

EL DORADO COUNTY GRAND JURY 2019-2020



FINAL REPORT

JUNE 2020

El Dorado County Grand Jury

2019-2020

Final Report
June 2020

Honorable Mark A. Ralphs, Supervising Judge

JURORS



Tom Simpson
Jury Foreman



Mary Anne Minnick



David Hulme



Gatha Willyard



Dolores Wadsworth



Tim Lange



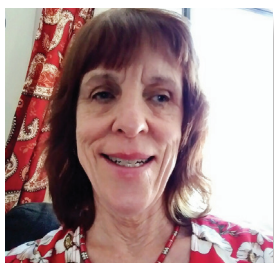
Kelly Carter



Bill Knox



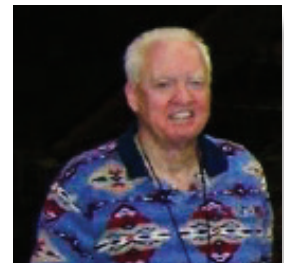
Tom Murphy



Lisa Butler



Richard Coffin



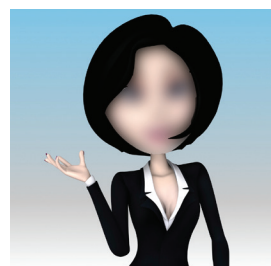
Roger Berger



Gael Filgate



Jim Pucci



Marie Diaz



El Dorado County Grand Jury

2019-2020

Final Report



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COUNTY OF EL DORADO · CIVIL GRAND JURY 2019-2020



June 2020

Honorable Suzanne N. Kingsbury, Presiding Judge
California Superior Court, County of El Dorado

Judge Kingsbury,

It is my privilege to present the 2019-2020 Civil Grand Jury Final report. Once again, it exemplifies the collective effort of all jurors. And once again, I commend each juror for their individual contribution and collaborative success.

Our efforts during the final four months of our term were curtailed by constraints of the Coronavirus (COVID-19) pandemic. Fortunately, we started this year using a new email system that includes a teleconferencing component. We were developing teleconferencing protocols to make participation by Lake Tahoe area residents more available. The transition to teleconferencing for all Grand Jury activities was straightforward and easily accomplished. It is most viable for future Grand Jury activities when needed.

The number of reports is somewhat lower than our early expectation. Teleconferencing allowed us to finish many reports, while others required too many remaining interviews in an unfamiliar environment.

Once again, Senior Deputy County Counsel Paula Frantz, Amy Miller in the Auditor-Controller's Office and Superior Court Administrative Analyst Suzanne Thurman provided indispensable knowledge and assistance to ensure the Grand Jury functioned smoothly week after week. Future Grand Juries are assured success with the assistance of these dedicated individuals.

Serving on the civil Grand Jury continues to be a personally rewarding experience and continues to be a thing worth doing.

I look forward to serving again,

Tom Simpson

Tom Simpson, Foreperson

cc: Honorable Mark A. Ralphs

The Superior Court

STATE OF CALIFORNIA
COUNTY OF EL DORADO
2850 Fairlane Court
Placerville, CA 95667

Mark A. Ralphs
Judge

June 3, 2020

To the Members of the 2019/2020 El Dorado County Grand Jury,

On behalf of the El Dorado County Superior Court, I would like to express my appreciation for all your hard work and dedication. During the past year, as members of our civil grand jury, you have provided independent oversight of the operation of various local governmental agencies. You have inspected the adult and juvenile detention facilities operating in El Dorado County. You have reviewed processes and procedures, looking for ways in which government can operate more efficiently, effectively, and with more transparency.

The time and effort involved in grand jury service is significant, even in normal years. This year, you were faced with the additional complication of fulfilling your duties during the COVID-19 pandemic. Despite the long hours and the challenges associated with COVID-19 and social distancing requirements, you have worked tirelessly to conduct thorough investigations and provide comprehensive reports and recommendations. Your efforts and those of your predecessor grand jurors, have made El Dorado County a better place.

Thank you for your service.

Very truly yours,



Mark A. Ralphs,
Judge of the Superior Court

RESPONDING TO A GRAND JURY REPORT

The written response of each named respondent will appear in a publication to the citizens of El Dorado County. Each must include the name of the Grand Jury report along with the name and official title of the respondent.

California Penal Code Section 933.05 mandates specific requirements for responding to grand jury reports. Before preparing an official response, carefully review the Penal Code and note the pertinent provisions outlined below. Each respondent must use the formats below for responses to each separate finding and recommendation identified above.

Please pay close attention to required explanations and time frames. Incomplete or inadequate responses will likely prompt further investigative inquiries by the grand jury and/or the court.

RESPONSE TO FINDINGS

Finding F#. *[Retype the text of the finding as written in the Grand Jury report, # is the finding number in the report.]*

Response: *Review California Penal Code section 933.05 (a) (1) and (2).*

Respondents must specify one of three options:

1. Respondent agrees with finding,
2. Respondent disagrees wholly with finding or
3. Respondent disagrees partially with finding.

If respondent uses option 2 or 3 then the response must specify the portion of the disputed finding along with a clear explanation.

IMPORTANT NOTE ABOUT GRAND JURY FINDINGS

The Grand Jury derives Findings from testimony and evidence. All testimony and evidence given to the Grand Jury remains confidential by law, and it is the Grand Jury's responsibility to maintain it. California Penal Code §929 provides "... the name of any person, or facts that lead to the identity of any person who provided information to the grand jury, shall not be released." Further, 86 Ops. Cal. Atty. Gen. 101 (2003) prohibits grand jury witnesses from disclosing anything learned during their appearance including testimony given. This is to ensure the anonymity of witnesses and to encourage open and honest testimony.

RESPONSE TO RECOMMENDATIONS

Response R#. [Retype the text of the recommendation as written in the Grand Jury report, # is the recommendation number in the report.]

Response: *Review California Penal Code section 933.05 (b) (1) - (4).*

Respondents must specify one of four options:

1. Recommendation has been implemented
2. Recommendation has not been implemented but will be implementing noting a timeframe
3. Recommendation requires further analysis or study noting a timeframe not to exceed six months from date Grand Jury Report was issued
4. Recommendation will not be implemented because it is not warranted or reasonable, with an explanation.

TIME TO RESPOND

The California Penal Code section 933(c) specifies response times.

PUBLIC AGENCIES

The governing body of any public agency (also referring to a department) must respond within 90 days from the release of the report to the public.

ELECTIVE OFFICERS OR AGENCY HEADS

All elected officers or heads of agencies/departments are required to respond within 60 days of the release of the report to the public.

FAILURE TO RESPOND

Failure to respond as required to a grand jury report violates of California Penal Code Section 933.05 and is subject to further action that may include additional investigation on the subject matter of the report by the grand jury.

WHERE TO RESPOND

All responses must be addressed to the Presiding Judge of the El Dorado County Superior Court.

Honorable Suzanne N. Kingsbury
Presiding Judge of the El Dorado County Superior Court
1354 Johnson Blvd, Suite 2
South Lake Tahoe, CA 96150

Response via Email to court-admin@eldoradocourt.org is preferred.

The Court requests that you respond electronically with a Word or PDF document file to facilitate economical and timely distribution.

CALIFORNIA PENAL CODE SECTION 933

933.

(a) Each grand jury shall submit to the presiding judge of the superior court a final report of its findings and recommendations that pertain to county government matters during the fiscal or calendar year. Final reports on any appropriate subject may be submitted to the presiding judge of the superior court at any time during the term of service of a grand jury. A final report may be submitted for comment to responsible officers, agencies, or departments, including the county board of supervisors, when applicable, upon finding of the presiding judge that the report is in compliance with this title. For 45 days after the end of the term, the foreperson and his or her designees shall, upon reasonable notice, be available to clarify the recommendations of the report.

(b) One copy of each final report, together with the responses thereto, found to be in compliance with this title shall be placed on file with the clerk of the court and remain on file in the office of the clerk. The clerk shall immediately forward a true copy of the report and the responses to the State Archivist who shall retain that report and all responses in perpetuity.

(c) No later than 90 days after the grand jury submits a final report on the operations of any public agency subject to its reviewing authority, the governing body of the public agency shall comment to the presiding judge of the superior court on the findings and recommendations pertaining to matters under the control of the governing body, and every elected county officer or agency head for which the grand jury has responsibility pursuant to Section 914.1 shall comment within 60 days to the presiding judge of the superior court, with an information copy sent to the board of supervisors, on the findings and recommendations pertaining to matters under the control of that county officer or agency head and any agency or agencies which that officer or agency head supervises or controls. In any city and county, the mayor shall also comment on the findings and recommendations. All of these comments and reports shall forthwith be submitted to the presiding judge of the superior court who impaneled the grand jury. A copy of all responses to grand jury reports shall be placed on file with the clerk of the public agency and the office of the county clerk, or the mayor when applicable, and shall remain on file in those offices. One copy shall be placed on file with the applicable grand jury final report by, and in the control of the currently impaneled grand jury, where it shall be maintained for a minimum of five years.

(d) As used in this section "agency" includes a department.

CALIFORNIA PENAL CODE SECTION 933.05

933.05

(a) For purposes of subdivision (b) of Section 933, as to each grand jury finding, the responding person or entity shall indicate one of the following:

(1) The respondent agrees with the finding.

(2) The respondent disagrees wholly or partially with the finding, in which case the response shall specify the portion of the finding that is disputed and shall include an explanation of the reasons therefor.

(b) For purposes of subdivision (b) of Section 933, as to each grand jury recommendation, the responding person or entity shall report one of the following actions:

(1) The recommendation has been implemented, with a summary regarding the implemented action.

(2) The recommendation has not yet been implemented, but will be implemented in the future, with a timeframe for implementation.

(3) The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or head of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six months from the date of publication of the grand jury report.

(4) The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor.

(c) However, if a finding or recommendation of the grand jury addresses budgetary or personnel matters of a county agency or department headed by an elected officer, both the agency or department head and the board of supervisors shall respond if requested by the grand jury, but the response of the board of supervisors shall address only those budgetary or personnel matters over which it has some decision making authority. The response of the elected agency or department head shall address all aspects of the findings or recommendations affecting his or her agency or department.

(d) A grand jury may request a subject person or entity to come before the grand jury for the purpose of reading and discussing the findings of the grand jury report that relates to that person or entity in order to verify the accuracy of the findings prior to their release.

(e) During an investigation, the grand jury shall meet with the subject of that investigation regarding the investigation, unless the court, either on its own determination or upon request of the foreperson of the grand jury, determines that such a meeting would be detrimental.

(f) A grand jury shall provide to the affected agency a copy of the portion of the grand jury report relating to that person or entity two working days prior to its public release and after the approval of the presiding judge. No officer, agency, department, or governing body of a public agency shall disclose any contents of the report prior to the public release of the final report.

EL DORADO COUNTY GRAND JURY 2019-2020



PLACERVILLE CITY POLICE FACILITY

CASE 19-01 • MAY 1, 2020

Public Release

MAY 8, 2020

EL DORADO COUNTY 2019-2020 GRAND JURY

PLACERVILLE CITY POLICE FACILITY *CITIZENS DESERVE BETTER*

Case 19-01 • May 1, 2020

The El Dorado County Grand Jury investigated the City of Placerville Police Department facility to determine its adequacy for modern police operations. In the opinion of the Grand Jury, the facility needs major renovation or replacement.

BACKGROUND

There are three police entities in El Dorado County - the El Dorado County Sheriff and the police departments for Placerville and South Lake Tahoe. Each have separate law enforcement facilities.

The El Dorado County 2000-2001 Grand Jury investigated the working conditions at the Sheriff's Office. They found numerous deficiencies and determined the existing facility was inadequate. The 2015-2016 Grand Jury again inspected the Sheriff's Office and again found the physical working environment substandard and in need of replacement.

In 2019, construction was completed on a new County Sheriff's Office. A Grand Jury tour while still under construction provided an understanding and appreciation for the requirements of a modern law enforcement facility. While the Sheriff's facility is obviously larger than would be needed for a small city, it served as a baseline when evaluating the Placerville police facility.

The Placerville facility was last investigated by the 2006-2007 Grand Jury. It was found to be outdated and inadequate and made numerous recommendations for improvement.

METHODOLOGY

DOCUMENT REVIEW

- Previous Grand Jury reports regarding county law enforcement facilities
- Findings of a Grand Jury consultant
- *Police Facility Guidelines: A Desk Reference for Law Enforcement Executives*¹
- 2014 Placerville Police Department's needs assessment²

SITE VISITS

- New El Dorado County Sheriff's Office while under construction
- The Placerville Police Department
- Retoured the Placerville Police Department with consultant

¹ The International Association of Chiefs (See attachments below)

² WLC Architects, Folsom, California

INTERVIEWS

- Placerville Police Department officials
- City of Placerville appointed and elected officials
- El Dorado County Sheriff's Office personnel
- Grand jury consultant trained and familiar with the requirements for a modern police facility
- El Dorado County Facilities Department representative

DISCUSSION

*Police Facility Guidelines: A Desk Reference for Law Enforcement Executives*³ reports the useful life of a police facility can range from 20 to over 50 years. It also states:

Most police facilities continue to operate well past the planned life span. They often become seriously overcrowded, suffer from a lack of sufficient infrastructure (HVAC, electrical, data, telecommunication) and make due [sic] with outdated security and safety systems. These conditions often impair staff efficiency and morale, occupant safety, policing effectiveness and public perception of the department.

