apply to the facility you are inspecting

INSPECTION DATE: March 17, 2014	FACILITY NAME: High Desert Detention Center
LAST CORRECTIONS STANDARDS AUTHORITY INSPECTION DATE: None, opened in March 2014	FACILITY CAPACITY: 2098 928 as of this date
TELEPHONE NUMBER: 760-530-9351 FAX NUMBER: 760-530-9306	ADDRESS: 9438 Commerce Way Adelanto, CA 92301
	TYPE OF FACILITY: DETENTION CENTER

Any Additional Information/Notes:

- Current population is 928

## GENERAL INFORMATION

- What is the capacity of the facility? 2098
- What is the number of pretrial inmates? 738
- Has the facility exceeded capacity since the last state (CSA) inspection? N/A
- What is the average length of detention? 22 months
- What is the inmate classification system? 1 through 9 - classified by behavior/offense
- Number of weekend offenders? None
- Are inmates oriented to rules and procedures? Yes
- Are rules and grievance procedures posted? Yes
- Are rules and grievance procedures understood by inmates? Yes
- Number of inmate suicides: None
- Number of attempted suicides: None
- Number of deaths from other causes: None
- Numbers of escapes: None
- Date of last fire/emergency drill: February 6, 2014

## STAFFING

- Is there enough staff to monitor inmates? Yes
- Does staff communicate in language that an inmate can understand? Yes, multilingual
- Diversity of staff: Varied
- Impression of staff/inmate interactions: Good, uses Training Direct Supervision Model

## PROGRAMS

- Exercise:
  - Is it inside or out? Both
  - How frequently is it offered? 5-6 times weekly
  - How much time is each inmate offered? Minimum 3 hours per week
  - Do men get more exercise time than the women? Equal
- Are there clergy available to inmates upon request? Yes
  - Are there religious services? Yes, all types
- Are anger management and other applicable programs available? No
- Are medical services available? Yes
  - How frequently is medical staff onsite? 24/7; nurse, Licensed Vocational Nurse, Physician's Assistant
  - How long do inmates wait to be seen? Under 24 hours
  - Is a physician available by phone or on-site? Both



## HEALTH

- What type of on-site health facility is available to inmates? Basic nurses' station, exam table, blood pressure cuff
- What type of on-site dental facility is available to inmates? Two-chair, once-a-week dentist; hygienist once a month
- What off-site hospital is used for serious health issues? Local hospitals
- How are inmates transported to off-site facilities? Ambulance or patrol car
- How is security handled? One deputy accompanies patient, who is restrained

# SITE TOUR

## AREA INSPECTED/REVIEWED

(Please Check)

PERSONS INTERVIEWED	PROGRAMS	QUALITY OF LIFE
Inmates	Educational GED x	Physical Plan x
Facility Manager x	Vocational	Meals/Nutrition x
Medical	Community Services	Mental Health
School Staff	Domestic Violence	Physical/Dental Health x
Mental Health Staff	Victim/Gang Awareness	Religious Services x
Line Staff x	Substance Awareness DBH ref	Visiting x
Food Services Staff x	Other	Volunteer Involvement Religion x
Other		Other

Deputies assigned to Detention Center are on a 16-month assignment.

The General Education (GED) proficiency course is 8 weeks.

Note the following items as you tour the facility:

- Condition of the exterior and interior of the building noting graffiti, peeling paint, unpleasant odors, or other signs of deterioration: Good
- Condition of the grounds, exercise areas, playing fields, and exercise equipment: Good
- General cleanliness of the facility including windows, lighting, lockers, desks, conditions of the mattresses, bedding and pillows: Good
- Condition of sleeping room door panels: Good
- Temperature of living units and classrooms: Good
- Safety and security issues including fencing, outdoor lighting, location of the weapons locker: Good
- If a court holding area is present in the facility, ensure access to toilet and drinking water: Yes
- Arraignment video court: Yes

## **INTERIOR OF BUILDINGS** (walls, paint, floors, drains, plumbing fixtures working, air vents, windows)

- Are cleaning fluids and chemicals labeled and safely stored? Yes
- Weapons locker present? Yes
- Recreation/sports equipment? Nerf football for some inmates
- Are the hallways clear, are doors propped open or closed? Hallways clear; doors closed
- Holding areas – is there access to drinking water and toilet? Yes
- Are there individual cells/rooms, and dormitories? Yes to all three
- Beds – Type of bed and is it off the floor? Yes, bunk beds, single cells
- Adequate lighting: Good
- Temperature: Good

## **INDIVIDUAL CELLS/ROOM**

- Condition of walls: Good
- Personal possessions allowed in cell/room (Art, Books, etc.)? Yes, not on walls
- Graffiti present? No
- Ample bedding? Yes, new 6" mattresses are assigned to each inmate and go with them within the facility

## **PERSONAL APPEARANCE OF INMATES**

- What is the appearance of inmates (dirty, unkempt, well groomed, etc.)? Acceptable
- Showers – frequency, privacy, maintained, supervised by staff? Yes, semi-private, limit 5 of minutes
- Are there any reported assaults by inmates on inmates? Yes, and video of incident can add charges and detention time.
- Condition of clothing (does the clothing fit; is it appropriate for the weather, etc.)? Acceptable

## **COMMENTS/CONCERNS OBSERVED DURING TOUR**

- None noted

\* \* \* INSPECTION FORM \* \* \*

Please fill out those sections that apply to the facility you are inspecting

INSPECTION DATE: October 15, 2013	FACILITY NAME: Victorville Jail
LAST CORRECTIONS STANDARDS AUTHORITY INSPECTION DATE: December 17, 2012	FACILITY CAPACITY: 111
TELEPHONE NUMBER: (760) 243-8736  FAX NUMBER:	ADDRESS: 1445 Civic Drive Victorville CA
	TYPE OF FACILITY: Holding Facility

## GENERAL INFORMATION

- What is the capacity of the facility? 111
- What is the number of pretrial inmates? 11
- Has the facility exceeded capacity since the last state (CSA) inspection? Yes
- What is the average length of detention? Under 96 hrs.
- What is the inmate classification system? Describe. N/A - Holding facility only
- Number of weekend offenders? None
- Are inmates oriented to rules and procedures? Yes
- Are rules and grievance procedures posted? Yes
- Are rules and grievance procedures understood by inmates? Yes
- Are there procedures for handling citizen complaints? Yes
- Number of inmate suicides in the past year: 1 male March 10, 2013
- Number of attempted suicides: 3 males
- Number of deaths from other causes: None
- Numbers of escapes: None in the last year
- Date of last fire/emergency drill: Annually

## STAFFING

- Is there enough staff to monitor inmates? No
- Does staff communicate in languages that an inmate can understand? Yes
- Diversity of staff? Males/females- Asian, Hispanic, Caucasian, African American
- Impression of staff/inmate interactions: Acceptable

## PROGRAMS

- Exercise: Only for Inmate workers
  - Is it inside or out? Out
  - How frequently is it offered? Daily
  - How much time is each inmate offered? 3 hours per week
  - Do men get more exercise time than the women? Equal
- Are there clergy available to inmates upon request? Yes
  - Are there religious services? No
- Are anger management and other applicable programs available? No
- Are medical services available? No
  - How frequently is medical staff onsite? N/A
  - How long do inmates wait to be seen? N/A
  - Is a physician available by phone or on-site? N/A
- Are mental health services available? No
  - How frequently is mental health staff on-site? N/A
  - How long do inmates wait to be seen? N/A
- Are vocational classes available? N/A

## TELEPHONE

- Do inmates have access to telephones? Yes

## CORRESPONDENCE

- Is there limited free postage for inmates without money? N/A
- Incoming/outgoing – are inmates aware that mail can be read? N/A
- Confidential correspondence – letter to attorneys, legislators, CSA, etc., - how is it handled? N/A



## SITE TOUR

### AREA INSPECTED/REVIEWED

(Please Check)

PERSONS INTERVIEWED	PROGRAMS	QUALITY OF LIFE
Inmates	Educational	Physical Plan
Facility Manager X	Vocational	Meals/Nutrition X
Medical	Community Services	Mental Health
School Staff	Domestic Violence	Physical/Dental Health
Mental Health Staff	Victim/Gang Awareness	Religious Services
Line Staff	Substance Abuse	Visiting X
Food Services Staff	Other	Volunteer Involvement
Other		Other

Any additional information/notes:

- There are 4 inmate workers from High Desert Detention Center to prepare meals.
- 2 inmates during the day and 2 during the night.
- A room for sleeping for these inmates is available.

Note the following items as you tour the facility:

- Condition of the exterior and interior of the building noting graffiti, peeling paint, unpleasant odors, or other signs of deterioration:
  - The detention center is old and in need of repair
- Condition of the grounds, exercise areas, playing fields and exercise equipment: Good
- General cleanliness of the facility including windows, lighting, lockers, desks, conditions of the mattresses, bedding and pillows:
  - Clean mattresses are provided to those who stay overnight
- Condition of sleeping room door panels: Clean
- Temperature of living units: Good
- Safety and security issues including fencing, outdoor lighting, location of the weapons locker:
  - Areas are secured
- If a court holding area is present in the facility, ensure access to toilet and drinking water: Yes
- Atmosphere of classroom: N/A
- Are there adequate supplies (books, paper, computers, etc.)? N/A

## **INTERIOR OF BUILDINGS** (walls, paint, floors, drains, plumbing fixtures working, air vents, windows)

- Are cleaning fluids and chemicals labeled and safely stored? Yes
- Weapons locker present? Yes
- Recreation/sports equipment? N/A
- Are the hallways clear, are doors propped open or closed? Hallways are clear and all doors are secured.
- Holding areas (cells/rooms) – (if present), is there access to drinking water and toilet? Yes
- Are there individual cells/rooms, or dormitories? Individual and multiple inmate cells
- Beds – Type of bed and is it off the floor? 3-tiered bunk beds
- Adequate lighting? Yes
- Temperature? Good

## **INDIVIDUAL CELLS/ROOM**

- Condition of walls? Good
- Personal possessions allowed in cell/room (Art, Books, etc.)? No - only for the 4 inmate workers
- Graffiti present? Very little
- Ample bedding? Yes

## **PERSONAL APPEARANCE OF INMATES**

- What is the appearance on inmates (dirty, unkempt, well groomed, etc.)? Acceptable
- Showers – frequency, privacy, maintained, supervised by staff? Yes
- Are there any reported assaults by inmates on inmates? Yes
- Condition of clothing (does the clothing fit; is it appropriate for the weather, etc.)? Acceptable

## **COMMENTS/CONCERNS OBSERVED DURING TOUR:**

- Thursdays and Fridays are the busiest at this facility. An average of 1050 inmates a month are booked.
- There are only 3 or 4 deputies on duty. On the weekends there are 5 or 6 deputies.
- Each inmate is given a provision bag when booked.
- The holding cells will hold up to 16 inmates. There are benches and a toilet.
- The holding cells have 2 phones and the inmates are allowed up to 3 calls. Area codes of 760 are free.
- Holding cells are cleaned by the worker inmates 3 or 4 times a day.
- The sobering cell has a toilet and a cushioned floor.

\* \* \* INSPECTION FORM \* \* \*

Please fill out those sections that apply to the facility you are inspecting

INSPECTION DATE: September 9, 2013	FACILITY NAME: WEST VALLEY DETENTION CENTER
LAST CORRECTIONS STANDARDS AUTHORITY INSPECTION DATE: October, 2012	FACILITY CAPACITY: 3,284
TELEPHONE NUMBER: (909) 463-5006 FAX NUMBER (909) 463-5108	ADDRESS: 9500 Etiwanda Ave. Rancho Cucamonga, CA 91739
	TYPE OF FACILITY:  DETENTION CENTER:   X

## GENERAL INFORMATION

- What is the capacity of the facility? 3,284
- What is the number of pretrial inmates? Changes daily
- Has the facility exceeded capacity since the last state (CSA) inspection? No
- What is the average length of detention? Pre-sentenced - 188 days, Sentenced - 201 days, Federal - 35 days
- What is the inmate classification system? Classified by: Pre-trial, sentenced and offence
- Number of weekend offenders? None
- Are inmates oriented to rules and procedures? Yes
- Are rules and grievance procedures posted? Yes
- Are rules and grievance procedures understood by inmates? Yes
- Are there procedures for handling citizen complaints? Yes
- Number of inmate suicides in the past year: One
- Number of attempted suicides: 10 in the last 12 months
- Number of deaths from other causes: 1 natural, 2 pre-existing issues and 1 homicide
- Numbers of escapes: None
- Date of last fire/emergency drill: September 9, 2013

## STAFFING

- Is there enough staff to monitor inmates? Yes
- Does staff communicate in languages that an inmate can understand? Yes
- Diversity of staff: Caucasian, Asian, Hispanic, Black
- Impression of staff/inmate interactions: Good

## PROGRAMS

- Exercise: Yes
  - Is it inside or out? Both
  - How frequently is it offered? Every day
  - How much time is each inmate offered? Once a day - ½ hr. minimum - 3 hours a week
  - Do men get more exercise time than the women? Equal
- Are there clergy available to inmates upon request? Yes
  - Are there religious services? Yes
- Are anger management and other applicable programs available? Yes
- Are medical services available? Yes
  - How frequently is medical staff on-site? 24/7
  - How long do inmates wait to be seen? Non urgent 1 to 2 days - Urgent immediately
  - Is a physician available by phone or comes to the facility? On call physician until 9 p.m.
- Are mental health services available? Yes
  - How frequently is mental health staff on-site? Staff on call. Urgent issues - respond immediately
  - How long do inmates wait to be seen? After an evaluation up to 3 weeks
- Are vocational classes available? Yes
  - If so, what types: Cooking, Landscaping Culinary and Janitorial