The Placerville Police Department facility is over 42 years old; built in 1978. The Grand Jury was unable to determine the expected life span of the building when it was built. It was constructed as a city public safety center housing both the police and fire departments. Later, the fire department was annexed to the El Dorado County Fire Protection District and vacated its part of the building allowing the police department to expand. However, the large garage bay continues to house two large fire apparatus. In 2014 WLC Architects conducted an updated needs assessment for the Placerville Police Department concluding a required renovation of the facility would cost approximately \$4.5 million. Over the years, police department staff and community volunteers have made cosmetic improvements to the building's interior. Recently, the City purchased a vacant lot adjacent to the existing building which could accommodate expansion.

Placerville officials acknowledge the facility's inadequacies and recognize its renovation or replacement as a top City priority. However, funding remains a major obstacle. Funding streams such as grants or low interest loans have not been explored. All agreed the Police Department's current location is adequate, providing easy access to the downtown area, upper Broadway and Highway 50.

The Grand Jury's overall impression of the building is that despite being well maintained, there are numerous deficiencies.

³ The International Association of Chiefs (See attachments below)

Facility Exterior

The exterior of the facility is monitored by video cameras, but there appear to be gaps in the coverage. It can also be viewed from homes atop an adjacent hill, posing a possible security risk. While there is no apparent and reasonable solution, it is possible there may be efforts that could mitigate the risk.

There is a fenced parking lot behind the facility that is viewable from a public street. The bicycles stored there, indeed all property stored there, require a proper and secure storage area protected from the elements. There is not enough secure staff or visitor parking.

Facility Interior

The facility is of an older design having a cramped interior with narrow hallways, noticeable lack of natural light, restricted workspaces and lack of adequate storage. Usage to overcapacity leaves no space for future expansion. The water faucet in the hallway did not work.

Recorded surveillance cameras do not cover critical areas inside the facility. The small lobby is unsecured. While staff reported the public window to be ballistic glass, it does not appear to have been updated to maintain resistant properties. In addition, they do not believe some areas of the surrounding walls provide ballistic protection. There is no community meeting room and only one interview room, limiting the ability to interview multiple suspects and witnesses. There is no interview room where the public can make a private report to an officer and no *soft* interview room suitable for interviewing juvenile witnesses or victims.

There is a need for suitable press conference space, especially in the case of a major incident. Conference and briefing rooms lack teleconferencing capabilities necessary for modern law enforcement training and interagency meetings. The break room is too small to allow staff interaction to promote knowledge sharing and problem solving. The investigations office, adjacent to the apparatus bay, is separated from other police functions, hindering effective communication between detective and patrol officers.

The dispatch area needs additional space for an adequate break room, restrooms and the ability to upgrade to modern dispatch equipment and consoles. The community service officer's space does not have enough storage and the sergeant's office lacks space for expansion.

Electrical

Electrical equipment and the technology server share a single room with a partial wall dividing them. The lack of complete separation poses a possible code compliance issue. There are not enough electrical outlets to charge required electrical devices posing a fire hazard if existing outlets become overloaded. The facility has an emergency generator. It is not known if an uninterrupted power supply system was present to power critical technology in the event of generator failure.

Technology

There was exposed technology cabling and further expansion may be a challenge.

Evidence Areas

The undersized and confining evidence processing room makes handling evidence by two or more officers simultaneously a challenge. Additional counter space would be beneficial, creating more efficient handling of large or hazardous items. The evidence storage area, while currently providing enough space, may prove inadequate considering increasing evidence retention requirements.

Locker Rooms and Exercise Area

Lockers in the male locker room are too small to stow all the equipment required by modern police officers. They lack electrical outlets for securely charging electronic devices. There are no racks for drying wet clothing. The female locker room is in a restroom in a different part of the facility. Female lockers have the same deficiencies as those in the male locker room, including insufficient size for proper storage of required uniforms and equipment. The locker and rest rooms should be separated.

The exercise area is in the apparatus bay. It does not have enough space for the circuit type training now recommended for law enforcement personnel. It lacks proper heating, ventilation and air conditioning.

FINDINGS

F1. The Placerville Police Department facility is inadequate for modern police operations and requires funding for extensive renovation or replacement.

RECOMMENDATIONS

R1. Placerville should have a professional space and facilities needs study completed with cost estimates for a new or renovated police facility.

R2. Placerville should explore funding options for the renovation or replacement of the current police facility.

R3. Placerville should move expeditiously to renovate or replace their current police facility.

ATTACHMENT

POLICE FACILITY GUIDELINES: A DESK REFERENCE FOR LAW ENFORCEMENT EXECUTIVES.

<https://www.hsd.org/?view&did=479722>

REQUEST FOR RESPONSES

This Grand Jury report is an account of an investigation or review. It contains findings and recommendations, and names those who should respond to each finding and each recommendation pertaining to matters under the respondent's control.

Please review *Responding to a Grand Jury Report*, a separate document included with this report.

Responses are required in accordance with California Penal Code §933 and §933.05.

- **Responses to F1, and R1, R2 and R3 are required from the Placerville City Council.**

EL DORADO COUNTY GRAND JURY 2019-2020



SOUTH LAKE TAHOE CITY POLICE FACILITY

CASE 19-02 • MAY 1, 2020

Public Release

MAY 8, 2020

EL DORADO COUNTY 2019-2020 GRAND JURY

SOUTH LAKE TAHOE CITY POLICE FACILITY

CITIZENS DESERVE BETTER

Case 19-02 • May 1, 2020

The El Dorado County Grand Jury investigated the City of South Lake Tahoe Police Department facility to determine its adequacy for modern police operations; in the opinion of the Grand jury, the facility needs major renovation or replacement.

BACKGROUND

There are three police entities in El Dorado County - the El Dorado County Sheriff and the police departments of Placerville and South Lake Tahoe. Each have separate law enforcement facilities.

The El Dorado County 2000-2001 Grand Jury investigated the working conditions at the Sheriff's Office. They found numerous deficiencies and determined the existing facility was inadequate. The 2015-2016 Grand Jury again inspected the Sheriff's Office and again found the physical working environment substandard and in need of replacement.

In 2019, construction was completed on a new Sheriff's Office. A Grand Jury tour while still under construction provided an understanding and appreciation for the requirements of a modern law enforcement facility. While the Sheriff's facility was obviously larger than would be needed for a small city, it served as a baseline when evaluating the South Lake Tahoe police facility.

The South Lake Tahoe Facility was last investigated by the 2006-2007 Grand Jury - It made numerous recommendations for improvement and commended the department for its efforts to update and modernize their building.

METHODOLOGY

DOCUMENT REVIEW

- Previous Grand Jury reports regarding county law enforcement facilities
- Findings of a Grand Jury consultant
- *Police Facility Guidelines: A Desk Reference for Law Enforcement Executive.*¹
- 2019 South Lake Tahoe Police Department's Draft Renovations Bid Detail
- *South Lake Tahoe Public Safety Communication System Analysis*²

¹ The International Association of Chiefs (See attachments below)

² Scientel Solutions, September 2017

SITE VISITS

- The new El Dorado County Sheriff's Office while under construction
- The South Lake Tahoe Police Department
- Retoured the South Lake Tahoe Police Department with consultant

INTERVIEWS

- South Lake Tahoe Police Department officials
- City of South Lake Tahoe appointed and elected officials
- El Dorado County Sheriff's Office personnel
- Grand Jury consultant trained and familiar with the requirements for a modern police facility
- El Dorado County Facilities Department representative
-

DISCUSSION

*Police Facility Guidelines: A Desk Reference for Law Enforcement Executives*³ reports the useful life of a police facility can range from 20 to over 50 years. It also states:

"Most police facilities continue to operate well past the planned life span. They often become seriously overcrowded, suffer from a lack of sufficient infrastructure (HVAC, electrical, data, telecommunication) and make due [sic] with outdated security and safety systems. These conditions often impair staff efficiency and morale, occupant safety, policing effectiveness and public perception of the department."

The South Lake Tahoe Police Department Facility is over 47 years old; built in 1973. The Grand Jury was unable to determine the expected life span of the building when it was constructed. The building was remodeled in 1986 making cosmetic upgrades and expansion of operational space. Over the years, police department staff have made numerous cosmetic interior improvements. Recent water damage to the building necessitated improvements to the men's shower area.

The *Public Safety Communication System Analysis*⁴ study concluded the South Lake Tahoe Public Safety Communication System did not meet public safety standards and would require \$3 million to over \$5 million to correct the deficiencies. In August 2019, the City Council approved releasing a Request for Proposals for an emergency communication upgrade. Proposals are due in early 2020.

In November 2018, the South Lake Tahoe City Council approved \$810 thousand to renovate the police facility. That amount was questionable for a complete renovation of the South Lake Tahoe facility. However, in December of that year, the newly seated City Council revoked that approval

³ The International Association of Chiefs (See attachments below)

⁴ Scientel Solutions, September 2017

and authorized an expenditure of \$225 thousand for asbestos removal and upgrades to the building's lobby.

In January 2020, the city council again reassessed the facility needs and increased the appropriation for repairs to \$816 thousand. During council deliberations, it was evident the majority of council members recognized this was a short-term fix, and at some point, a more extensive renovation or new facility would be required.

South Lake Tahoe officials acknowledge the facility is inadequate for modern police operations and recognize its renovation or replacement of the facility as a top City priority. However, funding remains a major issue. Funding streams such as grants, or low interest loans have not been actively explored. The City has not had a needs assessment conducted for their police department. Some interviewees indicated that other more suitable sites exist in South Lake Tahoe for potential relocation.

The Grand Jury's overall impression of the building is that it has not had required periodic maintenance. Our investigation revealed numerous deficiencies.

Facility Exterior

The Police Department entrance does not have layered security that would prohibit vehicles from driving into portions of the building. Some exterior windows and doors as well as windows inside do not have ballistic glass. Bicycles are stored under a carport in an area accessible by multiple agencies and delivery vendors. There is not enough secure staff or visitor parking.

Facility Interior

The facility is of an older design having a cramped interior with narrow hallways, noticeable lack of natural light, restricted workspaces and lack of adequate storage. Usage to overcapacity leaves no space for future expansion.

The small lobby and unsecured area of the facility lacks space for a community meeting room. The facility contains only one interview room limiting the ability to interview multiple suspects and witnesses. No interview room exists for the public to make a report to an officer. No "soft" interview room is available for interviewing juvenile witnesses and victims. The windows, walls and doors inside the lobby do not provide ballistic protection.

Standard locks control entrances to the armory and evidence room revealing a lack of layered security. The LiveScan machine for fingerprinting is in a secure area. This should be located in an area more assessable to the public. A small break room limits staff interaction, knowledge sharing and problem solving among employees. The investigations area is confining and will need expansion in the future.

Asbestos issues exist within the building. Torn carpets and damaged baseboards aggravate the asbestos problem. There are many signs of water damage. The door leading to the dispatch room does not open and close efficiently.

The dispatch area needs additional space for and upgrades to modern dispatch consoles and equipment. There is no suitable space for press conferences, especially during a major incident.

Technology

Interior recorded video cameras do not cover critical areas inside the facility. Restricted server space, exposed wiring, and an apparent lack of a separate HVAC system for the servers present challenges for continually expanding data and technology needs. The Public Safety Communication System does not meet public safety standards.

Evidence Processing

The evidence storage area currently has enough space. It may become inadequate when considering increasing legal requirements for evidence retention. Signs of extensive water damage could possibly lead to the contamination of evidence. The evidence processing area operates within the report writing space, potentially exposing officers and staff to hazardous materials.

Locker Room and Exercise Area

Lockers are too small to secure all the equipment required by modern police officers. They lack secure electrical outlets for charging personal devices. A small clothing drying area appears unsatisfactory and inefficient for the number of snowsuits and jackets hung there. The exercise area lacks enough space for the circuit type training now recommended for law enforcement personnel.

FINDINGS

F1. The South Lake Tahoe Police Department Facility is inadequate for modern police operations and requires funding for extensive renovation or replacement.

RECOMMENDATIONS

R1. The City should have a professional space and facilities needs study completed with cost estimates for a new or renovated police facility.

R2. The City should explore funding options for the renovation or replacement of the current police facility.

R3. The City should move expeditiously to renovate their current police facility.

ATTACHMENT

POLICE FACILITY GUIDELINES: A DESK REFERENCE FOR LAW ENFORCEMENT EXECUTIVES.

<https://www.hSDL.org/?view&did=479722>

REQUEST FOR RESPONSES

This Grand Jury report is an account of an investigation or review. It contains findings and recommendations, and names those who should respond to each finding and each recommendation pertaining to matters under the respondent's control.

Please review *[How to Respond to an El Dorado County Grand Jury Report](#)*, a separate document included with this report.

Responses are required in accordance with California Penal Code §933 and §933.05.

- **Responses to Findings F1 and R1, R2 and R3 are required from the South Lake Tahoe City Council.**

EL DORADO COUNTY GRAND JURY 2019-2020



COUNTY CREDIT CARDS

CASE 19-03 • MAY 1, 2020

Public Release

MAY 8, 2020

EL DORADO COUNTY 2019-2020 GRAND JURY

COUNTY CREDIT CARDS

Case 19-03 • May 1, 2020

The Grand Jury became aware of El Dorado County Board of Supervisors Policy D-2, *County Credit Cards*. We were concerned about potential abuse and endeavored to learn more about the County use of Credit Cards, their effectiveness and adherence to the Policy. Is an update of the policy necessary?

BACKGROUND

The County Credit Cards Policy D-2 currently states:

It is the intent of El Dorado County to utilize credit cards to make routine purchases when the normal County purchasing process cannot be utilized to make emergency and other authorized purchases within certain constraints, or when a purchase using a credit card is more cost effective to the County. This policy is intended to be used in conjunction with the County Travel Policy and the County Purchasing Ordinance 3.12.¹

An **important distinction** is that County staff, and this report, refer to credit cards as **pcards**, sometimes known as Purchase Cards. The Professional Association for the Commercial Card and Payment Industry defines a pcard:

A Purchasing Card (P-Card) is a type of Commercial Card that allows organizations to take advantage of the existing credit card infrastructure to make electronic payments for a variety of business expenses (e.g. goods and services). In the simplest terms, a P-Card is a charge card similar to a consumer credit card. However, the card-using organization must pay the card issuer in full each month, at a minimum.²

METHODOLOGY

Documents Reviewed

- County of El Dorado, Board of Supervisors Policy D-2 – County Credit Cards
- Bank of America credit card agreement with the County
- Request for Quotes for banking services including credit cards
- Bank records of annual credit card activity
- List of County issued credit cards
- Auditor/Controller *Guidelines for Administering the County Pcard Program*

¹ <https://www.edcgov.us/Government/BOS/Policies/documents/D-2.pdf>

² <https://www.napcp.org/page/WhatAreP-cards>

Websites Reviewed

- Professional Association for the Commercial Card and Payment Industry
- Government Finance Officers Association

Interviewed

- Various El Dorado County personnel and elected officials

DISCUSSION

The Government Finance Officers Association recommended in 2011 that governments explore the use of pcards to improve the efficiency of their purchasing procedures. The Association reports there are numerous benefits to utilizing pcards including:

- Convenience of purchasing without a purchase order
- Expedited delivery of goods
- Better pricing on goods
- Expanded list of merchants from whom purchases can be made
- Reduced paperwork

The Association does acknowledge a disadvantage of pcards could be the public perception that "...issuing 'credit cards' to employees could be negative, and the potential for abuse..."

The County Credit Card Policy states that County pcards are to be used for emergency and other authorized purchases or when it is more cost effective. The largest number of pcard transactions are travel related, however the most money spent by far using pcards is with non-travel vendors not directly associated with purchases by individual County employees.

Travel transactions include securing air travel, rental car and hotel reservations - and again used for payment of those services. Each is not for an extremely large dollar amount; however, the volume of travel easily makes the number of transactions higher than other pcard uses.

Vendors receiving the largest pcard payments are suppliers of bulk goods such as fuel for snow removal, sheriff, and other county operated vehicles. Bulk purchases at a Countywide level such as office copier leases and utilities like El Dorado Irrigation District and Pacific Gas & Electric are paid using pcards, represent the largest annual dollar amount.

Consumer like purchases do occur using pcards, which can be used like credit cards. A Facilities worker needing a bolt or screw can make that small purchase quickly at the local hardware store or home center using a pcard.

In fiscal year 2018/19 pcards were used to pay approximately 26% of vendor invoices. Over the last five fiscal years, 2014/15 through 2018/19, the average number of pcard transactions was 14,481 averaging \$8,446,124 annually. Use of pcards is an important component of El Dorado County fiscal policy. Several interviewees expect pcard use will increase in the future as the business community moves away from paper checks.

The Auditor/Controller’s office issues pcards in accordance with the County Credit Card Policy. The policy states: “Assigned credit cards may be issued to elected officials and Department Heads. Additional credit cards and credit cards for County employees may be authorized by the Chief Administrative Officer...” Department heads may request a pcard for themselves or their employees. After approval by the Chief Administrative Office (CAO) the request is forwarded to the Auditor/Controller for further approval and possible issuance.

Pcard credit limits are regulated by the Auditor/Controller’s office, first agreed upon during the approval process, and then adjusted as needed. Limits can be changed upon request of the department head and CAO as the need arises for anticipated expenditures. The majority of pcards are used sparingly and maintained with a nominal credit limit of \$10. As of September 2019, there were 385 pcards issued. Departments with the most pcards were:

Department	Num Pcards
Sheriff	133
Probation	90
District Attorney	46
Chief Administrative Office	37
Health & Human Services	21

Pcards by Department 9/2019

Departments that spent the most using pcards in fiscal 2018/19 were:

Department	Spending (\$)
Sheriff	2,456,339
Community Development	1,892,154
Health & Human Services	1,481,776
Chief Administrative Office	1,282,282
Probation	513,905

Pcard Spending FY 2018/19

Pcard transactions differ from all other vendor transactions only in the timeliness of payment. Pcard transactions are paid to the vendor expeditiously by the bank. County processing encompasses approval by the department that initiated the transaction before forwarding it to a fiscal office. Some County departments maintain their own fiscal office while the CAO handles multiple departments that do not. The Credit Card Policy states that after department approval all pcard transactions go to the CAO for approval before forwarding on to the Auditor/Controller. This step is inconsistently followed.

When a transaction invoice agrees with County purchasing or travel policy and matches the dollar amount charged to the County by the bank, the invoice is posted to the County ledger. Any discrepancies noted by the Auditor/Controller's office cause the invoice to be returned to the department for resolution.

Non pcard transactions follow the same approval process. However, they are processed by the Auditor/Controller's office in a more expeditious manner to ensure timely payment to the vendor by check or electronic money transfer. Slow payment of non pcard transactions could potentially cause late fees and affect vendor relationships.

Because pcard vendors have already been paid by the bank, pcard transaction processing receives a lower priority. Every two to three weeks the Auditor/Controller sends each fiscal office a list of pcard transactions not yet matched with approved invoices. Fiscal offices then match those transactions with their records as described above. Pcard processing is often backlogged depending on the workload. When problems do arise, older transactions are more difficult to resolve. The table below shows the average number of days to complete pcard processing and the maximum number of days a pcard transaction was open before being resolved.

Department	Avg Days to Process	Max Days Open Pcard Transaction
Sheriff	100	326
Chief Administrative Office	61	263
Community Development	44	286
Health & Human Services	57	195
Probation	61	220

Transactions by Department FY 2018/19

Slow processing of pcard transactions costs the County in staff time. The Auditor/Controller's office spends time following up on open transactions. Departments spend more time on older transactions. Over time, transaction details become more time consuming to process. All pcard transactions must be resolved at fiscal year-end before final year-end fiscal reports can be completed. Open pcard transactions are a part of any year-end backlog. The delay in processing pcard transactions can play a part in the (un)timely approval of new budgets. The Board of Supervisors cannot approve a final budget for a new fiscal year until the previous year is officially closed.

It is the Auditor/Controller's policy to delay processing a pcard transaction when there is any discrepancy between the backup paperwork and the bank transaction, no matter how small. At times, tracking down minor discrepancies requires significant staff time which is not cost efficient. Giving managers the ability to approve transactions with minor discrepancies would save the County money.

The Grand Jury interviewed a broad spectrum of County personnel involved with pcard transactions ranging from clerks doing the daily processing to managers and elected officials. When questioned about fraudulent use of pcards, the consistent answer was *it does not happen*. County employees entrusted with a pcard take that responsibility seriously and do not abuse the pcard. However, holders of pcards do need to be reminded about the importance of promptly completing paperwork associated with a pcard transaction.

The Grand Jury acknowledges the dedication and thoroughness of the Auditor/Controller's office and County department fiscal offices in their processing of pcard transactions.

The Credit Card Policy states that an agreement with a financial institution will be solicited at least every five years. This has been done and the current agreement is with Bank of America. The agreement includes a rebate schedule for pcard use. The dollar amount of rebates depends on several factors and is not a consistent percentage of the individual purchases. Rebates are returned to the County General Fund as general revenue for non-specific purposes. Rebates for the past five years are:

Year	Rebate (\$)
2019	68,279
2018	68,842
2017	67,428
2016	68,172
2015	70,377

Pcard Rebates

FINDINGS

- F1. County Credit Card Policy D-2 was last revised in 2003 and is outdated.
- F2. Pcards are appropriately issued to County employees with strict rules on issuance and use.
- F3. Pcard transaction processing has lower priority in fiscal offices because the vendor has already been paid.
- F4. Delays in processing pcard transactions cause additional work and expense for the County.
- F5. Fraudulent or improper use of County issued pcards is not a problem.
- F6. The County receives a rebate from the issuing financial institution for the use of pcards. The average annual rebate received in the last five years is \$68,620.
- F7. The Auditor/Controller's Office spends an inordinate amount of time resolving minor discrepancies between transaction detail and the bank charge.

RECOMMENDATIONS

- R1. The CAO's office, with the cooperation of the Auditor/Controller's office, should revise the County Credit Card policy to better reflect current practices.
- R2. The Board of Supervisors should stress to County department heads that pcard transactions must be processed in a timely fashion.
- R3. The Auditor/Controller should review and determine a transaction discrepancy amount that can be authorized by managers that will reduce excessive staff time.

REQUEST FOR RESPONSES

This Grand Jury report is an account of an investigation or review. It contains findings and recommendations, and names those who should respond to each finding and each recommendation pertaining to matters under the respondent's control.

Please review *Responding to a Grand Jury Report*, a separate document included with this report.

Responses are requested in accordance with California Penal Code §933 and §933.05.

- Responses to F1, F4, R1 and R2 are required from the Board of Supervisors.
- Responses to F1, F4, F7, R1 and R3 are required from the Auditor/Controller.

EL DORADO COUNTY GRAND JURY 2019-2020



POLICING THOSE WITH BEHAVIORAL HEALTH ISSUES

CASE 19-04 • MAY 1, 2020

Public Release

MAY 8, 2020

EL DORADO COUNTY 2019-2020 GRAND JURY

POLICING THOSE WITH BEHAVIORAL HEALTH ISSUES A CHALLENGE FOR COUNTY LAW ENFORCEMENT

Case 19-04 • May 1, 2020

SUMMARY

This investigation explored the adequacy of police training related to interacting with the mentally ill, specific law enforcement patrol measures in place to support policing the mentally ill, and the operations in our jails pertaining to the mentally ill. The universally recognized standard for police training concerning the mentally ill is Crisis Intervention Training (CIT). While not mandated by the Commission on Police Officer Standards and Training (POST), the El Dorado County Sheriff and Placerville Police provide its deputies and officers with *Continuing Professional Crisis Intervention Training*. South Lake Tahoe provided no documentation to the Grand Jury to support the premise they provided their officers with *Continuing Professional Crisis Intervention Training*.

The Sheriff's Office has established two innovative and effective programs for dealing with persons with behavioral health issues; the Homeless Outreach Team (HOT), and in conjunction with the County Health and Human Services Agency, the Psychiatric Emergency Response Team (PERT). The City of Placerville participates in the HOT. Neither Placerville nor South Lake Tahoe participate in PERT. County Jails' mental health screening and evaluations exceed standards established by the National Commission on Correctional Health Care. While much is being done in the county to deal with police interaction with the mentally ill, there are areas where improvement can be made.

BACKGROUND

Deinstitutionalization is the release of individuals with mental illness from institutional care into the community. The move toward deinstitutionalization is one of the most significant impacts to Law Enforcement operations in modern history. Starting in the 1960s, and continuing throughout the 1980's, an exodus of the mentally ill into the community was supported by Presidents Kennedy and Reagan. Deinstitutionalization was fueled by the belief that involuntary institutionalization of the mentally ill led to abuse, neglect and mistreatment, and that the mentally ill would be better treated in community-based programs.

Consequently, California's closure of state-run mental health facilities led to the release of the mentally ill into the communities. Unfortunately, significant deficiencies in community-based programs to support the mentally ill resulted in jails and prisons becoming substitutes for mental health facilities. Alarmed by the increased number of inmates in our jails and prisons, the California Legislature and voters subsequently passed laws significantly reducing the state inmate population. The mentally ill were again back in our communities resulting in a sharp rise in the homeless population. With community-based programs still lacking, it fell to the police to take responsibility for the mentally ill.