## TELEPHONE

- Do inmates have access to telephones? Yes

## CORRESPONDENCE

- Is there limited free postage for inmates without money? 2 per week
- Incoming/outgoing – are inmates aware that mail can be read? Yes
- Confidential correspondence - letters to attorneys, legislators, CSA etc. - how is it handled?  
Deputy inspects the mail and seals the envelope in the presence of the inmate

## VISITING

- Is there adequate space, convenient times or accommodations to family's work schedule, etc.? Yes, 15 to 20 minutes- 8:30 a.m. to 9:00 p.m.
- Are there provisions for special visits with attorneys/clergy? Yes
- Does staff supervise visits? Yes
- Do all inmates have access to visiting? Yes, with the exception of inmates on discipline

## MEALS/NUTRITION

- The kitchen area – Is it clean? Broken tiles on floor and dirt around ceiling fans
- Are knives and chemicals locked? Yes
- Have the inmates working in the kitchen been trained? Yes
- Have the inmates had a medical clearance/review before assignment? Yes
- Are meals served in the cell, dayroom or at a central cafeteria? Cell and dayroom
- Are inmates permitted to converse during meals? No
- Length of time allowed for eating? 20 minutes

## HEALTH

- What type of on-site health facility is available to inmates? Clinic on-site
- What type of on-site dental facility is available to inmates? Oral surgery only
- What off-site hospital is used for serious health issues? Arrowhead Regional Medical Center
- How are inmates transported to off-site facilities? By ambulance or by patrol car with deputy
- How is security handled? Handcuffed and leg-shackled

## EDUCATIONAL PROGRAM

- College level/high school level/other: N/A
- Name of school district providing educational services: N/A
- Teachers – number of full-time, number of substitutes: N/A
- Number of inmates in educational program: N/A
- Activities and coursework assigned by teachers: N/A
- Relationship between educational program staff and facility staff: N/A

## DOCUMENT REVIEW

### INMATE GRIEVANCES/COMPLAINTS:

RESOLUTIONS	TYPES
Reviewed by staff and answered	Minor

Total Complaints reviewed: 230 a month    Total Complaints during past five (5) quarters: N/A

### MAJOR INCIDENTS:

RESOLUTIONS	TYPES
Confinement up to 30 days. Work time taken away	Racial or gang fights

Total Complaints reviewed: 10                      Total Complaints during past five (5) quarters: N/A

## SITE TOUR

### AREA INSPECTED/REVIEWED

(Please Check)

PERSONS INTERVIEWED	PROGRAMS	QUALITY OF LIFE
Inmates	Educational	Physical Plan X
Facility Manager X	Vocational X	Meals/Nutrition X
Medical X	Community Services X	Mental Health X
School Staff	Domestic Violence X	Physical/Dental Health X
Mental Health Staff	Victim/Gang Awareness	Religious Services X
Line Staff X	Substance Abuse X	Visiting X
Food Services Staff X	Other N/A	Volunteer Involvement
Other		Other

Any additional information/notes:

- Condition of the exterior and interior of the building noting graffiti, peeling paint, unpleasant odors, or other signs of deterioration: Kitchen area missing floor tiles, dirt around ceiling fans
- Condition of the grounds, exercise areas, playing fields and exercise equipment: Good
- General cleanliness of the facility including windows, lighting, lockers, desks, conditions of the mattresses, bedding and pillows: Good - No verification on bedding
- Condition of sleeping room door panels: Good
- Temperature of living units: Good
- Safety and security issues including fencing, outdoor lighting, location of the weapons locker: Good
- If a court holding area is present in the facility, ensure access to toilet and drinking water: Yes
- Atmosphere of classroom: N/A
- Are there adequate supplies (books, paper, computers, etc.)? N/A

### **INTERIOR OF BUILDINGS** (walls, paint, floors, drains, plumbing fixtures working, air vents, windows)

- Are cleaning fluids and chemicals labeled and safely stored? Yes
- Weapons locker present? Yes
- Recreation/sports equipment? Yes
- Are the hallways clear, are doors propped open or closed? Yes - doors closed
- Holding areas (cells/rooms) - (if present), is there access to drinking water and toilet? Yes
- Are there individual cells/rooms, or dormitories? Cells, dorms and rooms available
- Beds – Type of bed and is it off the floor? Yes - bunk beds and single cell available
- Adequate lighting? Yes
- Temperature? Good

## INDIVIDUAL CELLS/ROOM

- Condition of walls? Good
- Personal possessions allowed in cell/room (art, books, etc.)? Yes
- Graffiti present? No
- Ample bedding? Yes

## PERSONAL APPEARANCE OF INMATES

- What is the appearance on inmates (dirty, unkempt, well groomed, etc.)? Acceptable
- Showers – frequency, privacy, maintained, supervised by staff? Yes
- Are there any reported assaults by inmates on inmates? Yes
- Condition of clothing (does the clothing fit; is it appropriate for the weather, etc.)? Adequate

## COMMENTS/CONCERNS OBSERVED DURING TOUR:

- Impressed with the control station monitoring enclosure outside the cell ward.
  - Clinic Area - 5 examination rooms/dialysis room - 3 chairs for dialysis inmates.
  - Licensed contract nurses on-site.
  - Facility plans to increase security by installing more cameras in the cell area.
  - New fencing, increasing lighting.
  - Control panels are operated by staff. Push buttons (no keys) to open and close doors.
  - Plans to update panels and install security cameras.
  - Revocation hearings are held at this facility, 20 to 30 hearings per day. Plans to expand building to handle increased load of the hearings.
  - Plans to expand the jail ward to 32 persons at Arrowhead Regional Medical Center.
  - Guard shack to be built on Etiwanda Avenue in approximately 6 months
  - Plans to have inmate visits on video.
- **The Grand Jury requested from the West Valley Detention Center copies of the incident reports dated September 2012 to September 2013.**
  - **The Grand Jury received three boxes on October 25, 2013 and after reviewing these reports found additional information relating to inmate suicides, attempted suicides, homicides, in-custody death investigations, assaults on staff and inmate-on-inmate assaults**
  - **There were 20 attempted suicides and one suicide; four natural deaths; one murder; 366 inmate-on-inmate assaults and 41 assaults on staff.**
  - **After examining all completed reports, the Grand Jury discovered that each and every incident was handled appropriately according to policy and procedure.**

## **SHERIFF-CORONER DEPARTMENT ETHICS PROCEDURES**

### **BACKGROUND**

In January 2005 the Coroner Department was merged with the Sheriff Department becoming the Sheriff-Coroner Department. Deputy Coroner Investigators are called to the scene when a death occurs to initially determine the cause. The mission of the San Bernardino County Coroner is “To maintain the highest standard of professionalism and integrity in determining the cause and manner of death while ensuring that the decedents and their families are treated with the utmost dignity and respect.” Not all deaths require an investigation. Deaths of individuals who were under a doctor’s care and/or determined natural causes do not require an investigation. Many times the investigator is one of the first to interact with the grieving family members at a death scene.

### **METHODOLOGY**

The Grand Jury conducted interviews with members of the Sheriff-Coroner Department and researched departmental policies and procedures.

### **FACTS**

Information was obtained by the Grand Jury that a Deputy Coroner Investigator had referred a specific crime scene cleanup company. During an investigation of a death of an individual who had died at home, a Deputy Coroner Investigator at the scene informed the family of the decedent that due to biohazards in the living area, a specific type of cleanup company would have to be hired. When the Deputy Coroner Investigator was asked for the number of a qualified company to handle the site cleanup, the investigator gave the family member the business card of a specific company. The investigator also wrote the company’s telephone number on the back of the Sheriff’s Department business card. No other potential service providers’ names were given to the family member. The incident occurred while the investigator was officially representing the Coroner Division at the death scene. All persons in the Sheriff-Coroner Department interviewed by the Grand Jury responded they did not believe this type conduct is happening; if it is, it should not be. Sheriff-Coroner employees are instructed when asked about service providers to give several names or refer the individual to the Internet. The Grand Jury found no specific language in department policies covering this subject.

## FINDINGS

1. A Sheriff-Coroner Investigator referred a specific service provider.
2. The Grand Jury determined that no policy prohibits the referral of a specific cleanup company. Such conduct prohibiting the referral of a specific vendor is addressed verbally in Sheriff-Coroner initial training.

## RECOMMENDATIONS

- 14-1            Include specific language in the Code of Ethics prohibiting recommendation of a specific service provider while representing the Sheriff-Coroner Department. (Findings 1, 2)
- 14-2            Conduct additional training expressing the Sheriff-Coroner Department's position on this subject. (Findings 1, 2)

<b>Responding Agency</b>	<b>Recommendations</b>	<b>Due Date</b>
San Bernardino County Sheriff-Coroner	14-1 and 14-2	10/01/14

## **SHERIFF-CORONER DEPARTMENT**

### **MOBILE COMMAND UNIT**

#### **BACKGROUND**

San Bernardino County is the largest county in the USA. As of the 2010 census the population was 2,035,210. The county occupies 201,105 square miles. San Bernardino County is larger than nine (9) states and 71 sovereign nations. Geographically, the county has snowcapped mountains, arid desert, numerous lakes and rivers and a major earthquake fault. The county includes hundreds of miles of freeways and highways. San Bernardino County contains several airports including Ontario International Airport. San Bernardino County Sheriff/Coroner Department (Coroner Division) works to provide decedents and their families with utmost professional service.

#### **METHODOLOGY**

The Grand Jury conducted interviews with members of the Coroner Division with emphasis on departmental policies and procedures and on equipment.

#### **FACTS**

The stated primary objective of the Coroner Division is “to recover remains in a dignified and respectful manner while ensuring the integrity of the victim’s identification.” Division personnel are especially mindful of their responsibilities in a mass fatality event. Additionally, the medico-legal death investigation must be initiated promptly, and the related site must be processed properly.

A review of Coroner Division records revealed the following: When deputy coroners are dispatched to a scene they must share a communication post with the California Office of Emergency Services, CHP, San Bernardino County Fire or San Bernardino County Sheriff law enforcement units. Since the Coroner Division does not have a Mobile Command Post of their own permission is given to share mobile command post facilities only when space is available. The San Bernardino County Sheriff-Coroner is the Office of Emergency Services (OES) Region 6 Coroner Mutual Aid Coordinator; as such, he is tasked to lead supporting adjacent counties in a mass fatality event. Coroner staff including pathologists, anthropologist, investigators, autopsy assistants, DNA scientists and volunteers are required to work in areas in view by the public.

According to information received from the Coroner Division, four recent events demonstrate the need for a mobile command post:

**February 3, 2013:** A tour bus crashed on State Route 38 just north of Yucaipa. It was initially believed there were 30 fatalities. The actual death toll was eight. Decedent body parts were badly damaged making identification difficult. Decedent property was strewn over at least a quarter mile. The Coroners Department is responsible for decedent property. This was a multi-agency event (County Fire, Yucaipa Sheriff Station, CHP, the National Transportation Safety Board, the Occupational Safety and Health Administration and the Coroner Division). Only the CHP had a command post which was primarily used by their investigators.

The temperature on this date was in the 40's with mild winds. Though the cold did not affect the recovery, usually there is snow on the ground. Media helicopters were overhead and media were along the roadside; coroner staff had no place to privately discuss the investigation. Hand-held radio communication was ineffective. Excessive noise from fire trucks and equipment made cell phone communication difficult.

**February 12, 2013:** Christopher Dorner died in a basement of a home in a remote area off State Route 38. The investigation involved Sheriff's Specialized Investigation Division, Sheriff's Scientific Identification Division, Coroner Division and County Fire. The Specialized Investigations' command post was on scene, but crowded. Coroners were able to communicate, but had nowhere to lay out their equipment, meet and discuss assignments or communicate with off-site managers in a private manner.

The weather was inclement, there were several inches of snow on the ground and the air was damp and cold. The temperature was estimated in the 20's. Recovery was conducted in several inches of water and ash. Coroner investigators were required to don overalls and boots, but no safe or warm place to remove them when their work was completed. The event was manageable because most of their work occurred at night and involved other Sheriff Divisions. Had the event occurred midday, with a greater media presence, or in an area serviced by a city police department, the support received by Coroner staff would likely have been insufficient.

**September 3, 2013:** Skeletal human remains were found in a clandestine grave in the open desert in the county area outside Victorville. The recovery was made by Sheriff's Specialized Investigations Division, a crime scene specialist, Coroner investigators, volunteers and a forensic anthropologist under contract with the Coroner. Temperatures were near or above 100 degrees during this daytime recovery. Little shelter or cool air was available. A single command post was insufficient for the number of people working on the recovery.

**November 11, 2013:** The skeletal remains of two adults and two children were recovered from clandestine graves off of Interstate 15 in the high desert. The recovery was made by Sheriff's Specialized Investigations, a Sheriff crime scene specialist, Coroner investigators and a forensic anthropologist under contract with the Coroner. Temperatures were moderate. There were limited indoor restroom facilities. Only the Specialized Investigations' mobile command post was available. The media presence was significant, with numerous reporters and

photographers attempting to encroach upon the recovery scene and several helicopters overhead. It was difficult to keep information confidential. Technical instruments were needed to facilitate a speedy identification. This meant sensitive equipment had to be carried through sand and dirt to the recovery scene. More appropriately most equipment should remain in a mobile command center, with forensic material brought to it.

Based on those interviewed a mobile command post would provide:

- Privacy for incident managers and staff to evaluate details related to the investigation and logistical needs, and to prevent inappropriate leaking of information to the media or public.
- Appropriate restroom facilities.
- A break area for shelter from high temperatures or inclement weather.
- A place for a multidisciplinary team to assemble a “game plan”.
- Privacy for meeting with decedent’s family members, where important details may be sensitively discussed away from the media helicopters, cameras and microphones.

According to information received from the Coroner Division, a survey of surrounding counties reveals:

1. Los Angeles County, Coroner Division Mobile Command Post was purchased for \$315,000.
2. Riverside County, Coroner Division Mobile Command Post was purchased for \$240,000.
3. San Diego County, Coroner Division Mobile Command Post was purchased for \$216,000.
4. Orange County, Coroner Division Mobile Command Post was purchased for \$165,000.

## **FINDINGS**

1. When Sheriff-Coroner personnel arrive at a recovery scene, they are reliant on other agencies and Sheriff Divisions for Mobile Command Post support. Support is given only if space is available.
2. Coroner personnel need a place to store their technical instruments, utilize restroom facilities and attend to decedent's family members.
3. San Bernardino Sheriff-Coroner is the OES Region 6 Mutual Aid Coordinator. In the event of a mass fatality event, the Sheriff-Coroner is tasked with coordinating adjacent county assistance.

4. Surrounding counties have acknowledged a need and acquired a mobile command post for their Coroner Divisions.

**RECOMMENDATION**

14-3            The San Bernardino County Board of Supervisors/Sheriff-Coroner approve the purchase of a mobile command post for the Coroner Division. (Findings 1-4)

<b><u>Responding Agency</u></b>	<b><u>Recommendation</u></b>	<b><u>Due Date</u></b>
San Bernardino County Sheriff-Coroner	14-3	10/01/14

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**SHERIFF-CORONER DEPARTMENT  
SPECIALIZED INVESTIGATIONS DIVISION  
HI-TECH CRIMES LABORATORY**

**BACKGROUND**

The San Bernardino County Sheriff's Department, Specialized Investigations Division, Hi-Tech Crimes Detail Laboratory (SBCSD-SID-HTCDL) hereafter referred to as the Lab, processes electronic devices for approximately 360 cases per year. These cases require forensic examination of cellphones, computers, video, and audio devices involved in crimes including, but not limited to, identity theft, child exploitation, robbery and homicide.

Since its inception in December 1999, the Lab has been utilized for assistance by law enforcement agencies throughout this County and the State of California, as well as the Federal Bureau of Investigation (FBI) and Secret Service. Lab personnel attend scheduled training classes and seminars to keep abreast of new innovations and technological changes occurring in this field.

**METHODOLOGY**

The Grand Jury initiated an investigation based on review of a criminal case involving a computer forensics analysis conducted by the Lab. As a first step in the investigation, the Grand Jury visited the Lab's facilities to ascertain if procedures were implemented and resources were available in order to conduct computer forensics analyses that complied with current Industry Standards and guidelines.

The Grand Jury reviewed the methodology used by the Lab to gather computer forensic evidence in a criminal case and the factors that may have led to evidence not being discovered during the forensics analysis. The Grand Jury determined that the Lab is dependent on the capabilities of the computer software used to analyze electronic devices. As subsequent updates of software with increased capabilities and sophistication are released, the Lab's ability to gather evidence is enhanced.

A visitation was scheduled with the Lab to determine if changes or updates have been implemented, to assure no repeat of the problem which occurred with a criminal case.

Grand Jury members toured the Lab and conducted interviews with Lab personnel. In addition, the following Lab documents and/or current versions of software programs were reviewed:

1. Audio/Video Processing Request Form
2. Electronic Storage Devices Processing Request Form

3. Audio – Diamond Cut Software Program
4. Cellphone – XRY Software Program
5. Video – Cognitech Software Program
6. Computer – EnCase Software Program
7. San Bernardino County Sheriff’s Department Crime Scene Investigation Website
8. County of San Bernardino Department of the Sheriff/Coroner/Public Administrator Budget Summary Report for Fiscal Year 2013-2014
9. Rimage Disc Publishing Corporation’s case study of the Lab.

## FACTS

No written operating procedures are currently in place for the Lab. An established undocumented pattern is followed and conforms to the software formats used and to Industry Standards. One of the two request forms which accompany the device is:

1. Appendix A – SBCSD Audio/Video Processing Request (green)
2. Appendix B – SBCSD Electronic Storage Device Processing Request (blue)

Each Form must also be accompanied by either a Consent to Search or Search Warrant. These four forms document the scope of its work.

No specific procedure exists for the investigation of alleged documents on a device. The Lab follows the instructions and scope of investigation on one of the two forms: Appendix A or B.

The Lab personnel, all sworn officers, are not individually certified. The Lab is not accredited, nor within the structure of the Scientific Investigation Division, which is accredited. The Lab personnel work with The International Society of Forensics Computer Examiners ([www.isfce.com](http://www.isfce.com)) for individual certification. The Lab is working with The American Society of Crime Laboratory Directors/Laboratory Accreditation Board ([www.ascl-d-lab.org](http://www.ascl-d-lab.org)) for Accreditation. The Lab is in the San Bernardino County Sheriff Department, Specialized Investigation Division, Hi-Tech Crime Detail.

Investigations of work performed are peer reviewed; no oversights or audits are in place at any frequency. The oversight function is not a requirement prior to the accreditation of the Lab.

Four software programs are currently in use by the Lab for Hi-Tech Computer Forensics investigations; all four software programs were at the current revision level at the time of the visitation.

1. Audio – Diamond Cut
2. Cellphone – XRY and Secure View
3. Video – Cognitech
4. Computer – EnCase

Software updates are not automatic because of the Lab's secure firewall. Software updates are uploaded manually.

The software update used during the investigation was and is still not recorded on the report (See Appendix A and B). The retesting of devices, if updates have been implemented during court proceedings, cannot be determined since the version was not documented on the Lab's paperwork which was an issue in a criminal case.

The Lab personnel were unaware of any complaints within the last three years.

The Lab work area at SBCSD headquarters includes three individually secure labs. The data evaluation area consists of six work stations.

The Rancho Cucamonga Sheriff Office has a Lab; this lab is not accredited. The two Labs communicate, sharing knowledge. The Lab at the SBCSD Headquarters provides its services to 13 other agencies: the FBI, Secret Service and law enforcement from other counties.

The San Bernardino County Sheriff Department - SBCSD Crime Scene Investigation training unit does not provide classes covering the Lab specific topics. The Lab personnel have in the past and currently are attending classes provided by state-of-the-art manufacturers of video, audio, cellphones, and computer electronic devices.

## **FINDINGS**

1. No documented operating procedures currently exist.
2. The Lab personnel and the Lab are not certified individually or accredited as a Hi-Tech Forensic Lab.
3. Software updates are not occurring automatically due to the SBCSD secure firewall; updates must be uploaded manually.

## **RECOMMENDATIONS**

- 14-4            The Lab document the Industry Standards used. An oversight (self-evaluation) routine be implemented in the procedures, setting a frequency and scope of oversight. (Finding 1)
- 14-5            The Lab establish and maintain progress toward Lab accreditation and individual Lab personnel certification. (Finding 2)
- 14-6            The revision level of the software used to investigate an electronic device be

entered on the document accompanying the device. (See Appendices A and B).  
(Finding 3)

## **ATTACHMENTS**

Appendix A - SBCSD Audio/Video Processing Request (green)

Appendix B - SBCSD Electronic Storage Device Processing Request (blue)

<b><u>Responding Agency</u></b>	<b><u>Recommendations</u></b>	<b><u>Due Date</u></b>
San Bernardino County Sheriff-Coroner	14-4 through 14-6	10/01/14

# San Bernardino County Sheriff's Department Electronic Storage Device Processing Request



AGENCY		STATION	CASE #
CASE AGENT		ID #	PHONE #
RECOVERED BY		ID #	OPT #
REQUESTED BY		ID #	T #
PROCESSED BY		ID #	OTHER #

DATA RECOVERY    
 DATA ANALYSIS    
 HARDWARE IDENTIFICATION

## ELECTRONIC STORAGE DEVICE

TYPE	MAKE	MODEL	SERIAL #	EXTERNAL CONDITION
				GOOD <input type="checkbox"/> POOR <input type="checkbox"/>

MISC. INFORMATION

### CASE INFORMATION

VICTIM/SUSPECT

CRIME TYPE

CASE SUMMARY

INFO. REQUESTED

KEY WORD(S) SEARCH

### AUTHORIZATION

SEARCH WARRANT #

\*Copy must be provided with Request Form if applicable

CONSENT TO SEARCH

\*Copy must be provided with Request Form if applicable

### CHAIN OF CUSTODY

NAME	EMP #	DATE	AGENCY

**\*FOR OFFICIAL HTCD USE ONLY\***

## Appendix A – Back of form

### Form Information

AGENCY - Provide agency name (no abbreviations).  
STATION - Provide station number or other specific identifier.  
CASE # - Provide the agencies full case number.  
CASE AGENT - Name of case agent or investigator.  
TELEPHONE # - Telephone number or contact number for the case agent or investigator.  
RECOVERED BY - Name of subject collecting the evidence. EMPLOYEE # - Personal I.D. number or badge number.  
OPT # - Property tag number.  
REQUESTED BY - Name of subject making the request for processing. EMPLOYEE # - Personal I.D. number or badge number.  
T # - Internal tracking number assigned to the San Bernardino County Sheriff's Department's Hi-Tech Crime Detail.  
PROCESSED BY - Name of subject conducting the request for processing. EMPLOYEE # - Personal I.D. number or badge number.  
OTHER # - Additional internal tracking number used by requesting agency or outside processing source.  
AUDIO - Recovery and/or enhancement of data from audio storage media i.e., Cassette Tape, Micro Cassette Tape, CD, Mini CD, Memory Card, Memory Stick, etc.  
VIDEO - Recovery and/or enhancement of data from video storage media i.e., VHS, VHS-C, S-VHS, 8mm, 8mm Digital, 6mm (Digital Video), Hard Drive, Memory Card, Memory Stick, CD, DVD, etc.  
TYPE - Type of storage media. See above items "AUDIO" and "VIDEO" for samples and suggestions.  
MAKE - Name of Manufacturer.  
MODEL - Manufacturer's Model Name and/or Number.  
SERIAL # - Manufacturer Serial Number and/or other identifying number.  
RECORDING SPEED - Look for identifying speed i.e., SP, EP, LP, 24 Hour, 36 Hour, 72 Hour, 96 Hour, 1x, 2x, 3x, 4x, etc.  
RECORDING METHOD - Stereo, Mono, Analog, Digital, etc.  
UNIT DESCRIPTION - Identify any markings, wording, images, or other characteristics.  
UNIT CONDITION - Rate exterior condition of storage media as GOOD or POOR condition.  
STORAGE CASE DESCRIPTION - Identify any markings, wording, images, or other characteristics.  
STORAGE CASE CONDITION - Rate exterior condition of storage media as GOOD or POOR condition.  
MISC. INFORMATION - Note in detail any exterior damage i.e., Dents, Scratches, Breakage, Water/Moisture; and any other identifying marks or specific details of the way the media was being stored or used may provide assistance towards its processing.  
CONVERTER INFORMATION - Provide information i.e., TYPE - Digital to Analog, Analog to Digital, etc., MAKE, MODEL, SERIAL NUMBER.  
MULTIPLEX INFORMATION - Provide information on TYPE - Duplex, Quad, etc., MAKE, MODEL, SERIAL NUMBER.  
TIME LAPSE RECORDER - Provide information on TYPE - 24 Hour, 36 Hour, 72 Hour, 96 Hour, etc., MAKE, MODEL, SERIAL NUMBER.  
VICTIM/SUSPECT - First and last name of the victim and/or suspect.  
CRIME TYPE - List the appropriate code violation.  
CASE SUMMARY - Provide a brief summary of the case and the relationship the hardware has in the investigation.  
INFORMATION REQUESTED - Provide detailed information as to the specific or type of information being sought in the investigation if known.  
SEARCH WARRANT # - Issued Search Warrant #. Search Warrant should encompass the RECOVERY and ANALYSIS of data and/or hardware.  
CONSENT TO SEARCH - Person authorizing consent search. Consent should encompass the RECOVERY and ANALYSIS of data and/or hardware.  
CHAIN OF CUSTODY NAME - Name of subject taking possession of the evidence. EMPLOYEE # - Personal I.D. number or badge number.  
DATE - Date possession was taken of evidence.  
AGENCY - Agency name (no abbreviations).

### Recovery Guidelines

The following information is provided as a general guideline to assist law enforcement personnel in the identification and recovery of computer related evidence. This will further assist law enforcement personnel in the investigation and prosecution of criminal and administrative cases,

#### Prepare for the Search and/or Seizure

- Consent to Search - It is recommended the Consent to Search form be used for the recovery of potential evidence **and** consent should also be given to allow for the recovery and analysis of data.
- Search Warrant - It is recommended a Search Warrant be obtained to allow for the collection of potential evidence **and** to allow additionally for the recovery and analysis of data.

#### Conducting the Search and/or Seizure

- Secure the scene (OFFICER SAFETY IS PARAMOUNT).
- Identify potential evidence.
- Secure, record, and collect evidence using acceptable agency and law enforcement practices.

#### Processing

- Package, transport, and store evidence using acceptable agency and law enforcement practices.
- Proper request made for the processing, analysis, and examination of potential evidence.