The police frequently find themselves as first responders to calls concerning individuals experiencing a mental health crisis. There might be criminal activity, erratic behavior or threats to harm one's self or others. These calls often take more time than other calls for service, requiring officers to have special training and skills that might also involve violent situations.

There are three police entities in El Dorado County - the El Dorado County Sheriff and Placerville and South Lake Tahoe Police Departments. All perform patrol functions that bring officers in contact with persons suffering with mental illness. The County Sheriff is also responsible for the operation of the County Jail, which has its own unique issues relating to the mentally ill. This investigation explored the adequacy of police training related to interacting with the mentally ill, specific law enforcement patrol measures in place to support policing of the mentally ill, and the operations in our jails pertaining to the mentally ill.

METHODOLOGY

DOCUMENT REVIEW

- Mountain Democrat 2019 article on the County Psychiatric Response Team
- National Commission on Correctional Health Care Website
- October 3, 2015 California Senate Bill 11, *Police Officer Training: mental health*
- *Wellpath* El Dorado County Jail intake *Receiving Screening* form
- County Jail Intake *Brief Jail Mental Health Screen* form

WEBSITE REVIEW

- Various websites pertaining to policing the mentally ill and deinstitutionalization
- Crisis Intervention Training (CIT) websites
- County Behavioral Health/Mental Health Service Act
- County Sheriff's Office

INTERVIEWS

- Numerous representatives from the El Dorado County Sheriff's Office
- Representatives from the Placerville and South Lake Tahoe Police Departments
- A *Wellpath* employee from the Placerville County Jail
- A representative from County Health and Human Services Agency (HHS)

DISCUSSION

Training

The universally recognized standard for police training concerning the mentally ill is Crisis Intervention Training (CIT). CIT was first developed in Memphis, Tennessee in the aftermath of a police shooting of a mentally ill suspect. CIT provides police officers training to effectively respond to citizens experiencing a behavioral crisis. The training encompasses crisis resolution skills, de-escalation, available community-based services, medication and side effects, suicide prevention and interacting with individuals with multiple disorders. CIT courses of 8, 12, 16, 24, 32 and 40 hour durations are offered throughout the state.

In 2013, Governor Brown signed Senate Bill 11 into law. It mandated that the Commission on Police Officer Standards and Training (POST) basic course include a minimum of 15 hours of training related to responding to persons with mental illness. All law enforcement professionals interviewed considered this training more of an overview, and not sufficient to fully prepare officers for dealing with persons having behavioral health issues. All three law enforcement agencies in El Dorado County participate in POST. POST also requires 24 hours of *Continuing Professional Training and Perishable Skills/Communication Training* every 2 year cycle. It also requires *Refresher Training* in numerous areas on 1, 2 or 5 year cycles depending on the topic. Post does not mandate CIT in either training.

All interviewees considered CIT an important and perishable skill. Placerville Police Department and the County Sheriff send their officers/deputies to post-academy CIT as a form of voluntary *Continuing Professional Training and Perishable Skills/Communication Training*. All Placerville police department officers, except one, have attended some level of post academy CIT. The remaining officer was scheduled to attend in March 2020. The El Dorado County Sheriff's Office reported 101 of their sworn staff have attended post-academy CIT. While staffing fluctuates, in November 2019 operations sworn staff was 134 personnel. They have also developed an in-house 40 hour CIT course, which has not yet been implemented. In both departments, there is a wide variance in the type (hours) of courses their personnel have attended. It appears courses selected for attendance are based on availability rather than content. None of these departments have set a course hours standard for their post-academy CIT, either in hours or frequency of attendance. South Lake Tahoe provided no documentation to the Grand Jury to support the premise they provided their officers with any *Continuing Professional Crisis Intervention Training*.

Patrol Measures · Homeless Outreach Team (HOT)

El Dorado County HOT is a combined team of sheriff deputies and Placerville police officers. It services Placerville and the entire unincorporated portion of the county including the Tahoe Basin. The South Lake Tahoe Police Department does not participate in HOT. The primary goal is to find permanent housing for those homeless willing to help themselves and connects the homeless with local services for which they qualify. Since the inception of HOT in 2016, over 140 homeless individuals have been housed.

Sixty-eight percent of the active homeless population in the county admit to substance abuse and thirty-six percent admit to mental health issues. Professionals interviewed informed the Grand Jury this number is probably under reported. HOT reports they have consistently seen a correlation between untreated mental health issues and substance abuse.

HOT's success stems from identifying homeless individuals who are willing to help themselves, and persistently following or monitoring those individuals to insure they receive the available services they require, such as substance abuse counselling. Ultimately, HOT aims to bring them to a point where they can be placed in available housing to provide an increased chance of successful transition from homelessness. Driving individuals to appointments, to the DMV to obtain identification or the Social Security Office to obtain a Social Security Card are examples of what HOT does to assist the homeless move into a more stable environment.

The homeless population is not stationary. Individuals frequently move from unincorporated areas of the county into cities and back. There is a synergistic effect when the County and Placerville work together on homeless issues. Placerville Representatives recognize the benefit of participating in HOT when it brings county and other resources into the city where they are needed.

The Grand Jury believes South Lake Tahoe would receive the same benefits by participation in HOT.

A recent innovation is the HOT trailer which has computers, heat and air conditioning, and provides privacy for HHSA clinicians conducting individual needs assessments and services for homeless. When set up in either Placerville or in an unincorporated area of the county, it is surrounded by other providers of homeless services such as providing flu shots, haircuts, assistance with Social Security and other county services offering important information and assistance homeless participants can receive.

Patrol Measures · Psychiatric Emergency Response Team (PERT)

PERT is a community-based outreach program funded by the State of California Mental Health Service Act (MHSA) and administered by the Behavioral Health Division of the County HHS. The El Dorado County Board of Supervisors approved its continuation in June 2019. In the El Dorado County Fiscal Year 2019-2020 Mental Health Services Act Annual Update the HHS described PERT:

The Psychiatric Emergency Response Team (PERT) is a collaboration between the El Dorado County Sheriff's Office and Behavioral Health on the West Slope. A Behavioral Health Clinician is partnered with a Crisis Intervention Trained Deputy to provide mobile crisis response services when requested by central law enforcement dispatch. PERT carefully evaluates each situation, assesses the mental health of each individual, and provides individualized intervention in the field. PERT also follows-up individuals to increase stabilization and reduce barriers to accessing Behavioral Health services.

Representatives from the El Dorado County Sheriff's Office told the Grand Jury that PERT's benefits to the department and the community have "*exceeded expectations*". When PERT responds to a call for service, it frees up the initial responding deputy to go back on patrol. Without PERT, when a deputy responds to a call with possible behavioral health issues, there is a good chance the deputy, who is not qualified to do a mental health assessment, would be obligated to transport the individual to the hospital where a mental health assessment could be conducted. This would often tie up the deputy for hours. With PERT, a mental health assessment can be conducted in the field by the Behavioral Health Clinician. This has significantly reduced the need to transport individuals to the hospital, reducing the impact upon hospital emergency rooms and keeping individuals out of law enforcement channels. HHS reported that prior to PERT, the emergency room at Marshall hospital would see 80-120 people a month for a perceived mental health crisis. HHS estimated that sixty-five percent of those individuals did not require such a hold.

The Grand Jury confirmed with HHS that Placerville and South Lake Tahoe do not participate in PERT. The Fiscal Year 2019-2020 MHSA Annual Update reports; "*At this time, PERT is funded only on the West Slope. However, MHSA will continue to evaluate expansion needs.*"

Individuals knowledgeable in PERT suggested to the Grand Jury that expansion of PERT to three teams in the county would be desirable. Multiple sources agreed the limited number of calls for service in the Tahoe Basin do not justify a dedicated PERT. However, that justification may exist if PERT was expanded into South Lake Tahoe. Two teams dedicated to the West Slope would allow expansion of the days and hours PERT would be available for dispatch to call upon.

Jail Operations

The *Health Insurance Portability and Accountability Act* (HIPAA) requires healthcare providers to comply with privacy and security regulations as it pertains to their clients. Healthcare professionals in our jails are not exempt from HIPAA. According to the El Dorado County Sheriff's Office HIPAA does not preclude constructive communication between families of inmates who suffer from mental illness and the jails in our county. The Sheriff's office website contains a five-page document, *Mental Illness Arrests*, that provides a step-by-step guide "...to help families cope

with the criminal justice system in El Dorado County when a family member who suffers from a brain disorder (mental illness) is arrested". It asks families to provide specific information such as the family member's diagnosis, psychiatrist's name, phone number and address, prescribed medications, past history of suicide attempts or other violent intentions and any other urgent medical conditions that may require immediate attention. HIPPA restricts information that jail healthcare providers can pass to inmate family members, which is sometimes frustrating. However, it does not restrict family members from providing information to assist in the jail's assessment of an inmate.

In the early 1970's an American Medical Association (AMA) study of jails found a lack of national standards and disorganized health services in jails. The AMA established the National Commission on Correctional Health Care (NCCHC) as an independent, not-for-profit organization to evaluate and develop healthcare policy and programs for correctional facilities. The NCCHC has developed mental health screening and evaluations standards for correctional facilities. It prescribes that within 14 days, all inmates must receive an initial mental health screening conducted by qualified mental health professionals. It further states that this standard can be accomplished by specially trained nursing staff during intake into the facility that would fulfill the "*initial mental health screening within 14 days*" requirement. If this screening reveals or verifies mental health problems, the inmate must be referred to a psychiatrist, psychologist, psychiatric nurse, or psychiatric social worker for further evaluation.

Medical services in both El Dorado County jails is provided under contract by *Wellpath*, a private company, that provides medical and behavioral health care to inmates. In both jails, *Wellpath* has a robust staff of licensed vocational nurses, registered nurses, psychologists, psychiatrists and licensed clinical social workers. *Wellpath* has the ability to temporally move its personnel between the Placerville and South Lake Tahoe jails should the need arise.

Immediately upon intake into county jails, all inmates receive two mental health screenings which are conducted 24 hours a day, 7 days a week as needed. A correctional officer conducts one assessment using a mental health-screening document and asks specific questions relating to an inmate's possible mental health issues. A second screening also conducted 24 hours a day, 7 days a week, is conducted by a *Wellpath* licensed vocational nurse using an 8-page intake receiving screening form that is much more detailed than the screen conducted by the correctional officer. At the conclusion of the *Wellpath* screen, an on-duty or on-call *Wellpath* registered nurse reviews the results. If either of these screens identify a possible mental health concern, the inmate is taken to a hospital emergency room for further evaluation by a mental health clinician. After evaluation and a determination that the inmate can be returned to the jail, a safety plan is established. The inmate is returned to the jail and most probably placed in a *safety cell* specifically designed for individuals with behavioral health issues. If a determination is made that the inmate cannot be safely returned to the jail, arrangements are made for placement in a medical facility to stabilize the patient. He/she can later be returned to the jail.

Inmates are seen and evaluated by a licensed clinical social worker by at least day 7 and again by day 14. If on medication for behavioral health problems, the inmate is seen every 30 days, at a minimum, by a psychiatrist. Additionally, Psychiatrists and Psychologists are available for sessions with inmates on an as needed basis.

FINDINGS

EL DORADO COUNTY SHERIFF'S OFFICE

- F1. While not mandated by POST, the Sheriff's Office provides its deputies with *Continuing Professional Training* in Crisis Intervention Training.
- F2. The Sheriff's Office has not established an internal standard for *Continuing Professional Training* for Crisis Intervention Training course hours or for *Refresher Training* Crisis Intervention Training.
- F3. The Sheriff's Office has established innovative and effective programs for dealing with persons with behavioral health issues.
- F4. County Jails' mental health screening and evaluations exceed standards established by the National Commission on Correctional Health Care.

PLACERVILLE

- F5. While not mandated by POST, the Placerville Police Department provides its officers with *Continuing Professional Training* in Crisis Intervention Training.
- F6. The Placerville Police Department has not established an internal standard for *Continuing Professional Training* for Crisis Intervention Training course hours or for *Refresher Training* Crisis Intervention Training.
- F7. The Placerville Police Department participates in HOT and does not participate in PERT.

SOUTH LAKE TAHOE

- F8. While not mandated by POST, the South Lake Tahoe Police Department does not provide its officers with *Continuing Professional Training* in Crisis Intervention Training.
- F9. The South Lake Tahoe Police Department has not established an internal standard for *Continuing Professional Training* for Crisis Intervention Training course hours or *Refresher Training* Crisis Intervention Training.
- F10. The South Lake Tahoe Police Department does not participate in HOT or PERT.

COUNTY HEALTH AND HUMAN SERVICES AGENCY

- F11. While PERT is funded only on the West Slope the MHSA Project Team has stated they will continue to evaluate PERT expansion needs.