### IMPORTANT INFORMATION

ADDITIONAL RESOURCE INFORMATION ON PROCEDURES AND GUIDELINES CAN BE LOCATED IN THE  
~SAN BERNARDINO COUNTY SHERIFF'S DEPARTMENT'S~  
SEIZING ELECTRONIC EVIDENCE BOOKLET

# San Bernardino County Sheriff's Department Audio/Video Processing Request



AGENCY	STATION	CASE #
CASE AGENT	ID #	PHONE #
RECOVERED BY	ID #	OPT #
REQUESTED BY	ID #	T #
PROCESSED BY	ID #	OTHER #

AUDIO                       VIDEO

TYPE	MAKE	MODEL	SERIAL #
RECORDING SPEED			
RECORDING METHOD			
UNIT DESCRIPTION			
UNIT CONDITION	GOOD <input type="checkbox"/>	FAIR <input type="checkbox"/>	POOR <input type="checkbox"/>
STORAGE CASE DESC.			
STORAGE CASE COND.	GOOD <input type="checkbox"/>	FAIR <input type="checkbox"/>	POOR <input type="checkbox"/>
MISC. INFORMATION			

## RECORDING EQUIPMENT

CONVERTER INFORMATION			
TYPE	MAKE	MODEL	SERIAL #
MULTIPLEX INFORMATION			
TYPE	MAKE	MODEL	SERIAL #
TIME LAPSE RECORDER INFORMATION			
TYPE	MAKE	MODEL	SERIAL #
MISC. INFORMATION			

### CASE INFORMATION

VICTIM/SUSPECT	
CRIME TYPE	
CASE SUMMARY	

INFO. REQUESTED	

### AUTHORIZATION

SEARCH WARRANT #		*Copy must be provided with Request Form if applicable
CONSENT TO SEARCH		*Copy must be provided with Request Form if applicable

### CHAIN OF CUSTODY

NAME	EMP #	DATE	AGENCY

**\*FOR OFFICIAL HTCD USE ONLY\***

## *Appendix B – Back of form*

### **Form Information**

AGENCY - Provide agency name (no abbreviations).

STATION - Provide station number or other specific identifier.

CASE # - Provide the agencies full case number.

CASE AGENT - Name of case agent or investigator.

TELEPHONE # - Telephone number or contact number for the case agent or investigator.

RECOVERED BY - Name of subject collecting the evidence. EMPLOYEE # - Personal I.D. number or badge number.

OPT # - Property tag number.

REQUESTED BY - Name of subject making the request for processing. EMPLOYEE # - Personal I.D. number or badge number.

T # - Internal tracking number assigned to the San Bernardino County Sheriff's Department's Hi-Tech Crime Detail.

PROCESSED BY - Name of subject conducting the request for processing. EMPLOYEE # - Personal I.D. number or badge number.

OTHER # - Additional internal tracking number used by requesting agency or outside processing source.

DATA RECOVERY - Request made for the recovery of data from storage media i.e., Hard Drives, Floppy Discs, Zip Drives, Jazz Drives, etc.

DATA ANALYSIS - Request made for the actual review and analysis of recovered data.

HARDWARE IDENTIFICATION - Request made for recovered hardware to be identified i.e., Type, Make, Model, Purpose, etc.

TYPE - Type of hardware i.e., CPU, Notebook, Palm PC, Hard Drive, Zip Drive, jazz Drive, Floppy Disc, CD, DVD, Memory Card, FAX Machine, Cell Phone, Pager, Digital Camera, Digital Video, Digital Audio, etc.

MAKE - Name of Manufacturer.

MODEL - Manufacturer's Model Name and/or Number.

SERIAL # - Manufacturer Serial Number and/or other identifying number.

EXTERNAL CONDITION - Visibly rate exterior condition of hardware as GOOD or POOR condition.

MISC. INFORMATION - Note in detail any exterior damage i.e., Dents, Scratches, Breakage, Water/Moisture; and any other identifying marks or specific details of the way the hardware was connected that may provide assistance towards its processing.

VICTIM/SUSPECT - First and last name of suspect and/or victim.

CRIME TYPE - List the appropriate code violation.

KEYWORD(S) SEARCH - Provide a list of key words, names, or numbers that would be valuable to your case that you wish to have recovered.

CASE SUMMARY - Provide a brief summary of the case and the relationship the hardware has in the investigation.

INFORMATION REQUESTED - Provide detailed information as to the specific or type of information being sought in the investigation if known.

SEARCH WARRANT # - Issued Search Warrant #. Search Warrant should encompass the RECOVERY and ANALYSIS of data and/or hardware.

CONSENT TO SEARCH - Person authorizing consent search. Consent should encompass the RECOVERY and ANALYSIS of data and/or hardware.

CHAIN OF CUSTODY NAME - Name of subject taking possession of the evidence. EMPLOYEE # - Personal I.D. number or badge number.

DATE - Date possession was taken of evidence.

AGENCY - Agency name (no abbreviations).

### **Recovery Guidelines**

The following information is provided as a general guideline to assist law enforcement personnel in the identification and recovery of computer related evidence. This will further assist law enforcement personnel in the investigation and prosecution of criminal and administrative cases,

#### **Prepare for the Search and/or Seizure**

- Consent to Search - It is recommended the Consent to Search form be used for the recovery of potential evidence **and** consent should also be given to allow for the recovery and analysis of data.
- Search Warrant - It is recommended a Search Warrant be obtained to allow for the collection of potential evidence **and** to allow additionally for the recovery and analysis of data.

#### **Conducting the Search and/or Seizure**

- Secure the scene (OFFICER SAFETY IS PARAMOUNT).
- Identify potential evidence.
- Secure, record, and collect evidence using acceptable agency and law enforcement practices.

#### **Processing**

- Package, transport, and store evidence using acceptable agency and law enforcement practices.
- Proper request made for the processing, analysis, and examination of potential evidence.

### **IMPORTANT INFORMATION**

ADDITIONAL RESOURCE INFORMATION ON PROCEDURES AND GUIDELINES CAN BE LOCATED IN THE  
~SAN BERNARDINO COUNTY SHERIFF'S DEPARTMENT'S~  
SEIZING ELECTRONIC EVIDENCE BOOKLET

# VICTOR VALLEY UNION HIGH SCHOOL DISTRICT TRACKING OF EQUIPMENT AND CAPITAL ASSETS

## BACKGROUND

The Grand Jury chose to examine the equipment tracking and inventory system including the equipment orders needed to furnish the new Adelanto High School. An additional factor involved was the time delay between ground breaking and the actual opening of the school.

## METHODOLOGY

### Research

The committee studied policies and procedures of the Victor Valley Union High School District (VVUHSD) through extensive research of the board protocols posted on Gamut Online ([www.gamutonline.net](http://www.gamutonline.net)). Protocols are available to the public through the use of the UserName “public” and the Password “victorvalley” with a link provided on [www.vvuhd.org](http://www.vvuhd.org). At the Gamut Online site, direct access to the Education Code for California can be accessed with a link to the specific Education Code section.

VVUHSD agendas and minutes posted online for the last five (5) years were studied thoroughly. Agendas show financial information for first and second interim reports, unaudited actuals, purchase order approvals and Audit Reports for the Fiscal Years Ending June 30, 2011; June 30, 2012; and June 30, 2013. Declarations of Surplus Equipment approved by the VVUHSD School Board were studied for November 17, 2011; April 18, 2013; and February 20, 2014.

### Interviews

Grand Jurors interviewed school personnel over the course of six months.

## FACTS

Purchasing procedures for VVUHSD are detailed in AR 3310 Business and Non-instructional Operations. Purchase orders are reviewed by appropriate administrative personnel, signed by the Superintendent or designee, and finalized by the business office. Purchase orders are submitted to the Board for approval at regular Board meetings. Supplies and equipment, with the exception of special orders, are to be processed through the district warehouse and deliveries made promptly to schools and departments.

## **Inventory**

VVUHSD BP 3440 for Business and Non-instructional Operations contains information about the maintenance of district property. “In order to provide for the proper control and conservation of district property, the Superintendent or designee shall maintain an inventory in a manner approved by the State Board of Education for the following:

1. All items currently valued in excess of \$500.
2. All items purchased with federal funds or matching non-federal funds and acquired at a unit cost of \$300 or more.”

According to VVUHSD AR 3440, each site administrator or designee shall maintain an inventory of all equipment. Information that must be recorded:

1. Description (with manufacturer’s name and/or model number).
2. Identification and/or serial number.
3. Date and cost of acquisition.
4. Funding Source (grant source and grant title).
5. Purpose for which the purchase was made.
6. Current use, condition, and location.
7. Date on which inventory information was verified.

“All equipment purchased with federal funds or non-federal matching funds shall be labeled with the district’s name and an equipment or inventory control number. The date and mode of disposal of all equipment removed from the inventory shall also be recorded. Copies of the inventory shall be kept at the district office and school site. A physical inventory shall be conducted annually.”

California Education Code 35168 provides further details for the Inventory of Equipment. “The governing board of each school district shall establish and maintain a historical inventory, or an audit trace inventory system, or any other inventory system authorized by the State Board of Education, which shall contain the description, name, identification numbers, and original cost of all items of equipment acquired by it whose current market value exceeds five hundred dollars (\$500) per item, the date of acquisition, the location of use, and time and mode of disposal.”

## **Sale and Disposal of Books, Equipment and Supplies**

VVUHSD BP 3270 provides for the sale and disposal of books, equipment and supplies. “When district-owned books, equipment, and supplies become unusable, obsolete, or no longer needed, the Superintendent or designee shall identify these items to the Governing Board, together with their estimated value and a recommendation that they be sold or

disposed of by one of the methods prescribed in law and administrative regulation. With Board approval, the Superintendent or designee shall arrange for the sale or disposal of these items. The Superintendent or designee shall establish procedures to be used when selling equipment for which the federal government has a right to receive all or part of the proceeds. These procedures shall ensure a reasonable amount of competition so as to result in the highest possible revenue.”

California Education Code 60510 provides for the disposal of surplus or obsolete materials “in any of the following ways:

- (a) By donation to a governing board, county free library, or other state institution.
- (b) By donation to a public agency or institution of any territory or possession of the United States, or the government of a country that formerly was a territory or possession of the United States.
- (c) By donation to a nonprofit charitable organization.
- (d) By donation to children or adults in the State of California, or foreign countries for the purpose of increasing the general literacy of people.
- (e) By sale.”

### **Management of District Assets/Accounts**

VVUHSD under BP 3400 establishes business and non-instructional operations relating to the management of district assets/accounts. In June 1999, the Governmental Accounting Standards Board (GASB) issued Statement #34 to modify accounting and financial reporting requirements. “Among the requirements of GASB 34 is that districts determine an appropriate capitalization threshold and begin identifying and valuating capital assets. The effective date of these requirements varied depending on the district’s total annual revenues, but all districts will be subject to the requirements by 2003-04.”

The California Department of Education recommended a capitalization threshold that includes a unit acquisition cost criterion of at least \$5,000, although a lower threshold may be necessary for small districts. In addition, the Superintendent or designee shall determine the estimated useful life of each capital asset and shall report the estimated loss of value, or depreciation, during each accounting period for all capital assets.

VVUHSD utilized Assetmaxx for its Property Accounting Ledger to assist the District in meeting the GASB 34 requirements. The online program contained categories for asset tag, split, class, quantity, description, acquisition date, life, total cost, accumulated depreciation and book value. A district log-on was provided for one person to access the program; however, several people utilized the same log-on to access the program.

## Property Accounting Ledger Example from VVUHSD

Asset Tag	Split	Class	Qty	Description	Acq. Date	Life	Total Cost	Accumulated Depreciation	Book Value
0707310002	100%	2900	1	Group of Asphalt	01/01/1964	20	104,673.18	104,673.18	0.00
0707310098	100%	2900	1	Flag Pole	01/01/1952	20	303.62	303.62	0.00
0707310008	100%	2900	1	Group of Wrought Iron Fencing	01/01/1997	20	18,160.15	15,474.51	2,685.64
0707310005	100%	2900	1	Group of Asphalt	01/01/1997	20	212,391.16	180,974.32	31,416.84

**Audit Report**

Nigro and Nigro PC of Murrieta, California performed the independent auditors' report for Fiscal Years ending June 30, 2011, June 30, 2012 and June 30, 2013. These reports appeared in the VVUHSD Board Agendas for February 2, 2012; February 21, 2013; and January 23, 2014 respectively.

The June 30, 2011 Audit noted the Original Finding 2010-1 regarding Capital Asset Accounting "the District was unable to clearly identify the capital assets recorded during the 2009-2010 fiscal year." Finding 2010-2 regarding Equipment Inventory noted "the District has no procedures for maintaining a detailed inventory of equipment. Furthermore, a physical inventory of capital assets has not been performed in the last two years." The Recommendations of these Findings were to update the capital assets listing and to assign an employee to the task of recording capital assets on a current basis. In addition, a physical inventory of capital assets needed to be undertaken in 2010-11.

The June 30, 2012 Audit Finding 2012-2 regarding Capital Asset Accounting noted "the District was unable to clearly identify the capital assets recorded during the 2011-12 fiscal year. Furthermore, the District did not maintain a detailed inventory of capital assets." A Recommendation was made that "an employee needs to be assigned the task of tracking all future acquisitions and disposals." The District's response was, "Staff has been assigned in the warehouse and in fiscal services to keep the information current. Warehouse staff will ensure that items are entered as received. Fiscal Services staff will update the existing information and as items are removed."

The June 30, 2013 Audit had similar Findings and Recommendations to the two previous years. Finding 2013-1 noted the District was unable to clearly identify the capital assets recorded during the 2012-13 fiscal year. The District did not maintain a detailed inventory of capital assets including improvements, buildings and equipment. In addition, the District did not have records to monitor the disposal of capital assets made during the year. A recommendation was made to update the capital assets listing to include an itemized listing of construction projects as of June 30, 2013. In addition, a recommendation was made for an employee to be assigned the task of tracking all future acquisitions and disposals. It was noted that it might be beneficial to consider hiring a firm to conduct a full inventory of capital assets during 2013-14.

## **FINDINGS**

1. The VVUHSD utilized Assetmaxx during 2012-2013. Land parcels and land improvements are noted on the first page of the report. Acquisition of land parcels were noted for 1915, 1952, 1959, 1975, 1991, 2000 and 2005. Several District personnel shared the same log-in name and password for the Assetmaxx program. A 100 page printout was available from a zip file with information that had been recorded. The Assetmaxx program could not be accessed on April 10, 2014 when Grand Jurors visited because rights to the program had been terminated due to nonpayment of fees.

2. The Assetmaxx program has headings for asset tag, split, class, quantity, description, acquisition date, life, total cost, accumulated depreciation and book value. These headings differ from those needed for equipment inventories: description (with manufacturer's name and/or model number); identification and/or serial number; date and cost of acquisition; funding source (grant source and grant title); purpose for which the purchase was made; current use, condition, and location; and date on which inventory information was verified. In addition, other necessary headings such as date of disposal and method of disposal need to be documented. The asset tag number used in Assetmaxx has eight to 10 digits whereas the District supplied asset tag numbers of either four or five digit numbers do not match.

3. The District does not follow guidelines in AR 3440 requiring that copies of the inventory shall be kept at the district office and school site and that a physical inventory shall be conducted annually. According to VVUHSD AR 3440, each site administrator or designee shall maintain an inventory of all equipment.

4. Some items purchased for \$500 or more have a barcoded asset tag but no barcode reader is available.

5. Previously approximately 75% of supplies and equipment was processed through the district warehouse and by April 10, 2014 approximately 99% was being processed through the district warehouse. Special orders that contain equipment valued at \$500 or more are sometimes sent directly to the school site instead of the warehouse.

6. Some equipment valued at \$500 or more was delivered to the construction site of the Adelanto High School and not received initially at the district warehouse. Non-district personnel (i.e. construction workers) were asked to sign for the shipments since no District employee was on site to expedite the delivery. District employees were not always informed of the receipt of equipment and had to travel to the construction site to asset tag items valued at \$500 or more. Some pieces of equipment were then transferred to the former Goodwill campus which was serving as a temporary site for the Adelanto High School causing delays and lack of security for valuable items. Some equipment seen at the yet-to-be opened Adelanto High School did not have asset tags as of the Grand Jury visit on April 17, 2014.

7. As noted on the declarations of surplus equipment, some of the items disposed of during the last three years had asset tag numbers and others did not. No estimated value was noted on any of the three approvals for disposal (see attachments A, B, C). The VVUHSD School Board took action on all three requests but the method for disposal of the five (5) available methods was not noted in the requests.

## RECOMMENDATIONS

- 14-7 Each district employee have a unique log-in name and password when using a computer program. (Finding 1)
- 14-8 Maintain access to the Assetmaxx program that tracks district assets or contract for a similar financial program. (Finding 1)
- 14-9 Acquire or use an asset tracking system that meets needs of tracking capital assets and equipment. Either the Assetmaxx program needs to allow for a variety of other headings than for those set on the property accounting ledger, or another software source needs to be utilized with yearly payment of user fees. (Finding 2)
- 14-10 The District follow guidelines in AR 3440 requiring that copies of all inventories should be kept at the District office or school site and that a physical inventory be conducted annually. (Finding 3)

- 14-11 Each site administrator or designee maintain an inventory of all equipment. (Finding 3)
- 14-12 Each item purchased for \$500 or more needs to be asset tagged then processed and submitted to the proper department/school in a timely manner. (Findings 4 and 6)
- 14-13 Each site dealing with inventory management needs a barcode reader. (Finding 4)
- 14-14 The District maintain their policy (AR 3310) of equipment purchases including special orders of equipment valued at \$500 or more being sent to the District warehouse prior to distribution to school sites. (Finding 5)
- 14-15 As new school sites are opened in the future, the District should have a representative available on site to receive valuable equipment. (Finding 6)
- 14-16 Adhere to VVUHSD BP 3270 for disposal of surplus items. (Finding 7)
- 14-17 Declarations of surplus equipment need to have methods of disposal noted. If the equipment were purchased through federal funds or matching non-federal funds, it needs to be sold with funds distributed accordingly. (Finding 7)

<u>Responding Agency</u>	<u>Recommendations</u>	<u>Due Date</u>
Victor Valley Union High School District Board	14-7 through 14-17	10/01/14

**Meeting of  
November 17,2011  
FOR: Action**

**VICTOR VALLEY UNION HIGH SCHOOL DISTRICT**

TO: MEMBERS OF THE BOARD OF TRUSTEES RE:

Approval of Surplus Declaration

**BACKGROUND INFORMATION:**

As per Education Code 17545-17555, the Governing Board shall declare as surplus those items determined to no longer be useful to the District. The items listed below serve no useful purpose to the District and therefore it is in the District's best interest to dispose of said items.

<u>Item Description</u>	<u>Quantity</u>
Apple iMac	9 each
Computer CPU	8 each
Printer	7 each
Sharp Television	1 each
Enterasys Network	2 each
Cabletron Systems Smart Stack	1 each

**CURRENT CONSIDERATIONS / FINANCIAL IMPLICATIONS:**

None

**STAFF RECOMMENDATION:**

It is recommended that the Board declare the District property listed above as surplus. Further declare that Herb Calderon, Assistant Superintendent, Business and/or Phillip Ethridge, Director of Purchasing, may dispose of said items in an appropriate manner in accordance with Education Code 17545-17555

SUBMITTED BY: Phillip O. Ethridge  
Director of Purchasing

**Meeting of: April 18, 2013**

**For: Action**

**VICTOR VALLEY UNION HIGH SCHOOL DISTRICT**

TO: MEMBERS OF THE BOARD OF TRUSTEES

From: Kim K. Hayes; Director of C.I.S.

RE: Declaration of Surplus Equipment

Background:

The attached list consists of obsolete technology equipment

Recommendation:

I request that the equipment listed below be declared surplus.

## SURPLUS LIST

SITE	DESCRIPTION	SERIALNBR.	ASSETNBR.
SHS	Tangent Tower	C5850077	6198
SHS	Tangent Tower	C5B50083	6228
SHS	Tangent Tower	C5C50016	6224
SHS	Tangent Tower	T22011065	0437
SHS	Tangent Tower	T38501777	03268
SHS	Tangent Tower	C5850082	6177
SHS	Tangent Tower	C5850088	6206
SHS	Multiwave		33518
SHS	Tangent Tower	P51502624C	
SHS	Tangent Tower	T1604295	01914
SHS	Tangent Tower	T1604310	01750
SHS	Tangent Tower	T1604296	008819
SHS	Tangent Tower	T1700110	005615
SHS	Tangent Tower	T1700160	00527
SHS	Multiwave	8595134	
SHS	Multiwave	30691	008630
SHS	Multiwave	30686	
SHS	Multiwave	30685	
SHS	Tangent Tower	T3C504600	007698
SHS	Tangent Tower	T2201066	8501
SHS	Tangent Tower	T1204344	00649
SHS	Tangent Tower	T2400475	
SHS	Tangent Tower	T3550821	008562
SHS	Tangent Tower	P5150625CO	8381
SHS	Tangent Tower	T1604256	00799
SHS	Tangent Tower	T3550805	008550
SHS	Tangent Tower	T1700169	01448
SHS	Apple	XA9391 AOGSN	
SHS	Tangent Tower	T1604315	1675
SHS	Tangent Tower	C6440049	
SHS	Tangent Tower	T1604266	775
SHS	Tangent Tower	P5150626C8	013447
SHS	Tangent Tower	P5150620CO	013446
SHS	Tangent Tower	C5850101	6183
SHS	Tangent Tower	T3C50433	7716
SHS	Multiwave		33518
SHS	Tangent Tower	T160342	678
SHS	Tangent Tower	T1604276	811
SHS	Tangent Tower	C7140029	6566

Meeting of: February 20, 2014

For: Action

VICTOR VALLEY UNION HIGH SCHOOL DISTRICT

TO: MEMBERS OF THE BOARD OF TRUSTEES  
From: Dave Bertelsen; Network manager / Technology Services  
RE: Declaration of Surplus Equipment

Background:

The attached list consists of obsolete technology equipment

CURRENT CONSIDERATIONS/FINANCIAL IMPLICATIONS:

STAFF RECOMMENDATION:

Approve the list of equipment listed to be declared surplus

SUBMITTED BY: Dave Bertelsen  
Network Manager, Educational Services

**WUHSD surplus equipment - Submitted February 20, 2014 Board Meeting**

Site	Item	Serial#	Asset#	Manufacture
District office	WORKSTATION	T3C50237	4390	TANGENT
District office	WORKSTATION	T3850125	3546	TANGENT
District office	WORKSTATION	C6150009	7249	TANGENT
District office	WORKSTATION	T4850308		TANGENT
District office	WORKSTATION	7001553310		GENERIC
District office	LAPTOP	CNF4071FOT		HP700T1
District office	FIREWALL	FGTKX3607500106	3598	FORTIGATE 1000FA2
District office	FIREWALL	G1G8002707000252	3597	FORTIANALYZER 800
University Prep	WORKSTATION	T4750634	4655	TANGENT
University Prep	WORKSTATION	T4750628	4667	TANGENT
University Prep	WORKSTATION	T4750629	4664	TANGENT
University Prep	WORKSTATION	T4750659	4684	TANGENT
University Prep	WORKSTATION	T4750647	4656	TANGENT
University Prep	WORKSTATION	T4750636	4673	TANGENT
University Prep	WORKSTATION	(6540077	6395	TANGENT
University Prep	WORKSTATION	C6540090	6387	TANGENT
University Prep	WORKSTATION	T4750631	4660	TANGENT
University Prep	WORKSTATION	C6540078	6400	TANGENT
University Prep	WORKSTATION	T4750645	4668	TANGENT
University Prep	WORKSTATION	T4750646	4661	TANGENT
University Prep	WORKSTATION	P5770398	6049	TANGENT
University Prep	WORKSTATION	2115		TANGENT
University Prep	WORKSTATION	C6440040	6292	TANGENT
University Prep	WORKSTATION	C6540091	6384	TANGENT
University Prep	WORKSTATION	P5770465	6102	TANGENT
University Prep	WORKSTATION	C6440018	6301	TANGENT
University Prep	WORKSTATION	T4750649	4686	TANGENT
University Prep	WORKSTATION	T4750658	4681	TANGENT
University Prep	WORKSTATION	T4750643	4662	TANGENT
University Prep	WORKSTATION	T4750653		TANGENT
University Prep	WORKSTATION	C7140050	6585	TANGENT
University Prep	WORKSTATION	C6440020	6273	TANGENT
University Prep	WORKSTATION	C6440012	6294	TANGENT
University Prep	WORKSTATION	C640014	6263	TANGENT
University Prep	WORKSTATION	P5770415	14404	TANGENT
University Prep	WORKSTATION	P577043		TANGENT
University Prep	WORKSTATION	(6440025	6302	TANGENT



# RESPONSE ACCOUNTABILITY



## **RESPONSE ACCOUNTABILITY**

### **INTRODUCTION**

Each year the Grand Jury is required by law [California Penal Code, Section 933(c)] to submit a Final Report to the Presiding Judge of the Superior Court with appropriate recommendations and results from investigations conducted by the Grand Jury.

The Grand Jury chose to dedicate a major section of the Final Report this year to investigations reviewing prior Grand Jury reports, recommendations and responses. A Response Accountability Report contains follow-up interviews and information gathered to determine if the agencies and/or departments are complying with the recommendations and responses given to these prior reports.

This section of the Final Report contains updates on the following prior reports:

- Barstow Cemetery District
- Children and Family Services
- City of Adelanto
- Gangs
- Land Use Services – Environmental Planning Division
- Local Agency Formation Commission
- Newberry Community Services District
- Public Defender
- San Bernardino Associated Government – Safe Call Box Program
- Sheriff/Coroner, Coroner Division
- Victor Valley College Police Department

## **BARSTOW CEMETERY DISTRICT**

### **BACKGROUND**

The Cities/Special Districts Committee reviewed the 2009-2010 Grand Jury's Final Report regarding the operations, expenditures and bookkeeping methods being utilized by the Barstow Cemetery District (District). The purpose of this review was to determine if the District's Responses complied with the Grand Jury's Recommendations. To obtain this information, the District's current General Manager was interviewed. Additional written Responses by the Local Agency Formation Commission (LAFCO), County Special Districts and the Auditor-Controller/Recorder/Treasurer/Tax Collector (ACR) were also reviewed.

### **RECOMMENDATIONS #10-32 and #10-34**

LAFCO, Special Districts and the ACR's office need to set up a meeting with the Cemetery Supervisor and the Board of Directors and provide them with understandable guidelines and rules they are to follow.