RECOMMENDATIONS

EL DORADO COUNTY SHERIFF'S OFFICE

- R1. The Sheriff's Office should establish an internal standard for *Continuing Professional Training* for Crisis Intervention Training course hours and *Refresher Training* Crisis Intervention Training.
- R2. The County Sheriff's Office should explore the expansion of HOT into the City of South Lake Tahoe Police Department.

PLACERVILLE

- R3. The Placerville Police Department should establish an internal standard for *Continuing Professional Training* for Crisis Intervention Training course hours and *Refresher Training* Crisis Intervention Training.
- R4. Expansion of PERT into the Placerville Police Department should be explored with the County Health and Human Services Agency.

SOUTH LAKE TAHOE

- R5. The South Lake Tahoe Police Department should establish an internal standard for *Continuing Professional Training* for Crisis Intervention Training course hours and *Refresher Training* Crisis Intervention Training and have their officers attend such training.
- R6. The South Lake Tahoe Police Department should explore with the County Health and Human Services Agency, the expansion of PERT into the City.
- R7. Expansion of HOT into the South Lake Tahoe Police Department should be explored with the County Sheriff's Office.

COUNTY HEALTH AND HUMAN SERVICES AGENCY

- R8. The County Health and Human Services Agency should explore the expansion of PERT into both Placerville and South Lake Tahoe Police Departments.

REQUEST FOR RESPONSES

This Grand Jury report is an account of an investigation or review. It contains findings and recommendations, and names those who should respond to each finding and each recommendation pertaining to matters under the respondent's control.

Please review *Responding to a Grand Jury Report*, a separate document included with this report.

Responses are requested in accordance with California Penal Code §933 and §933.05.

- Responses to F2, R1 and R2 are required from the El Dorado County Sheriff.
- Responses to F5, R3 and R4 are required from the City of Placerville.
- Responses to F8, R5, R6 and R7 are required from the City of South Lake Tahoe.
- Response to F11 and R8 are required from the El Dorado County Board of Supervisors.

EL DORADO COUNTY GRAND JURY 2019-2020



COUNTY VITAL RECORDS CERTIFICATE FEES WHY SO EXPENSIVE?

CASE 19-05 • JUNE 8, 2020

Public Release

JUNE 15, 2020

EL DORADO COUNTY 2019-2020 GRAND JURY
COUNTY VITAL RECORDS CERTIFICATE FEES-WHY SO EXPENSIVE?
Case 19-05 • June 8, 2020

A citizen expressed concern to the Grand Jury that the cost of obtaining a certified birth certificate seemed unusually high for a simple piece of paper.

BACKGROUND

The elected El Dorado County Recorder is responsible for recording and maintaining many types of public records. Among them are vital records of birth, death and marriage. Retrieving a certified copy of a vital record is a straightforward process that includes paying a fee.

METHODOLOGY

Documents Reviewed

- Listing of vital records certificate cost breakdown
- Agreement for Services contract between Health and Human Services Agency (HHS) and El Dorado County Office of Education (EDCOE) for Child Abuse Prevention Council Activities
- Various County invoices

Interviewed

- Various El Dorado County elected officials
- Various EDCOE employees

DISCUSSION

Attachment A is the El Dorado County Recorder Fee Schedule - a complete listing of fees for documents and services provided by the Recorder's office, including vital records.

The amount a county can charge for vital record certificates is set by the State of California. There are four vital records, each having a different fee:

Vital Record Certificate	Fee (\$)
Death	21.00
Fetal Death	18.00
Marriage	15.00
Birth	28.00

Vital record fees are composed of a base fee plus additional components allocated to various agencies.

Death Certificate fee components and allocations

Death Certificate Fee Component (\$)		(\$) Component Allocation	
Base fee authorized by the State	14.00	2.10 11.90	State Registrar County Recorder
Mandatory Vital Statistics Trust Fund surcharge	4.00	1.80 2.20	State Registrar Local Vital Statistics Trust Fund
Develop safety & security measures to protect against fraudulent use of birth & death only SB 247	1.00	0.65 0.35	State Registrar Local Vital Statistics Trust Fund
Mandatory Missing Persons DNA Data Base Fund	2.00	1.90 0.10	Department of Justice County Recorder
	21.00	21.00	

Fetal Death Certificate fee components and allocations

Fetal Death Certificate Fee Component (\$)		(\$) Component Allocation	
Base fee authorized by the State	14.00	2.10 11.90	State Registrar County Recorder
Mandatory Vital Statistics Trust Fund surcharge	4.00	1.80 2.20	State Registrar Local Vital Statistics Trust Fund
	18.00	18.00	

Marriage Certificate fee components and allocations

Marriage Certificate Fee Component (\$)		(\$) Component Allocation	
Base fee authorized by the State	6.00	0.90 5.10	State Registrar County Recorder
Mandatory Vital Statistics Trust Fund surcharge	4.00	1.80 2.20	State Registrar Local Vital Statistics Trust Fund
Develop safety & security measures to protect against fraudulent use of birth & death only SB 247	1.00	0.65 0.35	State Registrar Local Vital Statistics Trust Fund
Per H&S 103625(c) and H&S 100425	4.00	3.60 0.40	State Registrar County Recorder
	15.00	15.00	

Birth Certificate fee components and allocations

Fees charged for Birth Certificates are the highest and most complex of Vital Records. The Grand Jury explored them in more detail to explain the costs associated with Vital Records fees. The chart below summarizes fees charged for Birth Certificates by component and component allocation to various agencies.

Birth Certificate Fee Component (\$)		(\$) Component Allocation	
Base fee authorized by the State	14.00	2.10 11.90	State Registrar County Recorder
Mandatory Vital Statistics Trust Fund surcharge	4.00	1.80 2.20	State Registrar Local Vital Statistics Trust Fund
Develop safety & security measures to protect against fraudulent use of birth & death only SB 247	1.00	0.65 0.35	State Registrar Local Vital Statistics Trust Fund
Mandatory Children's Trust Fund surcharge	4.00	3.60 0.40	County Children's Trust Fund Retained by Recorder
Umbilical Cord Blood Collection	2.00	2.00	Umbilical Cord Blood Collection
*Optional additional Children's Trust Fund surcharge authorized by the State	3.00	2.70 0.30	County Children's Trust Fund County Recorder
	28.00	28.00	

It should be noted that \$25 of the \$28 Birth Certificate fee is mandated by the State. The County has elected to charge the ***optional** additional \$3 Children's Trust Fund surcharge authorized by the state.

Fee (\$)	Birth Certificate Component Allocation
12.60	County Recorder
6.30	County Children's Trust Fund
4.55	State Registrar
2.55	Local Vital Statistics Trust Fund
2.00	Umbilical Cord Blood Collection
28.00	

Birth Certificate Component Allocations

County Recorder and State Registrar fees are used to offset the cost of record generation and maintenance including staff, facility, equipment and general office costs.

Umbilical Cord Blood Collection fee is mandated by California statute. It is sent to the State.

County's Children's Trust Fund is administered by the County Health and Human Services Administration (HHSA), accumulating approximately \$20,000 - \$25,000 per year. HHSA has contracted with the El Dorado County Office of Education (EDCOE) to provide a community-based child abuse prevention program funded with the Children's Trust Fund in addition to Federal and State funds. The contract with EDCOE was originally entered on April 9, 2002 and has been routinely renewed for three-year periods, most recently in August 2017. The Grand Jury reviewed a selected number of invoices submitted by EDCOE to HHSA for services provided in fiscal year 2018-2019. The services provided by EDCOE appeared to be following the contract.

Local Vital Statistics Trust Fund is, by statute, "...for the purpose of defraying the administration costs of collecting and reporting with respect to those fees." The trust fund is administered and allocated at the direction of the County Recorder. In fiscal year 2018-2019, the trust funds were used to reimburse the Recorder's office for certificate paper of a specific thickness and texture, document management and a small portion of staff costs.

ATTACHMENT

A - *El Dorado County Recorder Fee Schedule*

FINDINGS

- F1. The County collects fees for recording and maintaining vital statistic certificates.
- F2. Fees collected are mandated by State statute and designated for various purposes.
- F3. The *Local Vital Statistics Trust Fund* is administered by the County Recorder.
- F4. The *Children's Trust Fund* is administered by HHSA through a contract with EDCOE.
- F5. A community-based child abuse prevention program funded with the Children's Trust Fund justifies the optional County charge of \$3 for a Birth Certificate.

RECOMMENDATIONS

The Grand Jury has no recommendations.

REQUEST FOR RESPONSES

Responses to this report are invited but are not required nor requested.

EL DORADO RECORDER FEE SCHEDULE

Effective January 1, 2020

COUNTY RECORDER - RECORDING FEES		
Code References: B&P = Business & Professions Code; CC = Civil Code; FC = Family Code; F&G = Fish & Game Code; GC = Government Code; H&S = Health & Safety Code; R&T = Revenue & Taxation Code; UCC = Uniform Commercial Code		
	Code Reference	Fee
Regular Recording Fee	GC 27361 & 27361.4	
1 st Page (8 ½ X 11) & Title	GC 27361 & 27361.4	\$16.00
Each Additional Page	GC 27361 & 27361.4	\$3.00
Each Additional Title	GC 27361.1 & 27361.4	\$16.00
Documentary Transfer Tax paid deduct \$2.00	GC 27388	-\$2.00
Documentary Transfer Tax \$0.55/per \$500	R&T 11911	\$0.55
SB2 Affordable Housing and Job Act Fee. Some exemptions apply and must be stated on the face page of the document	GC 27388.1 (Maximum \$225)	\$75.00
Uniformity Penalty	GC 27361(a)(2)	\$3.00
Release of State or County Tax Liens	GC 27361, 27361.3 & 27383	
Base Recording fee		\$20.00
Each Additional Page		\$ 3.00
Financing Statements	UCC 9407(1)(2)(3)	
U.C.C. 2 pages or less - \$10.00 + \$2.00 REFF=		\$12.00
U.C.C. 3 pages or more \$20.00 + \$2.00 REFF=		\$22.00
Notification of Involuntary Lien per debtor	GC 27387	\$10.00
Additional indexing – each additional reference	GC 27361.2	\$3.00
Additional indexing – Each 10 names after initial 10 names	GC 27361.8	\$5.00
Map Filings for Record	GC 27372	
1 st Page Subdivision, Parcel , Survey & Assessment Maps		\$14.00
Each Additional Page		\$3.00
Penalty Print	GC 27361	\$1.00
Preliminary 20-Day Filing	GC 27361.9 & CC 3097	\$45.00
Documents recorded without Preliminary Change of Ownership Report	R&T 408.3	\$20.00
COUNTY RECORDER - COPIES		
Official Record Copies	GC 27366	
1 st Page		\$3.00
Each Additional Page		\$1.00
Certification		\$2.00
Conformed Copies		No Fee
Provided one copy with a Self-Addressed, STAMPED Envelope is enclosed.		
Assessor Plat Map	GC 27366	\$1.50
Parcel or Subdivision Map or Record of Survey – 1st page	GC 27366	\$3.00
Each additional pages of Parcel or Subdivision Map or Record of Survey		\$1.00
Official Records Daily Image & Index Subscription		\$430.00/mo
CERTIFIED COPIES OF VITALS OR CERTIFIED SEARCH OF RECORD		
Birth Record	H&S 103625(b)(1)	\$28.00
Death Record	H&S 103625(a)	\$21.00
Fetal Death Record	H&S 103625(a)	\$18.00
Marriage Record	H&S 103625(c)	\$15.00