### **RESPONSE BY LAFCO, COUNTY SPECIAL DISTRICTS AND ACR**

The requirements of Finding #1 relate to operational activities any public agency is required to perform as set forth by State statute and the principal act for the District and are not specific requirements of LAFCO, Special Districts, or the Auditor. However, LAFCO has directed its staff to comply with Recommendation #10-32 of the Grand Jury in an effort to assist the agency address deficiencies in its operation. To that end, management staffs of LAFCO and County Special Districts Department are currently scheduled to attend the District's November 10 meeting at the District office in Barstow. Specifically for LAFCO, the Executive Officer will discuss and provide the District with guidelines outlined in Public Cemetery District Law and the Government Code.

At present, County Auditor-Controller/Recorder/Treasurer/Tax Collector management staff has indicated to LAFCO staff that it will not be attending the District's November 10 meeting in Barstow and will set its own schedule to meet with the District. LAFCO has expressed to County Auditor-Controller/Recorder/Treasurer/Tax Collector management staff its willingness to participate in any future meetings with the District regarding this matter that it would schedule.

Special Districts is not in a position to impose rules upon the Barstow Cemetery District as it is an independent district not governed by the County Board of Supervisors. However, the department will participate at the invitation of LAFCO, ACR and/or the cemetery district in any meeting that is arranged.

## **CURRENT STATUS**

According to the minutes of the District's Board of Directors meeting held on Wednesday, November 10, 2010, representatives of LAFCO and County Special Districts were present at this meeting. There was no representative from the ACR office. The District's Board of Directors were informed of LAFCO's expectations from the District, including a timely response to the required five years reports and operation by the health and safety code requirements with the California Association of Public Cemeteries (CAPC) cemetery operations manual as a guide. The representative from County Special Services offered his services to the District if any help was needed with any special district needs.

According to the General Manager, a review of the District's minutes after the November 10, 2010, meeting indicates that a meeting with the ACR has not been scheduled or held.

## **RECOMMENDATION #10-33**

Special Districts need to look into taking over the Cemetery and determining what changes would have to be made in order for the Cemetery to afford this change over.

## **RESPONSE BY COUNTY SPECIAL DISTRICTS**

Special Districts does not have the legal authority to "take over" the Barstow Cemetery District against the will of the district or without a determination by LAFCO as it is an independent district not governed by the County Board of Supervisors. If either the district or LAFCO expresses an interest in Special Districts control of the cemetery district, Special Districts can conduct an analysis and make a determination as to the feasibility of Special Districts administering the district either as a Board governed special district or under contract with the existing self-governed district.

## **CURRENT STATUS**

Recommendation #10-33 will not be accomplished. The District has no interest in being taken over by the County Special Districts and to date, LAFCO has not expressed an interest in having County Special Districts take control of the District.

**RECOMMENDATION #10-35**

The Barstow Cemetery needs to arrange for someone to become their bookkeeper and keep monthly financial statements and do an annual budget.

**RESPONSE BY BARSTOW CEMETERY DISTRICT**

The Barstow Cemetery District currently receives a FAS statement from the ACR on a monthly basis with which they generate a Monthly Cash Flow Statement that identifies cash received and disbursed. An internal cash in/cash out report is used for operational evaluations. We do provide a budget to ACR every year.

**CURRENT STATUS**

Recommendation #10-35 has been accomplished. The Grand Jury was provided with the District's 2013 budget, which consists of two published budgets. One budget is the General Fund Budget, which accounts for their "At Need" funds that are received from individuals who pay for burial costs at the time they are making burial arrangements. The other budget is for "Pre-Need" funds that are received from individuals that have pre-paid burial costs.

**RECOMMENDATION #10-36**

The Barstow Cemetery needs to consider finding a new auditing firm. There is no reason it should take two-plus years to do an audit on this small of an operation.

**RESPONSE BY BARSTOW CEMETERY DISTRICT**

Considering the facts regarding the Auditor, the Barstow Cemetery District has decided not to change Auditors at this time, the Barstow Cemetery District staff will diligently work with supplying requested information in a timely manner to the Auditor so he can prepare and complete the Final Audit Report in a timely manner.

**CURRENT STATUS**

Recommendation #10-36 has been accomplished. The Grand Jury was provided with a copy of the District's most recent Audit dated June 30, 2012. In addition, the District is presently gathering all of the necessary documentation to submit to their Auditor to complete their 2013 audit. A copy of the District's audits was provided to LAFCO and ACR.

**RECOMMENDATION #10-37**

The Barstow Cemetery needs to start budgeting so they can operate the cemetery without losing money.

**RESPONSE BY BARSTOW CEMETERY DISTRICT**

The Barstow Cemetery District has currently prepared the annual budget and forwarded it to the ACR for input into FAS and will consider modifications throughout the year to stay within the fiscal resources.

**CURRENT STATUS**

The General Manager advised the Grand Jury the Endowment Fee, which is included as part of their burial fee, was established in 1985. The Endowment Fee portion of their burial fees is invested separately and only the annual interest received is used for the general operations of the cemetery. The District receives some property tax revenues which go into their General Fund account and they are presently operating within their budget.

**RECOMMENDATION #10-38**

The Barstow Cemetery needs to again look into the possibility of drilling its own well for water.

**RESPONSE BY BARSTOW CEMETERY DISTRICT**

The Barstow Cemetery is currently looking into the possibility of drilling its own well, but before we can dig a new well need to contact the Mojave Basin Water Master to research possible water rights. The District at this time is financially unable to pay for the drilling of the well, the outer structure of such well and the water pipeline to connect to the existing pump house. The District will apply for grant funding for this project.

**CURRENT STATUS**

Recommendation #10-38 is presently being accomplished. The District received a grant from former First District Supervisor Brad Mitzelfelt in the amount of \$31,000.00 for this project and construction of the new well was started in May 2013. According to the General Manager, the electrical wiring should be installed within the next two months and the new well will be up and running.

**RECOMMENDATION #10-39**

The Barstow Cemetery needs to contact the California Association of Special Districts and consider joining so they can obtain health insurance and workers compensation at a considerable savings.

**RESPONSE BY BARSTOW CEMETERY DISTRICT**

The Barstow Cemetery District is looking into the possibility of joining the California Association of Special Districts to obtain health insurance and workers comp and shopping other providers at a reduced rate for the next policy period.

**CURRENT STATUS**

Recommendation #10-39 has not been accomplished to date. The General Manager agreed this would be a cost savings to the District and they will work on joining the California Association of Special Districts to obtain their insurance needs.

**CONCLUSION**

Based on the review conducted by the Grand Jury, the Barstow Cemetery District's operation has improved since the review conducted by the 2009-2010 Grand Jury. Their operations will continue to improve once Recommendation #10-38 and Recommendation #10-39 have been accomplished.

## **CHILDREN AND FAMILY SERVICES**

### **BACKGROUND**

The 2012-2013 Grand Jury issued a Report regarding the Children and Family Services (CFS) response to the following recommendation.

### **RECOMMENDATION #13-12**

Update and enliven the CFS Website and maintain it routinely. Post such things as the Redesign, Annual Reports, goal outcomes, public relations and news articles, staff commemorations and vignettes and other materials to heighten public interest in, and estimation for, the agency.

### **RESPONSE**

CFS will begin development of a new public website which will heighten the public's awareness about the department's services, programs and performance. The website will highlight how the public can help prevent child abuse, be involved as a community partner and a deeper understanding of how our work supports the CFS mission of safety, permanency, and well-being. It will also highlight how the department's work aligns with the Countywide Vision, and helps fulfill the Vision's regional goal of partnering with all sectors of the community to support the success of every child from cradle to career. The CFS website will have current contact information for the public to call or email for more information.

The CFS public website will be launched on or before January 20, 2014. The cost to develop, launch and maintain the CFS public website will be addressed within the Human Services Administration budget. The ongoing updates of the website will be managed through staff assigned to the Systems Resource Division of CFS.

### **CURRENT STATUS**

A review of the updated CFS website (<http://hs.sbcounty.gov/cfs/Pages/Welcome.aspx>) confirmed the information in CFS's response to the Grand Jury's Recommendation. The website was new, improved and comprehensive. Moreover, it was launched within the time frame indicated by CFS. Additionally, the improved website contained current contact information and provided services and programs which are available to the public.

Grand Jury members who accessed this website were impressed with the wide range of helpful information it contained.

## **CITY OF ADELANTO**

### **BACKGROUND**

The Human Services Committee reviewed the Grand Jury's Final Report for 2009-2010 regarding the Performance Audit conducted for the City of Adelanto. The purpose of this review was to determine whether the City of Adelanto agreed with the Grand Jury Recommendations and if these recommendations were completed. The information obtained for this report was from the Interim Finance Director and the Assistant Finance Director from the city of Adelanto. The Interim Finance Director has been with the city since 2012, and the Assistant Finance Director since 2003.

### **RECOMMENDATION NUMBER #10-40**

Stated: Direct the City Manager and staff to complete the comprehensive annual financial audit reports for the fiscal years ending in June of 2008 and 2009 no later than July 31, 2010.

### **RECOMMENDATION NUMBER #10-41**

Direct the City Manager to produce the audited comprehensive annual financial report for the year ending June 30, 2010 by no later than September 30, 2010.

### **RESPONSE**

Completion by September 30, 2010 is a very aggressive schedule. The City contracts with an independent audit firm to conduct the annual audits and their workload will help dictate the schedule for completion of this audit. The City is indicating that the June 30, 2010 audited annual comprehensive financial report will be completed by November 30, 2010, which is within the parameters set forth by the Governmental Accounting standards for completion of audits. We would be happy to provide a copy of the completed audited comprehensive annual financial report once the work is complete and accepted by the City Council.

### **CURRENT STATUS**

The comprehensive annual financial audits for years ending in June 2008, 2009 and 2010 were completed. The Grand Jury requested and received copies of these completed audits. The Grand Jury also received the completed audit for year ending 2011.

**RECOMMENDATION NUMBER #10-42**

Request the City Manager develop and present a five-year financial projection and plan for resolving the City's structural deficit by no later than July 31, 2010.

**RESPONSE**

Completion by July 31, 2010 is an aggressive date due to the need for Finance staff to be focused on preparing the City's records for the comprehensive annual financial report audit for year end June 30, 2010. Additionally, for a more representative five-year plan, and the ability to review revenue and expenditure trends, the audited numbers for June 30, 2010 become critical as they set the base for moving forward five years. Therefore, the City commits to completing the five-year projection by December 31, 2010.

**CURRENT STATUS**

The City's Interim Finance Director, who was not with the City of Adelanto in 2010, was unaware of the December 31, 2010 completion date for the five-year financial plan. A budget plan was completed and the Grand Jury did receive a copy of this five-year plan.

**RECOMMENDATION NUMBER #10-43**

Immediately enter into negotiations with the County Sheriff and the County Fire Department to further reduce the cost of services that it purchases for public safety purposes. This could include reductions in the number of hours that fire stations are maintained based on call volume and activity, as well as the number of hours that patrol deputies are on duty.

**RESPONSE**

Discussions with both the Sheriff's Department and the County Fire Department will begin by May 2010.

**CURRENT STATUS**

Discussions were held with both departments. As a result of discussions with the County Fire Department, the City was able to decrease the total budget by approximately \$900,000 by closing one fire station and having only three firefighters/paramedics on each shift.

The discussions with the Sheriff's Department resulted in a decrease of about \$200,000 by reducing personnel, including only one gang enforcement officer, and having only three deputies on duty per shift.

**RECOMMENDATION NUMBER #10-44**

As soon as practical, convene a public workshop to evaluate the current and long-term financial condition of the City and to explore solutions to the structural deficit. This process should be designed to obtain input directly from Adelanto taxpayers.

**RESPONSE**

The City agrees and once all the financial information is completed via the audits, a public workshop will be convened.

**CURRENT STATUS**

As a result of the public workshop convened by the City, the Adelanto Citizen's Finance & Budget task force was formed. This task force was made aware that prior to the formation of the task force, the city was able to reduce the budget by \$2.9 million. This task force is comprised of 30 Adelanto citizens who meet and discuss budget matters and make recommendations to reduce the budget. Within the task force, the Opinion Leader's subcommittee was formed. This subcommittee examined the year-end financial budget, line by line with the purpose of further reducing the deficit. One proposal was a 7.9% utility tax to be placed on the November 2014 ballot. If it does not pass in November, other means of reducing the deficit will have to be examined.

**RECOMMENDATION NUMBER #10-45**

Proceed with negotiations with the County to modify the terms of the RDA settlement agreement to permit long-term debt relief, which could include the exchange of property owned by the RDA.

**RESPONSE**

Discussions with Supervisor Mitzelfelt's office have been on-going for several months. The first meeting with the County Chief Administrative Office (CAO), Greg Devereaux, is scheduled for April 15, 2010. City of Adelanto staff expects to continue discussions with both the Supervisors Office and the CAO's office until a resolution is found.

## **CURRENT STATUS**

Meetings were held and the result was an agreement to work with the Successor Agency (aka: RDA), the County Administrative office and the County Financial office. A Stay Order was drafted and is now in effect until such time as all parties agree to abide by the terms of the agreement. The City will continue to receive 30% from the County and once the terms of the agreement are finalized, the City will be able to move forward with the eventual hope of being able to pay down their debt.

Based on the 2009-2010 Grand Jury's recommendations to the City of Adelanto, and their responses to the recommendations, the City of Adelanto has accomplished the recommendations.

# GANGS

## BACKGROUND

Street Gangs are involved in a range of criminal activities within our communities. For example, gangs are active in the illegal narcotics trade. The National Gang Intelligence Center has published a report stating the United States is encountering an illegal narcotic trade growing at an epidemic rate, with gangs receiving most of their income from trafficking in narcotics. United States-based gangs smuggle and distribute drugs, collect drug proceeds, launder money, and smuggle weapons. On a more local level, street gangs contribute to neighborhood blight by vandalizing buildings and other structures with graffiti. The County government and cities combined spend over one and a half million dollars for graffiti removal annually.

The 2012-2013 Grand Jury conducted an investigation into how the problem of gangs was being addressed in San Bernardino County. The County's extensive gang problems stem from its vast geographic area, low-cost housing, and socioeconomic conditions. The Grand Jury wanted to determine the effectiveness of the San Bernardino County Probation Department's 2005 Countywide Strategic Plan on Gangs (Strategic Plan), which was published as a non-binding operational agreement with an overall goal of reducing gang violence within the County.

## CONCLUSION

“According to gang experts, many gang members live in economically depressed circumstances and believe their only means of survival is through banding together. Also, these experts believe gangs are involved in a range of criminal activities involving drug sales, human sex trafficking, white collar crime, or identity theft. Police officers, probation officers, school officials, and citizens should be working toward a common goal of decreasing gang activity. There is general agreement among these groups that intelligence gathering, prevention, suppression, intervention and community awareness are key elements in controlling and reducing gang membership and activity in San Bernardino County. The Strategic Plan states, ‘Research has shown working groups in multi-agency projects to use data analysis and collaboration with different agencies results in well-designed responses to violence.’ Previous projects confirm each agency has unique resources which, when pooled, make each unit more effective in curbing gang violence.”

The 2005 Countywide Strategic Plan on Gangs was an important step in addressing gang activity within San Bernardino County. However, a follow-up review of the Strategic Plan is necessary to determine the extent to which agencies have implemented the recommendations

and the impact the Plan had on suppressing street gang activity and reducing gang membership.

## **CURRENT STATUS**

As a result of the Probation Department's response to the 2012-2013 Grand Jury's Final Report, the 2013-2014 Grand Jury submitted questions to the San Bernardino County Probation Department regarding the Strategic Plan.

The response is as follows:

The research and writing of the Countywide Strategic Plan on Gangs (CSPG) began in the early 2000's and was completed by a San Bernardino County Probation Officer in 2003. In summary, the plan suggested the use of a three pronged approach to combat gang activity in San Bernardino County. This approach suggested that prevention, intervention, and suppression tactics must be used in order to effectively combat gangs. This was a "non-binding" contract/plan.

In 2004, a 90 day pilot program was enacted to test the suppressive aspect of the CSPG. The pilot program was a twelve member multi-agency gang team comprised of officers from the Probation Department, Sheriff's Department, District Attorney's Office and the CHP. The pilot program was so successful it was continued past 90 days to 120 days. Subsequently, in May 2005, the County of San Bernardino Board of Supervisors funded \$4.8 million for the San Bernardino County Movement Against Street Hoodlums (SMASH) gang program.

Since 2005 the SMASH program has expanded with gang trained officers in most agencies and Sheriff's stations in San Bernardino County. Routine SMASH operations occur at least quarterly with each agency/station donating officers to saturate designated areas in the county. Monthly meetings are scheduled for SMASH officers from various areas to come together to share information. These are two examples of how the CSPG is effective and still working.

The Probation Department is working on an update, review and assessment of the CSPG. San Bernardino County Probation formed a committee of several current and former gang experienced officers to review, assess and update the CSPG. Probation has met with the Chiefs of each police agency in San Bernardino County, including the Sheriff, to gain cooperation with the review and assessment of the CSPG. San Bernardino County Probation is developing research methods to gather statistics and comparative data to evaluate the CSPG. The data should show how county agencies have responded to the CSPG, what is being done and suggestions for future plans.

## **LAND USE SERVICES DEPARTMENT ENVIRONMENTAL PLANNING DIVISION**

### **BACKGROUND**

The 2009-2010 Grand Jury received a citizen complaint regarding the alleged removal of Joshua Trees, a protected species of plants under Federal and State law (1981 California Desert Native Plants Act - California Food and Agriculture Code Division 23, Chapter 3). Joshua trees are a member of the lily family whose biological name is *Yucca Brevifolia*. It is native to the dry, sandy soil of the Mojave Desert, which stretches from Southern California and into Arizona, Nevada and Utah. The plant has a bark-like trunk and can grow to heights of 15 feet or more. It can grow in elevations of 2,000 to 6,000 feet Mean Sea Level (MSL). Based on this complaint, the 2010-2011 Grand Jury decided to investigate the code enforcement activities related to Joshua Trees.

In San Bernardino County, the Land Use Services Division is responsible for overseeing adherence to the General Plan through the Code Enforcement Division. County Code Enforcement is an organization which responds to, and investigates, code enforcement complaints. California law requires each County to develop and maintain a General Plan. The General Plan includes land development, protection of natural resources and environmental issues. Division 8 Resource Management and Conservation of the General Plan provides for Plant Protection and Management, Soil and Water Conservation, and Surface Mining and Land Reclamation. The General Plan also sets forth a series of rules (ordinances) prescribing how the plan is administered.

### **RECOMMENDATION #11-33**

The County Code Enforcement Division staffing of code enforcement officers should be increased to adequately respond to the number of complaints.

### **RESPONSE**

The County has implemented this recommendation. Two positions in the Code Enforcement Division have recently been upgraded, resulting in two additional Code Enforcement Officer II's responding to complaints.

## **CURRENT STATUS**

The 2010-2011 Grand Jury found there were three code enforcement inspectors who respond to Joshua Tree code violations. As of May 2014, three code enforcement officers still respond to code violations. In 2010-2011, the permitting duty was a part of the County Agricultural Commissioner's Office. Currently in 2014, the Planning Division of Land Use Services issues permits for tree removal. Because it is in-house, it is easier to respond to complaints regarding tree removal.

## **RECOMMENDATION #11-34**

The County Land Use Department develop and maintain, for its Code Enforcement Division, a computerized system to properly document, categorize and retrieve information about county code violations by type.

## **RESPONSE**

The County is implementing this recommendation. The Land Use Services Department is currently evaluating a computer software system that will have the ability to track specific types of complaints.

## **CURRENT STATUS**

No computer software system to categorize and retrieve information regarding county code violations by type is currently in use. The software system *Accella Automation* has been budgeted for and implementation will start in FY 2014-2015. Usually there is an 18 month implementation when the vendor tailors the system to specific needs of the user. The computer program will be used not just for the Land Use Services Department as other departments including County Fire and Public Works will also be involved.

## **RECOMMENDATION #11-35**

A uniformed data exchange system be established between the County and the Cities of Victorville, Hesperia and the Town of Apple Valley in order to provide a more comprehensive picture of how laws are applied in County and local jurisdictions.

## **RESPONSE**

Unfortunately, a data exchange system between the County and the Cities is not possible because each jurisdiction must maintain a system that is compatible with its unique finance system. However, code enforcement programs from the referenced jurisdictions do exchange information on an as-needed basis. Furthermore, the High Desert code enforcement programs are working on developing a collaborative process that will allow different jurisdictions to provide staff assistance across jurisdictional boundaries to resolve code enforcement issues.

## **CURRENT STATUS**

In order to assure a more collaborative process, a Memorandum of Understanding (MOU) is in place among the cities/towns of Apple Valley, Hesperia, and Adelanto, with the recent addition of Barstow in April 2014 to allow different jurisdictions to provide assistance across jurisdictional boundaries. Victorville is considering the ramifications of joining. On a monthly basis, two (2) to three (3) code enforcement officers from the cities/towns venture into another jurisdiction to provide staff assistance to resolve code enforcement issues. This collaborative effort benefits the code enforcement officers as they exchange information informally and learn from other jurisdictions.

## **LOCAL AGENCY FORMATION COMMISSION**

### **BACKGROUND**

The Grand Jury reviewed the Final Report for 2012-2013 regarding the Newberry Springs Community Services District (CSD). Some of the Recommendations were directed at San Bernardino County's Local Agency Formation Commission (LAFCO). The purpose of this review was to determine whether LAFCO agreed with the Recommendations and to ascertain if the Recommendations were implemented. The information obtained for this report was from the Executive Officer of LAFCO.

### **RECOMMENDATION #13-28**

The Recommendation within the following report in the Internal Controls Section, Number 15, be responded to appropriately.

### **NUMBER 15**

Review suggestions made in its 2009 report (Service Review for the Communities of Daggett, Yermo and Newberry Springs) and include more robust analysis of governance and reorganization options for the next Service Review of the District, scheduled for 2014.

### **RESPONSE**

LAFCO concurred with the Grand Jury's Recommendations, stating:

The reorganization options identified in this 2009 report included, among others, the consolidation of the three CSDs into a single agency, which the staff recommendation supported through a consolidation sphere of influence. The staff's rationale was identified as being that the three CSDs were experiencing governance issues (compliance with audit requirements, budget compliance, etc.) to varying degrees and the consolidation would pool resources to allow for the hiring of professional staff to move them toward compliance. The August staff report provided two options for consideration to respond to the Grand Jury:

**OPTION #1:** Concur with Recommendation #15 and direct staff to provide a more detailed analysis of the potential consolidation of the District during the second cycle review, anticipated to be 2014 but could be later in time; or,

OPTION #2: Concur with Recommendation #15 and because of the severity of the issues identified direct staff to undertake an off-cycle review of the Newberry Community Services District, as well as the Yermo and Daggett Community Services Districts, to provide a more detailed financial and operational analysis for governance options. The only issue with undertaking this option would be funding since the revenues for service reviews must come from the Commission's mandatory apportionment process, as no fees can be charged for the process.

LAFCO's response further indicated a concern regarding the cost for a special study of the three CSDs, which was estimated to cost between \$15,000 and \$20,000. Some of these costs include notice to all landowners and registered voters, as well as the costs to conduct community meetings, various mailings, travel and salary for the staff, etc.

LAFCO proposed that the costs be divided between LAFCO (\$10,000) and the First (Supervisory) District (\$5,000).

LAFCO was to determine which option (OPTION #1 or OPTION #2, above) to choose and submit the response to the Presiding Judge of the Superior Court by September 28, 2013.

### **CURRENT STATUS**

LAFCO opted for OPTION #2 (above), and an off-cycle review is presently being conducted. LAFCO's decision was outlined in their September 25, 2013 letter to the Presiding Judge of the San Bernardino Superior Court.

The First Supervisory District did agree to contribute \$5,000 to assist LAFCO with this review.

LAFCO is waiting for the 2011-2012 Audit from the Newberry Springs CSD, and upon receipt of that audit, will conclude its review, which is anticipated by the end of this summer.

LAFCO has followed through on its Response to the 2012-2013 Grand Jury.

## **NEWBERRY COMMUNITY SERVICES DISTRICT**

### **BACKGROUND**

The Grand Jury reviewed the 2012-2013 Final Report regarding the Performance Audit conducted for the Newberry Community Services District (NCSD). The purpose of this review was to determine whether the NCSD in Newberry Springs agreed with the Grand Jury's Recommendations and if these recommendations were implemented. The information obtained for this report was obtained from a recent visit to the NCSD Board meeting by members of the Grand Jury.

### **RECOMMENDATION #13-26**

The Recommendation within the following report in the Governance Section, numbered 1-3, be responded to appropriately.

#### **NUMBER 1**

The Board should direct the General Manager to develop proposed policies and rules for conducting public meetings, based on *Roberts' Rules of Order* and other accepted standards for parliamentary procedure.

### **RESPONSE**

The Bylaws and Policy Handbook of the Newberry CSD are currently being revised. Our policy will then substantially adhere to the California Special Districts Association (CSDA) "Board Meeting Conduct" policy recommendations.

### **CURRENT STATUS**

A revised copy of the NCSD Policy Handbook was recently furnished to the Grand Jury. This updated handbook was adopted at the NCSD Board Meeting on April 22, 2014. The handbook is complete and thorough, and contains a section covering "Board Meeting Conduct". The Board elected to conduct meetings based on NCSD Policy Number 5070 (Rules of Order for Board and Committee Meetings), and not the recommended *Roberts' Rules of Order*. However, specific guidelines for meeting protocol are listed, including several paragraphs regarding no tolerance for disruptive behavior.

Members of the Grand Jury attended a recent Board meeting. The meeting started on time and was conducted in an orderly and professional manner. There was no arguing or negative

exchanges between Board members or between Board members and the public. Based on what was observed at this meeting, it is apparent that the meetings are being conducted as per NCSD Policy Number 5070.

## **NUMBER 2**

Seek to attend courses offered by the CSDA and the California State Association of Counties (CSAC) on the rules and functions of elected officials, including those offered on leadership and conducting public meetings.

## **RESPONSE**

Directors Deel and Shaw have attended Board Member training provided by CSDA in Fountain Valley on January 23rd, 2014. The remainder of our Directors, our General Manager and our Treasurer will attend the training titled: "Governance Training" provided by the Special District Risk Management Authority and funded by LAFCO, on Tuesday, March 25 at the Mojave Water Agency in Apple Valley, California. Most of our Directors have completed the AB1234 ethics training and all have filed their Conflict of Interest form 700.

## **CURRENT STATUS**

Based on recent correspondence from the NCSD Board, and confirmed by the San Bernardino Local Agency Formation Commission (LAFCO), four members did attend the March 25, 2014 meeting mentioned above and it appears that District Board members are taking advantage of the classes and meetings offered through various entities.

## **NUMBER 3**

Direct the General Manager to begin and maintain a process to record, transcribe, post and safeguard official Board minutes within two weeks of any Board meeting, in accordance with the District's current policy.