COUNTY CLERK – CERTIFICATION & COPIES		
Photocopying a document per page	GC 26831	\$0.50
Certifying a copy prepared by County Clerk	GC 26831.2	\$2.25
Every Certificate for which the fee is not otherwise fixed	GC 26836	\$10.00
Certification to the official capacity of a public official or notary	GC 26852	\$10.00
Certificate of Foreign Language Translation per page	GC 27293	\$10.00
COUNTY CLERK – ENVIRONMENTAL FILINGS		
Fish & Wildlife Administrative Fee	F&G 711 et. Seq	\$50.00
COUNTY CLERK – FICTITIOUS BUSINESS NAMES		
Fictitious Business Name Statement	B&P 17929(a)	
One business name and one owner includes one certified copy		\$40.00
One business name and filing as a “married couple”		\$40.00
Additional business names or owners	B&P 17929(b)	\$7.00
Abandonment of Fictitious Business Name Statement	B&P 17929(c)	\$35.00
Withdrawal of Partnership operating under FBN	B&P 17929(d)	\$35.00
Certified Copy of any statement on file	B&P 17929(b)	\$2.25
COUNTY CLERK – MARRIAGES – ISSUED BY APPOINTMENT ONLY		
Public, Declaration or Non-clergy Marriage License	GC 26840.3 & 26840.7	\$80.00
Confidential Marriage License	GC 26840.1, 26840.3 & 26840.8	\$85.00
Duplicate Marriage License	FC 360(c)	\$25.00
Marriage Solemnization (In Office by appointment only)	GC 26861	\$40.00
Deputy Commissioner of Civil Marriages (One Time)	GC 54985	\$50.00
Provide a witness for a civil ceremony	GC 54985	\$5.00
Annual Notary Public Authorization to issue Confidential Licenses	FC 530-536	\$300.00
COUNTY CLERK – MISCELLANEOUS		
Filing Financial Statement of Admitted Surety	GC 26855.2	\$3.50
Issuing a certificate re-justification of sureties per CCP 995.640	GC 26855.3	\$5.00
Filing a Power of Attorney, Notice of cancellation, Revocation or Withdrawal of Power of Attorney for an admitted surety per name	GC 26855.1 & 26855.3	\$15.00
Filing and Indexing all papers – For which a charge is not elsewhere provided, other than papers filed in actions or special proceedings, official bonds or certificates of appointment	GC 26850	\$10.00
COUNTY CLERK – REGISTRATIONS		
Notary Oath - Requires posting \$15,000 Bond plus recording bond fees (See Recording Fees)	GC 26849.1	\$35.00
Process Server – Requires posting \$2,000 bond or cash. Plus \$10.00 for ID Card and recording bond fees	B&P 22352 & 22353	\$100.00
Professional Photocopier - Requires posting \$5,000 bond or cash. Plus \$10.00 for ID Card and recording bond fees	B&P 22453 & 22453.1	\$175.00
If applicant is a registered process server	B&P 22350	\$100.00
Unlawful Detainer Assistant/Legal Document Assistant - Requires posting \$25,000 bond or cash. Plus \$10.00 for ID Card and recording bond fees	B&P 6404 & 6405(c)	\$175.00
Identification Card	B&P 22352 & 22453	\$10.00

EL DORADO COUNTY GRAND JURY 2019-2020



WEST SLOPE FIRE PROTECTION UPDATE

CASE 19-06 • JUNE 8, 2020

Public Release

JUNE 15, 2020

EL DORADO COUNTY 2019-2020 GRAND JURY

WEST SLOPE FIRE PROTECTION UPDATE

Case 19-06 • June 8, 2020

BACKGROUND

Fire protection on the West Slope of El Dorado County is provided by nine special fire protection districts and California Department of Forestry and Fire Protection (Cal Fire). A special fire protection district is an independent political entity having a defined geographic boundary, set revenue base and an elected board of directors. The relatively large number of fire protection entities provide an inconsistent level of services that is unique to most rural California counties.

For many years there have been ongoing conversations about methods to improve County fire protection. Stakeholders in these ongoing discussions include El Dorado County Board of Supervisors (BOS), County staff, El Dorado County Local Agency Formation Commission (LAFCO), the staffs and boards of directors of the fire districts, Cal Fire and previous Grand Juries.

The 2017-2018 Grand Jury Report, *El Dorado County Fire Protection Consolidation* addressed many of the key components of the problem. In summary the report stated:

“Proposition 13 significantly reduced revenues for local governments including fire protection districts. Many El Dorado County (EDC) fire protection districts have struggled to survive while continuing to provide service to their districts. Compelling reasons to consolidate fire agencies in El Dorado County exist, from cost savings to operational efficiency.” and “Total or partial consolidation of fire protection agencies will take time.”

The report explained the funding limitations within which fire districts must operate. The report noted benefits of consolidation include cost savings, increased operational efficiency and firefighter safety along with standardization of training, equipment and practices. The report also noted obstacles to consolidation including a disparity in tax revenue, fear of losing local control and labor union resistance.

The 2018-2019 Grand Jury report, *Moving Forward in County Fire Services Sustainability* continued in the same vein as the 2017-2018 Grand Jury report. The 2018-2019 Grand Jury found varied interest in consolidation by fire districts:

from *“...no interest in any type of consolidation.”*
to *“...already involved in some type of consolidation or exploring that possibility.”*
and *“All reported that funding inequities among Districts was the major obstacle to full consolidation.”*

The Grand Jury reported on a series of meetings with LAFCO, El Dorado County Chief Administrative Officer and El Dorado Hills Fire that discussed consolidation and long-term sustainability of County fire services. There was no mention of formal movement toward consolidation in any form.

This Grand Jury report will describe any movement in consolidation and quantify the differences among the nine fire protection districts on the West Slope.

METHODOLOGY

DOCUMENTS REVIEWED

- 2017-2018 and 2018-2019 Grand Jury reports
- Citigate Associates, LLC, May 13, 2010, Fire and Emergency Service Study for El Dorado LAFCO

Interviewed

- El Dorado County elected officials
- El Dorado County appointed personnel
- West Slope fire protection district board members
- West Slope fire protection district employees
- Representative from the Cal Fire Amador-El Dorado County Unit
- Representative from LAFCO

Meetings Attended

- August 28, 2019, LAFCO with agenda item *Consider and provide direction to staff on LAFCO initiating the consolidation of Garden Valley, Georgetown and Mosquito Fire Protection Districts*
- February 5, 2020 Garden Valley Fire Protection District Special Board of Director meeting held to discuss different operation options

DISCUSSION

Ambulance service in the County is managed by a Joint Powers Authority, reporting to the County Board of Supervisors. Ambulances are operated by individual fire districts under fixed price contracts. Most service requests to the districts are for medical assistance. On medical calls, a fire engine responds with an ambulance. In many instances, the fire engine arrives at the scene first. The medical capabilities of engine personnel vary widely by responding district, from basic Emergency Medical Technician (EMT) to Paramedic certification. The level of treatment available to a citizen before an ambulance arrives depends on their location in the County.

Individual West Slope fire protection districts vary greatly in population and density of flammable structures. Each district is varied in the services it provides and is unique in the level of staffing and hours of operation. District staffing includes full-time employee firefighters and volunteers. Volunteers are sometimes paid a small stipend when on duty, depending on the district. El Dorado Hills has three paid employees per engine and operates twenty-four hours per day, 7 days a week (24/7). El Dorado County, Diamond Springs and Rescue, all have two paid employees per engine and also operate 24/7. Cameron Park is operated under contract with Cal Fire and is also 24/7 with two paid employees per engine. The remaining, more rural districts, Georgetown, Garden Valley, Mosquito and Pioneer, have minimal employee staffing and rely on volunteers. These rural districts depend on volunteers in an attempt to stay staffed 24/7. However, there are times when there is nobody on duty. It is not considered safe to respond on a call with less than two firefighters. Nationwide standard practice is to have at least three firefighters on scene before entering a burning structure. Volunteers are required to have the same certification as an employee firefighter. The ability to recruit, train and retain volunteers remains a challenge for these districts.

All fire districts participate in an Automatic Aid (Mutual Assistance) program. Using a single 911 dispatch office for the West Slope, response to a call is from the closest available fire station regardless of fire district borders. It is not uncommon for multiple fire districts to respond to a call. Automatic Aid provides better coverage than any single fire district can provide but in more rural areas Automatic Aid can take as much as 30-45 minutes to arrive at an incident. Automatic Aid is a voluntary agreement between the fire districts. Should a fire district find that they are responding to an inordinate number of calls in another district that is unable to provide adequate service to its own district, the responding district may opt out of Automatic Aid with that district, leaving it under-protected. Citizens, especially those in rural and small districts, need to be more aware of their fire district's financial and operational condition before the district reaches a breaking point.

Previous Grand Jury reports detailed the financing of our County's fire districts. The primary source of revenue is a percentage of the property tax collected in the fire district. However, that percentage differs by district. Rural districts with little property tax growth must cover increasing costs another way or reduce service. Individual districts can put ballot measures to the voters for special assessments. The last three ballot measures by El Dorado County, Garden Valley and Lake Valley Fire Protection Districts were defeated. The citizens of these districts are not willing to pay for better fire service. Unfortunately, Automatic Aid may artificially mask the need for additional funding. Long-term fiscal sustainability of current fire protection on the West Slope is highly problematic. Districts also generate revenue by providing strike teams of firefighters and/or equipment to the State or Federal government during major fires. Strike Team revenue is not guaranteed, and it cannot be used in setting an annual budget. Also, the Federal government has changed its procedure to pay districts, requiring districts to pay strike team costs prior to being eligible for reimbursement. That hinders poorer districts from offering strike team service.

The table to the right illustrates money available for fire services by district and per citizen. Population numbers are best current estimates. Revenue amounts are taken from the districts published 2019-2020 budgets and include property taxes, special assessments and basic service fees. The revenue does not include money from ambulance contracts or potential strike team revenue. This revenue amount must support cost of operations as well as reserves for equipment purchases, facility upgrades and emergencies.

District	Revenue (\$)	Population	(\$ Per Person
Cameron Park	2,898,809	21,000	138
Diamond Springs/El Dorado	4,444,359	24,000	185
El Dorado County	12,129,345	71,000	171
El Dorado Hills	19,671,938	47,000	419
Garden Valley	672,749	8,000	84
Georgetown	772,437	3,000	257
Mosquito	356,600	3,500	102
Pioneer	1,111,357	7,000	159
Rescue	1,585,661	5,000	317
Unincorporated West Slope	43,643,255	189,500	230

The operation of nine separate fire districts is inefficient, both financially and operationally. With some limited exceptions, each district has its own training regimen, equipment requirements, administrative costs, supply purchase, insurance policies and salary & benefit schedule. The State has set minimum requirements for training, equipment and hiring standards. However, operations exceeding those standards can vary widely between districts. In interviews with fire district employees and directors there was wide agreement that a single County fire department could function more efficiently financially and operationally.

While there is general acknowledgement that a single fire district is the best option, tremendous obstacles prohibit the County from getting to a single fire district or authority. There have been many recent discussions among fire districts about limited consolidation. The last two consolidations in the County were Coloma/Lotus Fire District consolidating into El Dorado County Fire District, and Latrobe into El Dorado Hills County Water District (the name of the El Dorado Hills Fire Department).

There have been discussions about consolidating the three Divide Fire Districts: Georgetown, Garden Valley and Mosquito. After interviews with all three districts, there is an acknowledgement that a consolidation has merit; however, consolidation is currently not under consideration by all three district boards. After losing their special assessment vote, Garden Valley announced it would be reducing staff from six firefighters to three in fiscal year 2020-2021. On February 5, 2020, the Garden Valley Board of Directors held a special meeting to discuss authorizing exploration of four to five operating alternatives to reducing staff. The board voted to not explore any of the alternatives.

There have been substantive talks about Rescue Fire District consolidating into El Dorado Hills Fire. To complete this consolidation, El Dorado Hills desires a significant annual payment from the County. It appears the County has no interest in providing money for this consolidation. Previously, Cal Fire proposed operating the Rescue department like it does for Cameron Park without requiring additional County funding. That should be a compelling reason to re-explore their proposal.

Cal Fire

Fire protection in California is divided into three areas: Federal, State and Local Responsibility Areas. Cal Fire provides full-service fire protection for State and Local Responsibility Areas in certain counties. Counties where Cal Fire provides most of the service include large counties like San Diego and Riverside, to small counties like Butte and Tehama. Cal Fire has the infrastructure, staffing and expertise to be a major component of a solution to the County's fire district disparities as it has in other California counties.

Cal Fire operates the 911 Emergency Command Center in Camino that dispatches local fire and ambulance responses for the West Slope. In addition, it plays an important part in County fire protection. It operates Cameron Park's fire department under contract with Cameron Park Community Service District. Cal Fire also operates five of its own stations in the County. They have historically been staffed only during fire season unless a fire district pays for year-around coverage. With an extended fire season, they are staffed for much longer periods. Cal Fire funding has increased so that one engine at the Camino station is now year-around. Diamond Springs had paid for a year-around engine at the El Dorado station; however, they no longer have the funds to continue.

Cal Fire has contracted to help fire districts needing interim assistance. For example, they provided an interim fire chief for Georgetown in 2019 while they recruited a new chief. Cal Fire has made proposals to operate Rescue and Lake Valley (Tahoe basin) fire departments. Rescue opted to try to merge with El Dorado Hills. Lake Valley talks are ongoing. Cal Fire also offered several preliminary options to assist Garden Valley. Garden Valley chose to not pursue the discussions.

Conclusion

El Dorado County is suffering from the legacy of many fire districts, locally created at a time when there was no other option. Some of the districts go back more than 100 years. There is strong loyalty to a local home district at the expense of the County as a whole. The citizens of the more rural districts take pride in their independence and isolation from the masses. Living in remote areas comes with the understanding that fire protection service will be only as good as limited revenue can provide. Districts with higher revenue provide a higher level of service and enjoy large financial reserves that insure the level of service and contingencies. Some question the fairness of asking those districts to share their revenues with other districts. Yet, it should be obvious that the level of service now enjoyed in the more rural districts is indirectly subsidized by the wealthier districts through the tenuous Automatic Aid program.

The County Sheriff's Department is a single entity that provides service in every unincorporated part of the County, including remote rural areas along with dense suburban neighborhoods. The consistent high level of service and professionalism we see from the Sheriff's Department is in striking contrast to the many existing fire protection districts, and also a striking example of what a unified County fire protection agency could look like. The men and women firefighters in our County are true professionals that we are proud of. Given a unified County fire agency, the firefighters could receive the support, safety and consistency they deserve.

FINDINGS

- F1. Long term fiscal sustainability of fire protection on the West Slope of the County is highly questionable.
- F2. County citizens on the West Slope experience a wide disparity in fire protection services often masked by Automatic Aid, based on their location and their specific fire district.
- F3. Efforts to improve fire protection on the West Slope of the County have been ongoing for many years with limited success.
- F4. Cal Fire has the infrastructure, staffing and expertise to be a major component of a solution to the County's fire district disparities.
- F5. Improvements in the existing fire protection model for the West Slope requires all fire protection districts to take a holistic view of fire protection and the political will to embrace change.
- F6. Fire protection districts on the West Slope have not displayed the ability to take a holistic view of fire protection or the political will to embrace change, to the detriment of all County citizens.

RECOMMENDATION

- R1. Fire Protection Districts, Cal Fire, BOS and LAFCO should continue discussing ways to improve County fire protection services.

REQUEST FOR RESPONSES

This Grand Jury report is an account of an investigation or review. It contains findings and recommendations, and names those who should respond to each finding and each recommendation pertaining to matters under the respondent's control.

Please review *How to Respond to an El Dorado County Grand Jury Report*, a separate document included with this report.

Responses are requested in accordance with California Penal Code §933 and §933.05.

- Responses to all findings and recommendations are required from the El Dorado County Board of Supervisors.
- Responses to all findings and recommendations are required from the Cameron Park Community Service District Board of Directors.
- Responses to all findings and recommendations are required from the Diamond Springs/El Dorado Fire Protection District Board of Directors.
- Responses to all findings and recommendations are required from the El Dorado County Fire Protection District Board of Directors.
- Responses to all findings and recommendations are required from the El Dorado Hills County Water District Board of Directors.
- Responses to all findings and recommendations are required from the Garden Valley Fire Protection District Board of Directors.
- Responses to all findings and recommendations are required from the Georgetown Fire Protection District Board of Directors.
- Responses to all findings and recommendations are required from the Mosquito Fire Protection District Board of Directors.
- Responses to all findings and recommendations are required from the Pioneer Fire Protection District Board of Directors.
- Responses to all findings and recommendations are required from the Rescue Fire Protection District Board of Directors.
- Responses to all findings and recommendations are invited from the Cal Fire Amador El Dorado Unit.
- Responses to all findings and recommendations are invited from the El Dorado County Local Agency Formation Commission.

EL DORADO COUNTY GRAND JURY 2019-2020



COUNTY AIRPORTS

CASE 19-07 • JUNE 8, 2020

Public Release

JUNE 15, 2020

EL DORADO COUNTY 2019-2020 GRAND JURY

COUNTY AIRPORTS

Case 19-07 • June 8, 2020

BACKGROUND

El Dorado County owns and operates public airports in Placerville and Georgetown. The County sells aviation fuel and rents aircraft tie-down space and hangers at both airports. It also leases ground space upon which individuals can install a portable hanger. Two full time County employees divide their time between the airports. In addition, three County Administrative Office (CAO) staffers devote part of their time to airport management along with other duties.

Residents and businesses are the primary users of County airports. Airports are also an important part of a robust tourist economy, serving those visiting the County for its many recreational opportunities.

METHODOLOGY

Documents reviewed

- Airport contracts and agreements
- Airport Advisory Committee protocol
- Chapter 18 of the El Dorado County Ordinance (#3327) Airports
- El Dorado County Policy Number F-5, *Airports-Hanger Site Allocation*
- El Dorado County Policy Number F-9, *Airports-Portable Hanger Color*
- El Dorado County Policy Number F-10, *Minimum Standards for Commercial Aeronautical Activities for El Dorado County Airports*

Interviewed

- County employees
- Aircraft owners
- Airport Advisory Committee

Site Visits

- Placerville Airport
- Georgetown Airport

DISCUSSION

Management

The CAO's staff manages the airports. The staff duties include interacting and communicating with aircraft owners, along with preparing and administering various leases and insurance requirements. They oversee the posting of information notices at the airport offices, and handle mail and email correspondence. Airport management personnel in the CAO's office devote only 20% of their time to the airports.

The Airport Advisory Committee members are appointed by the El Dorado County Board of Supervisors. It meets quarterly, acting as an advisory body on airport matters.

The CAO's staff has started an in-depth review of the airports and expects to produce a report within the next 12 months. The Grand Jury believes this review is critical to understanding airport potential. Inconsistent communication among management, the Airport Advisory Committee and aircraft owners frustrates airport users. Airport management maintain they send letters and e-mails, and post notices as appropriate. Yet, they may not have an up to date user contact list.

The Grand Jury reviewed one County ordinance and three published Policies that relate to the airports. Policy F-10, adopted 04/19/1994, states the County Department of Transportation is the County department responsible for airports. This responsibility is now in the CAO's office and the Policy has not been updated to reflect that change. Policy F-9, adopted 10/19/1993, states portable hangers will be painted green in Placerville and beige in Georgetown. Hangers in both airports are in compliance.

Revenue

The airports have five main sources of revenue. County-owned hangers are rented, land is leased to airplane owners who install portable hangers, aircraft tie-down spaces are rented on a daily or monthly basis, fuel sales are made and personal property tax on aircraft and hangers is collected. Fuel sales are the largest revenue source. Capital improvements to the airports are primarily funded by Federal Aviation Administration (FAA) grants and County general funds. FAA grants come with strict operational requirements which include the County keeping the airports open for public use.

The County sells aviation fuel at both airports. The fuel is purchased by the truckload and stored in tanks at the airports. Both airports have self-serve fuel setups. The normal practice is to mark up the fuel an established amount per gallon. The airport staff tracks the cost of fuel and adjusts the sale price as required. The Grand Jury found no evidence of management review or oversight of ongoing fuel prices. Spot checks by management would offer a level of accountability not currently in place.

Hangar and Ground Leases

The County owns twelve hangars in Placerville and one in Georgetown that are rented to individuals and businesses. The current *Hanger Rental Agreement – Permit* needs to be updated. It does not contain a provision for future rent changes and insurance coverage limits are not consistent with ground lease or tie-down agreements.

Individuals and businesses can install their own portable hanger upon airport ground space leased from the County. Ten-year leases are initiated by a written contract specifying the ground parcel and rate of monthly rent based upon ground space square footage. The contract also defines specific insurance language, coverage limits, and County indemnification, including various requirements outlined by the FAA for safety and maintenance purposes. There are currently 97 ground leases in Placerville and 12 in Georgetown. There are numerous versions of the ground lease contract in place due to the length of the contracts and periodic changes by County legal department contract review. There may be some unforeseen issues with the way previous contracts were written, such as insurance requirements. The contract being used today appears to be a thorough and comprehensive document. When contracts come up for renewal or there is a change in ownership the new lease contract will be used.

Insurance requirements for ground leases, hanger rentals and tie-down rentals have changed over the last several years. Thus, some older contracts and agreements may not contain the current insurance requirements. County management efforts to obtain and track insurance certificates required in the various contracts has been haphazard. Airport management is working with Risk Management to develop a better system to monitor insurance compliance.

Placerville Expansion

The east end of the Placerville airport has semi-developed open space with existing concrete taxiways. It was developed in 2006 in conjunction with FAA safety improvements. FAA funded 90% of the project and the County funded the remaining 10%. To be fully operational, the site requires utility availability that does not currently exist. The County has done internal cost estimates for water and electrical improvements as recently as 2018. This information will go into the Management's ongoing review of airport operations and development. Road access to the Placerville airport is restrictive for large truck traffic, limiting the potential development of the east end. Several proposals for road improvement have been explored. However, improving road access is an expensive proposition. The potential value to the County in developing this land has not been adequately explored.

ATTACHMENTS

- El Dorado County Policy F-5, *Airports-Hanger Site Allocation*
<https://www.edcgov.us/Government/BOS/Policies/documents/F-5.pdf>
- El Dorado County Policy F-9, *Airports-Portable Hanger Color*
<https://www.edcgov.us/Government/BOS/Policies/documents/F-9.pdf>
- El Dorado County Policy F-10, *Minimum Standards for Commercial Aeronautical Activities for El Dorado County Airports*
<https://www.edcgov.us/Government/BOS/Policies/documents/F-10.pdf>

FINDINGS

- F1. County airport management is stretched thin with other County responsibilities.
- F2. Management expects to complete a major analysis of the airports within the next 12 months.
- F3. County Policy F-10 is outdated and does not reflect current practice.
- F4. There are five main sources of revenue from the airport: ground leases, hanger rentals, tie-down rentals, fuel sales and personal property taxes.
- F5. The hanger rental agreement does not include language for rate increases. Insurance limits are not consistent with ground lease or tie-down contracts.
- F6. The tracking and maintenance of user insurance certificates has been haphazard.
- F7. Fuel pricing is done by airport staff without management review.
- F8. The semi-developed land parcels on the east side of the Placerville airport are inactive. Potential benefit to the County of continued development has not been adequately explored.

RECOMMENDATIONS

- R1. County airport management needs to complete its airport review in a timely fashion.
- R2. County Airport Policy F-10 needs to be updated.
- R3. Hanger rental agreement should be updated to include current insurance requirements and new language providing for rate adjustments.
- R4. Insurance certificate verification process should be updated to ensure proof of insurance is kept up to date.
- R5. County management should develop a fuel pricing review procedure.
- R6. Airport management should explore potential increased revenue from the semi-developed parcels at the east end of the Placerville airport.

REQUEST FOR RESPONSES

This Grand Jury report is an account of an investigation or review. It contains findings and recommendations, and names those who should respond to each finding and each recommendation pertaining to matters under the respondent's control.

Please review *How to Respond to an El Dorado County Grand Jury Report*, a separate document included with this report.

Responses are requested in accordance with California Penal Code §933 and §933.05.

- Responses to all Findings and Recommendations are required from the El Dorado County Board of Supervisors.

EL DORADO COUNTY GRAND JURY 2019-2020



JAILS AND JUVENILE TREATMENT CENTER INSPECTIONS

CASE 19-08 • JUNE 8, 2020

Public Release

JUNE 15, 2020

EL DORADO COUNTY 2019-2020 GRAND JURY

JAILS AND JUVENILE TREATMENT CENTER INSPECTIONS

Case 19-08 • June 8, 2020

BACKGROUND

California Penal Code Section 919(b) mandates "*The Grand Jury shall inquire into the condition and management of public prisons within the County.*" The Grand Jury has historically inspected County jails and the Juvenile Treatment Center.

METHODOLOGY

Interviews

- Facility sworn and unsworn personnel, inmates, and wards (juvenile offenders)

Document Review

- Guidelines from Detention Facility Inspection Form
- The Board of State and Community Corrections Jails Inspection Handbook

Site Visits

- El Dorado County Jail in South Lake Tahoe
- El Dorado County Jail in Placerville
- El Dorado County Juvenile Treatment Center in South Lake Tahoe

DISCUSSION

Both Jails

Inspections of both jails included inmate housing, holding cells, medical units, culinary facilities, indoor gym recreation facilities, library and classrooms. Various control rooms throughout the facility monitor the housing units, along with the main control room which monitors the entire facility inside and out. We also inspected the booking/intake area, public access area, isolation cells, and the sally port, which is a secure entrance where inmates are brought into the jail and processed.

Historically, County jails served as pretrial detention centers and housed criminals usually sentenced to no more than one year. They were not designed to house prisoners serving long-term or life sentences. Instead, those convicted of more serious crimes, and subject to longer sentences, were sent to state prison.

In 2011, the Public Safety Realignment Act (AB-109), reduced California's overcrowded prison system by moving lower level offenders to county jails. Consequently, counties became financially responsible for incarceration, parole, parole revocation and all ancillary services related to long-term incarceration.

Each inmate is classified to determine the housing unit where they will be assigned. Housing units, referred to as pods, house inmates depending on each inmate's ability to associate with others. Some inmates are housed in isolation based on their criminal charges, combativeness, gang affiliations, mental state, and other issues that would make them a danger to others, or others a danger to them. These inmates do not have direct contact with other inmates at any time. Rival gang members are not housed together. Informants and inmates charged with sexual misconduct against minors are housed separate from the general population which consists of inmates charged with theft, battery, assault, burglary, drugs, and lesser violent crimes. Many inmates have mental health problems but are not segregated unless a safety and/or behavioral issue arises.

Officers monitor all inmates from the control rooms 24 hours a day. Each control room contains monitors showing all activity in each pod. Officers can give inmates direction, such as when to come out of their cells for mealtime, exercise, court appointments, visitation, and when to return to their cells.

The El Dorado County Office of Education (EDCOE) offers a range of educational classes at both facilities including court-ordered narcotics, alcohol and anger abuse management. Some inmates have completed General Educational Development (GED) requirements, giving them an alternative to a high school diploma.