## **RESPONSE**

Our policy is being amended, noting that Board Minutes drafts prepared by the General Manager or the Secretary to the Board may contain mistakes or omissions. The Board Minutes drafts are not official until they have been reviewed and approved by the Board of Directors. They are then posted on the NCSD website, stored and backed up electronically in a secure password protected pdf format as well as a file secured hard copy.

## **CURRENT STATUS**

The NCSD Board has decided not to electronically record Board Meeting Minutes due to the need for special equipment and the costs associated with the transcriptions of the recording, etc. A review of the newly revised Policy Manual, the NCSD website, and other documents received from the NCSD Board, plus a personal visit to the NCSD office by members of the Grand Jury, confirms timely posting of the Board Minutes. These minutes are backed up electronically and properly secured in a fire-resistant, locked cabinet in the NCSD office.

The NCSD Board has adopted and implemented most of the recommendations made by the 2012-2013 Grand Jury.

## **PUBLIC DEFENDER**

### **BACKGROUND**

An investigation by 2010-2011 Grand Jury indicated that the fees charged by San Bernardino County for the defense of indigent clients were significantly lower than other comparative counties. The Grand Jury made a recommendation that fees be raised. This was approved prior to the end of the 2010-2011 Grand Jury term and implemented July 5, 2011. The Grand Jury also recommended (11-30) that Central Collections continue to monitor these fees in order to make necessary adjustments if needed.

### **RECOMMENDATION #11-30**

Have Central Collections continue to track the effectiveness of the recommended fee increase to support future fee adjustments.

### **RESPONSE**

The County is implementing this recommendation. For fiscal year 2011-2012, the Public Defender has asked Central Collections to conduct a fee study to determine the Public Defender's cost for indigent representation. The Public Defender will work with Central Collections to establish a procedure for reviewing indigent representation fees every two years. Any fee adjustment should be discussed with the Public Defender and must be approved by the Court before implementation.

Should Central Collections conduct a fee survey, counties such as Riverside, Santa Clara, Orange, Sacramento and San Diego will be considered as they have comparable populations to San Bernardino County.

### **CURRENT STATUS**

In October 2013 the Public Defender met with the Presiding Judge regarding a recommendation for increasing representation fees for indigent clients in criminal cases. The Presiding Judge did express some reservations regarding the fee increase for felony cases since indigent clients have limited financial resources. The Public Defender assured the Presiding Judge that the established fee for a felony is set below the County's actual cost. The court retains the authority to assess full or partial fees, or make a finding of no ability to pay any fee after determining a client's ability to pay at the time of the sentencing hearing.

Courts began implementing the new fees for indigent representation in criminal cases on January 5, 2014. For misdemeanors, the attorney fee increased from \$150 to \$157; for felonies, the attorney fee increased from \$500 to \$750.

The Public Defender management team continues exploring new avenues for linking resources to case activities, analyzing methods for weighing cases and is implementing changes in their database to better track resources associated with case activities.

## **SAN BERNARDINO ASSOCIATED GOVERNMENTS’ SAFE CALL BOX PROGRAM**

### **BACKGROUND**

The 2012-2013 Grand Jury conducted an investigation of San Bernardino Associated Governments’ (SANBAG) Service Authority for Freeway Emergencies (SAFE) Call Box Program since little was known about it or how it functioned. With the proliferation of communication devices available to the motoring public, the continued need for call boxes was questioned. Also of concern was how the decline in call box usage affected the funds required to administer this program.

On January 1, 1986, Senate Bill 1199 was enacted to provide the basic format for the formation of SAFE programs. It outlined governmental responsibilities, revenue generating policies and prescribed locations for call box placement. Call boxes enable traveling motorists to report an accident or obtain emergency assistance should they become stranded. SANBAG was designated in 1986 as the agency to administer the SAFE Call Box Program for San Bernardino County and is funded by a \$1 fee which is assessed annually by the California Department of Motor Vehicles (DMV) on all vehicles registered within the County.

The 2012-2013 Grand Jury’s Final Report included their findings of the SAFE Call Box Program, and based on their findings, several recommendations were made regarding the program. Before the 2013-2014 Grand Jury conducted a review of SANBAG’s response to these recommendations, the Director of Management Services provided a written update on efforts to comply with the recommendations.

### **RECOMMENDATIONS**

#### **Recommendation #13-3**

Publicize, in conjunction with the California Department of Motor Vehicles, the SAFE Call Box Program with an informational card that is included with the yearly registration notice that is mailed to County motorists.

#### **Recommendation #13-4**

Publicize, in conjunction with the California Department of Motor Vehicles, the SAFE Call Box Program with informational posters at all California Department of Motor Vehicles locations within San Bernardino County.

## RESPONSE

SANBAG will develop the referenced informational card and poster and reach out to the DMV for assistance in enclosing the cards in annual registration renewals and displaying the posters at DMV locations. This specific effort's success will be contingent on decision makers at the State DMV agreeing to assist SANBAG in this manner. SANBAG will also reach out to neighboring L.A. Metro, Riverside County Transportation Commission, and Orange County Transportation Authority (CTC's) to see if they'd like to participate in a regional effort to create public awareness relating to call boxes. It is felt that decision makers at the State level may be more receptive to reaching out to a broader audience than just San Bernardino County. In addition, SANBAG will work on a public awareness campaign and research methods which will provide information regarding the existence and use of call boxes to the public in San Bernardino County. SANBAG estimates that these activities can be accomplished in six months.

## CURRENT STATUS

**Recommendation #13-3** was not accomplished. The Director of Management Services provided the following: "We also discussed with Sacramento DMV the possibility of placing informational cards in the yearly registration notices mailed to San Bernardino County motorists. Sacramento DMV indicated that due to the increase in weight of the envelopes and therefore additional postage required as well as the difficulty in segregating the registrations for San Bernardino County, that this particular effort could not be supported.

**Recommendation #13-4** was accomplished. The Director of Management Services provided the following: "SANBAG has designed an informational poster and an informational card (with both English and Spanish). Copies are included for your review. We worked with representatives in the Sacramento Department of Motor Vehicles (DMV) office to get these collateral materials approved and placed in each of the DMV field offices in San Bernardino County. SANBAG appreciates the opportunity to promote the Call Box Program here in San Bernardino County. We are confident that this will help promote this vital public safety service.

## SUMMARY

SANBAG's Director of Management Services provided the Grand Jury with an 11" X 17" informational poster and a 3 1/2" X 8 1/2" informational card which details the SAFE Call Box Program benefits. Both of these provide detailed information regarding how SAFE call boxes can assist motorists. An example of the informational card is included with this report. Grand Jury members visited several DMV offices and found that only one office had the informational cards available for the public. Since DMV offices are not under the jurisdiction

of the County, even though informational brochures such as these are made available to them, they are set out at their discretion. SANBAG's Director of Management Services and staff are to be commended for their prompt response to comply with the recommendations made by the 2012-2013 Grand Jury. They are being proactive in pursuing a regional effort to create awareness of this vital program for the motoring public, not only within San Bernardino County but other neighboring Counties as well. With SANBAG's continued efforts, the DMV may be persuaded to include an informational card with all registration notices mailed out to San Bernardino County motorists.

## Call Box Program Benefits



### How Call Boxes can Assist Motorists

- Whether you are having car trouble, or you would like to report an emergency (accident, fire, medical, etc.) a Call Box operator will answer your call 24 hours a day, seven days a week, throughout the year, including holidays.
- Call Boxes are located along various Interstates and State Routes throughout San Bernardino County.

- More than 1,200 Call Boxes in the county allow motorists to reach a Call Box operator who can assist you by calling your auto club, a friend, or family member.
- If an emergency is being reported, the Call Box operator will transfer the call to law enforcement as quickly as possible.
- There is NO Charge for using a Call Box.
- A portion of your annual vehicle registration (\$1) goes toward the funding of this service.

### Always Keep Safety in Mind

- When using a Call Box, always make sure you are in an area where you feel safe and your vehicle is completely on the right shoulder and out of traffic.



San Bernardino Associated Governments  
1170 W. 3rd Street  
San Bernardino, CA 92410  
909.884.8276 • [www.sanbag.ca.gov](http://www.sanbag.ca.gov)

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## Beneficios del Programa de Cajas Telefónicas



### Como cajas telefónicas pueden asistir a automovilistas

- Si tiene un problema en su automóvil, o desea reportar alguna emergencia (accidente, incendio, medico, etc.) un operador contestará su llamada 24 horas al día, siete días a la semana, durante todo el año, incluyendo días festivos.

- Las cajas telefónicas están ubicadas a lo largo de varias carreteras interestatales y estatales en todo el Condado de San Bernardino.

- Más de 1,200 cajas telefónicas en el Condado facilitarán a automovilistas a comunicarse con un operador para llamar a su club de automóvil, un amigo, o un miembro de la familia.
- Si está reportando una emergencia, su llamada irá directamente al departamento de policía.
- Usar la caja telefónica es gratis.
- Parte del registro anual de su automóvil financia (US \$1) este servicio.

### Tenga siempre en cuenta su seguridad

- Cuando use una caja telefónica, asegúrese de estar en una zona donde se sienta seguro y su vehículo este completamente en el hombro derecho y fuera del tráfico.



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## **SHERIFF-CORONER DEPARTMENT CORONER DIVISION**

### **BACKGROUND**

On January 8, 2005, the Coroner's Department merged with the Sheriff's Department. The building, which was built in 1986, occupied by the Coroner's Department was in disarray and overcrowded with unidentified bodies stacked in a small refrigerated room, three to four bodies high. The Department was understaffed at the time for the amount of bodies waiting to be identified.

Based on the Grand Jury's 2006-2007 Final Report regarding unacceptable conditions that existed in the Coroner's Department, the 2013-2014 Grand Jury conducted a follow-up to determine whether the recommendations made within the 2006-2007 Final Report were met.

### **RECOMMENDATION #07-62**

The County provide additional Coroner Investigators for the backlog of unidentified bodies.

### **RESPONSE**

During Fiscal Year 2006-2007, one (1) current Deputy Coroner Investigator was dedicated to a Missing Persons/Unidentified Persons position. Respondent believes that current caseload does not require additional investigators, but added one (1) new Sheriff's Service Specialist (SSS) position and one (1) additional Office Assistant III (OA III) position to support the existing investigator.

### **CURRENT STATUS**

In addition to three Board Certified Forensic Pathologists, staff includes an Anthropologist, an Odontologist, seven (7) Deputy Coroner Investigators, Autopsy Assistants, Sheriff's Service Specialists and an Indigent Burial Specialist. The Coroner's Division has been recruiting for additional Forensic Pathologists and two or three more investigators. The Division has added seven employees since 2006-2007, with a compliment of 19 staff personnel.

Based on their current staffing status, the Coroner's Division has complied with the Recommendation.

### **RECOMMENDATION #07-63**

Complete remodeling of the Apple Valley Facility and have the Real Estate Services Department investigate option to purchase facility.

### **RESPONSE**

The respondent has implemented the recommendation which received Board of Supervisor approval on February 13, 2007. This included a five year lease with “right-of-first refusal” to purchase the property. The building is being refurbished to meet the current needs of the Coroner Division.

### **CURRENT STATUS**

Refurbishing of the Apple Valley Facility was never completed due to costs. The Sheriff/Coroner Division moved into the old Victorville Sheriff’s Department building and began refurbishing it in April, 2011. The refurbishment has been completed and it was reopened in May, 2014. The Apple Valley Facility has been closed and is no longer operational.

The Grand Jury visited and toured the San Bernardino Sheriff/Coroner Division and found the remodeled offices to be spacious and modernized. The building has new and enlarged refrigerated rooms for bodies. One of the smaller refrigerated rooms can hold up to 20 identified decedents waiting for pick-up to an assigned mortuary.

Although the initial Recommendation was not met, additional facilities have been obtained and are currently being utilized. The Grand Jury is satisfied with the accomplishments achieved by the San Bernardino Sheriff/Coroner Division.

## **VICTOR VALLEY COLLEGE POLICE DEPARTMENT**

### **BACKGROUND**

The 2013-2014 Grand Jury reviewed the 2012-2013 Grand Jury's Final Report regarding the Victor Valley College Police Department (VVCPD). The purpose was to ascertain whether the VVCPD is a Police Officers Standards and Training (POST) participating agency. The information utilized was received via email from VVC Police Department.

### **RECOMMENDATION #13-2**

The Board of Trustees complete the application process in order for VVC Police Department to become a participating POST agency.

### **RESPONSE**

Victor Valley College Board of Trustees and its Police Department have agreed with the recommendation and have submitted the required documentation to POST to participate in the program.

### **CURRENT STATUS**

The Grand Jury has confirmed that the VVCPD was accepted as, and is currently, a POST participant.

The Grand Jury requested a copy of the VVCPD POST course curriculum. The Grand Jury was advised POST does not offer a specific curriculum. The Grand Jury received an email indicating the VVCPD was assigned a Regional POST Coordinator to conduct audits, provide oversight and direction, and ensure compliance.

The VVCPD has complied with the Grand Jury recommendation.



Information regarding the  
San Bernardino County Grand Jury  
or an application to serve on the Grand Jury  
can be obtained by contacting the

**Office of the Grand Jury**  
**351 North Arrowhead Avenue, Room 200**  
**San Bernardino, CA 92415-0243**

Office: (909) 387-3820

Fax: (909) 387-4170

Information is also provided on the website at <http://cms.sbcounty.gov/grandjury/Home.aspx>