Both jails offer vocational programs in wastewater treatment and culinary skills. Both programs provide job skills for inmates when they are released. The wastewater treatment plant vocational program is an independent study program provided through EDCOE.

The culinary programs at both jails have received numerous awards. To participate in the culinary program, inmates must complete a Food Safety class. Inmates prepare meals that are served to the inmates and staff daily. In addition, inmates have prepared many meals served at a variety of County functions. Violent inmates cannot participate in the culinary program. Those who do participate are proud to be a part of it.

Culinary workers are organized into teams of six. Male and female inmates are not allowed to comeingle and until recently, only male inmates participated in the program. This year several female inmates from the Placerville jail transferred to South Lake Tahoe to join with other women to make one team of female participants.

A civilian staff cook oversees the day-to-day operations and management of the kitchens and inmates. A registered dietitian reviews all menus and meal plans. The goal is to provide three meals per day, two of which are hot. When a lockdown is in place, kitchen staff provide a bagged meal.

Our inspection found the kitchens very hygienic. The floors were clean and smelled of disinfectant. The fans and vents appeared clean and free of grease and grime. Food preparation areas, sinks, and storage areas were sanitary and tidy. Freezers, refrigerators, and food storage areas were well maintained and organized. Cleaning fluids and other chemicals were properly labeled and safely stored. Knives and other sharp instruments are counted and locked up when not in use.

Inmates have numerous activities they may participate in. Inmates can attend religious services of their preferred denomination and can request a visit from their clergy. Inmates at both facilities exercise in an indoor yard for one hour two to three times per week. Computer tablets are available for inmates use when pursuing educational options. They are extremely popular; there are not enough tablets for everyone so inmates must share them. Tablets are a privilege so good behavior is necessary to use them. Tablets avail the inmates to educational benefits and reading material.

Wellpath, an independent medical provider used at many jails throughout the State, contracts with the County to provide services to inmates. A Registered Nurse works at the jail during the day and a Licensed Vocational Nurse at night. Psychiatric/Psychological services are also available. The medical facility, although small, appeared orderly, neat, and well maintained.

South Lake Tahoe Jail

The 47-year-old facility has been expanded to 158-beds. At the time of our inspection it was at 80 percent occupancy with 119 male and 16 female inmates. Approximately 20 percent of the inmates in the South Lake Tahoe jail are AB-109 Public Safety Realignment inmates.

A full body metal detector in the lobby was fully functional and in use. The facility was clean and odor-free. Other than water stains on ceiling tiles, the facility seemed to be in overall good condition. Interior walls were clean and free of graffiti and floors, drains, and plumbing fixtures were all in proper working order.

Grand Jurors interviewed one female and three male inmates. Topics included food, availability of religious services, library services, medical services, and educational opportunities within the jail. The inmates had positive comments about the facility and staff. They also reported that the food is outstanding. A kitchen worker was extremely happy and positive a job was waiting upon release.

Placerville Jail

The 32-year-old jail in Placerville is a 303-bed facility with 198 male and 37 female inmates at the time of our inspection. Since the 2017-2018 Grand Jury's inspection, no inmates have committed suicide, although there have been three attempts.

A full body metal detector in the lobby was fully functional and in operation. The facility appeared extremely clean and in good condition; there was no visible graffiti. Inmates paint the jail interior twice a year.

We spoke with four inmates. All expressed positive views about food, health care, staff, education benefits, the culinary and educational programs.

Future plans include the construction of a new facility adjacent to the existing jail. It will include multi-use space, medical beds and mental health services. There will also be two female housing units with 54 beds.

Juvenile Treatment Center

The South Lake Tahoe Juvenile Treatment Center (JTC) is a 40-bed facility. Staff ensure that wards' physical and mental health needs are met. It also contracts with *Wellpath* having a registered nurse on duty six mornings per week Monday through Saturday mornings for medication pass and sick call. A nurse practitioner makes rounds once a week. A full-time mental health program coordinator, licensed therapist, psychiatrist and other medical staff provide mental health care.

Daily educational classes with books and tablets allow teachers to help students to maintain their individual educational goals. The quiet classroom appeared neat, orderly, and peaceful. Positive inspirational quotes on the walls, pictures of nature and other colorful posters surrounded the classroom, contributing to a positive learning environment.

Eight male and two female wards were interviewed. They expressed positive attitudes toward staff, satisfaction with services provided, and optimistic outlook views for their futures. Favorable comments were made about food, library, books, sick call and educational opportunity provided them.

Future Juvenile Treatment Center Plans

A new 20-bed Juvenile Center, housing all County wards, will be constructed at the Placerville County Government Center on the site of the previous Sheriff's Department headquarters. A \$9.6 million State construction grant will pay most of the cost. The Board of Supervisors also directed the formation of recommendations for continued use of the JTC building in South Lake Tahoe, after the newly constructed Placerville facility opens in 2021.

FINDINGS

Jails

- F1. Metal detectors are fully functional and in use at both facilities.
- F2. Both County jails were found to be adequately maintained and functioning properly.
- F3. The culinary program continues to be a success.
- F4. There are insufficient tablets available for all prisoners.

Juvenile Treatment Center

- F5. Needs of wards are successfully being met.

RECOMMENDATIONS

The Grand Jury has no recommendations.

REQUEST FOR RESPONSES

This Grand Jury report is an account of an investigation or review. It contains findings and recommendations, and names those who should respond to each finding and each recommendation pertaining to matters under the respondent's control.

Please review *Responding to a Grand Jury Report*, a separate document included with this report.

Responses are requested in accordance with California Penal Code §933 and §933.05.

Response to F4 is required from the El Dorado County Sheriff.

Response to F5 is invited from the El Dorado County Chief Probation Officer.

EL DORADO COUNTY GRAND JURY 2019-2020



COUNTY DRONE USE

CASE 19-09 • JUNE 8, 2020

Public Release

JUNE 15, 2020

EL DORADO COUNTY 2019-2020 GRAND JURY

COUNTY DRONE USE

Case 19-09 • June 8, 2020

A drone is an unmanned aircraft capable of sustaining directed flight, either preprogrammed or remotely controlled. County drone use is providing value to the Sheriff, District Attorney and the Department of Transportation. This report is about the policies, usage and benefits associated with County drone use.

METHODOLOGY

Interviewed

- Representatives from the County Sheriff and District Attorney Offices and the Department of Transportation (DOT)

Documents Reviewed

- *2019 Survey UAV¹ - Drone*, by the El Dorado County Department of Transportation (DOT), detailing a breakdown of drone survey costs presented to the BOS
- *Pix4dmapper*, the leading photogrammetry² data processing software for professional drone mapping
- Federal Aviation Administration *Part 107 - Small Unmanned Aircraft Systems*
- *El Dorado County Sheriff's Office Fiscal Division Unmanned Aerial Systems Annual Budget Fiscal Year 2019/2020*
- Sheriff's Office Policy Directive 15-005, Section 612
- *Mountain Democrat* articles regarding the use of drones by the El Dorado County District Attorney's Office and DOT

DISCUSSION

The El Dorado County Sheriff and District Attorney use drones on a continuing basis. In addition, the County Department of Transportation has developed a drone program that is in the final stage of testing. All use of drones is subject to Federal Aviation Administration (FAA) regulations. Only trained and certified operators are authorized to pilot drones. FAA regulations require pilots to obtain an FAA license before legally operating drones. Drone pilot training can be completed in about three hours at a cost of \$1,000; testing costs are \$200. An FAA drone pilot license must be renewed every 24 months.

¹ Unmanned Aerial Vehicle

² The use of photography in surveying and mapping to measure distances between objects

FAA regulations limit drone use:

- Drones cannot fly more than 400 feet above ground, unless pre-approved to fly higher.
- Drones cannot fly at night without prior approval.
- Drones cannot operate near controlled air traffic facilities, like airports.

Drones are powered by rechargeable batteries. The range and duration of a drone flight is limited by payload weight and battery capacity. A typical flight can last between 20 and 25 minutes before battery power begins to decline. Some drones can sense remaining battery life and automatically initiate a return to base.

Sheriff

Sheriff's Office Policy Directive 15-005, Section 612, establishes guidelines for the use of drones and for the storage, retrieval and dissemination of images and data they capture. Drones are not used to conduct random surveillance, or target persons based solely on individual characteristics such as race, ethnicity, national origin, religion, disability, gender or sexual orientation. They are also not used to harass, intimidate or discriminate against any individual or group, or to conduct personal business of any type.

An administrator manages the drone program, ensuring that policies and procedures conform to current laws, regulations and best practices. There are ten deputies and two sergeants assigned to the Drone Unit.

The Sheriff's Office launched their first drone in 2016. Drone deployment requires written authorization by the Sheriff or an authorized designee. Complaints regarding drones and their usage are forwarded to and handled by the Sheriff.

Drones are used when a live aerial view will benefit deputies on the ground. Tactical commanders can get an advantageous viewpoint of dangerous and complex Special Weapons and Tactics (SWAT) missions. Drones help commanders prioritize strategies by quickly giving clear views of vast areas when looking for missing children or at-risk adults along with locating hazards like pools or ponds. Other viable uses are crime scene photography and disaster assessment in addition to search and rescue operations on rivers, lakes, canyons, mountain sides and other obscure or inaccessible locations.

Drone costs vary depending on size and designated usage. Large drones can cost up to \$35,000. A medium-sized drone for everyday use is about \$5,000. Micro-drones are around \$200. The Sheriff's annual budget for on-going drone operations is \$20,488. A representative from the Sheriff's Office advises their drone use is for increased effectiveness and deputy safety, not monetary savings to the department.

District Attorney

The El Dorado County District Attorney's Office is one of the first in California to use drones in presenting cases to juries. Drones capable of collecting evidence in high resolution video are remarkably effective and helpful during jury trials. Flight logs provide crucial detail and establish timelines which aid in presenting cases and documenting crime scenes. Drones provide video details from an overhead viewpoint, capturing crime scene evidence that might otherwise be overlooked. They can eliminate crime scene walk-throughs lowering staff costs and reducing the possibility of damaging or altering a crime scene. Jury panels can view crime scenes while seated in the courtroom rather than being subjected to distractions during crime scene visits that might influence their judgments. In some cases, evidence gathered from a drone is compelling so that the accused plead guilty, lowering trial costs.

The District Attorney's Office launched their first drone in 2018. New drone packages typically range from \$1,500 to \$2,000 each, depending on accessories. Editing software costs approximately \$500. Rather than purchasing new computers, they have been able to use their existing County issued computers.

Previously, when the District Attorney's Office needed aerial views of crime scenes, they enlisted a California Highway Patrol helicopter at a cost of about \$1,000 per flight. Drone use can offset CHP costs after their second use. The District Attorney's Office is creating a fleet of crime scene documenting drones. The office has four drones, but only one is currently operational.

The District Attorney's Office has no written policy on drone use.

Department of Transportation (DOT)

After securing funding and County approval, DOT purchased their first drone in early 2020. DOT drone use is in a preliminary testing phase; they have not yet used the drone for a County project. DOT plans to use drones during the planning phases of new projects. The drone will provide detailed and three-dimensional elevation aerial data of project sites. Additionally, the drones will provide construction mapping and monitoring of construction progress.

DOT is currently developing a drone policy. When DOT does use a drone on a project, they will notify County residents and businesses within the drone's flight path in advance. DOT will post the date, time and location of drone project operations on their website.

DOT will initially spend approximately \$50,000 for the drone, staff training, certification, insurance, software, computer and monitor upgrades and accessories. Continuing cost is about \$7,800 annually for maintenance, training, insurance and software upgrades.

According to DOT, using drones will eventually eliminate the need to contract with expensive aerial survey companies. The County now spends between \$10,000 - \$12,000 for small to medium projects and between \$18,000 - \$27,000 for larger projects. Drone photos of project sites will allow the County to reduce staff time by eliminating about 60 percent of ground shots taken in the field.

The recent \$50,000 drone purchase may allow DOT to eliminate a land surveyor position, saving the County nearly \$169,000, more than offsetting the drone's cost and maintenance expenses.

FINDINGS

F1. The benefits of drone usage in El Dorado County include streamlining everyday tasks, providing additional safety to County employees and a more efficient use of tax dollars.

F2. The District Attorney has no written policy on drone use.

RECOMMENDATIONS

R1. The District Attorney should consider developing a written policy establishing guidelines for their use of drones.

REQUEST FOR RESPONSES

This Grand Jury report is an account of an investigation or review. It contains findings and recommendations, and names those who should respond to each finding and each recommendation pertaining to matters under the respondent's control.

Please review *How to Respond to an El Dorado County Grand Jury Report*, a separate document included with this report.

Responses are requested in accordance with California Penal Code §933 and §933.05.

- **Responses to F1 are invited but not required from the County Board of Supervisors, County Sheriff and the County District Attorney.**
- **Responses to F2 and R1 are required from the County District Attorney.**