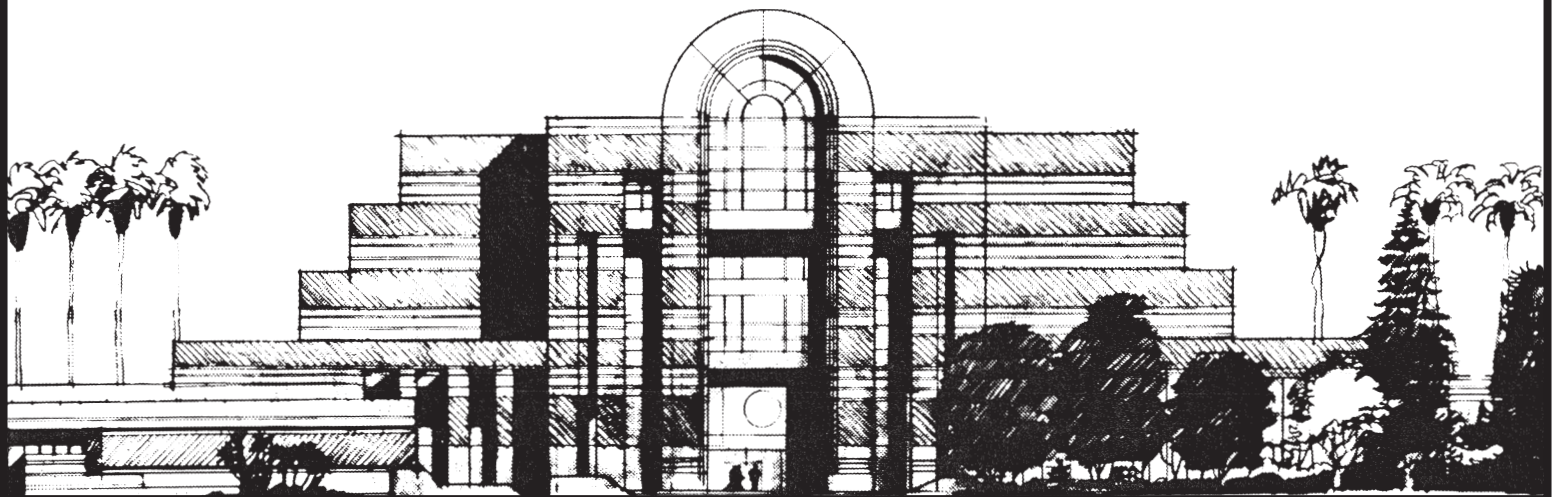




*County of San Bernardino*

*Grand Jury Final Report*

*2003-2004*



**COUNTY OF SAN BERNARDINO**

**GRAND JURY  
FINAL REPORT**

**2003-2004**

# **EDITORIAL COMMITTEE**

**Bill Reid, Chair**

**Arden Fritz**

**Hal Henry**

**Roy June**

**Brad Kuiper**

**Bob Wilhelm**

**Burrel Woodring**

The Editorial Committee would like to acknowledge and thank the following individuals for their hard work and invaluable assistance in the preparation of the Final Report of the 2003-2004 San Bernardino County Grand Jury.

Graphic Arts  
Photographs  
Printing Services  
Typing/Preparation

Silvia Schreiber, Layout & Composing Coordinator  
Roddy Padilla, Graphic Arts  
County Printing Services Personnel  
Susan Shuey, Grand Jury Assistant

## DEDICATION AND SERVICE



As a retired police officer and as a member of the Grand Jury, Mr. Leon Sakamoto demonstrated his ability to serve and help his fellow man.

Now, as he serves in Iraq, we are reminded of how far his commitment extends.

The 2003-2004 San Bernardino County Grand Jury is proud to dedicate this final report to Leon Sakamoto.

As we close our year of service, we offer our prayers for the safe return of Leon and all the men and women who are in service to our country.



## FOREMAN'S STATEMENT

The 2003-2004 Grand Jury began its term with a 33 percent budget reduction. To reduce the budget of the Grand Jury is an injustice to the citizens of San Bernardino County. The budget given for the basic operation of the Grand Jury is very minimal.

Historically, the Grand Jury is as an arm of the Superior Court. By statute, its basic duty is to investigate County and city governments. This basic concept must not be impeded in any manner. To do so would be an injustice to the citizens of the County of San Bernardino.

This Grand Jury is, and will remain, an impartial group of citizens whose main goal is to improve government and the way it provides services to the residents of San Bernardino County.

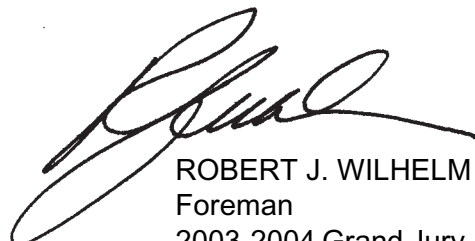
To assemble a group of people as the Grand Jury is a difficult task. But it has proven to be one of the most valuable assets the citizens have in order to get a better perspective of how government is operating. This Grand Jury, as all other Grand Juries, is non-partisan. It does not, in any manner, choose any one department to investigate. Instead, it looks at all the departments of government within its jurisdiction.

After careful investigations, subject to interviews, research and factual information, the Grand Jury presents its findings in this report.

The recommendations that are set forth in this report help to offer the citizens of San Bernardino an opportunity to see how various departments of County government are operating. Changes that are implemented in a timely manner will help to improve the way government provides services to its citizens. This basic concept of improving government will enable it to be fiscally responsible and implement changes that must be made if we are to provide all the needs of our residents.

The 2003-2004 Grand Jury would like to acknowledge the cooperation of the employees and elected officials of San Bernardino County for their time and service which enabled this report to be completed.

As the 2003-2004 Grand Jury closes its term, we are reminded of the basic concept of government, by the people, for the people. Let us not forget we are all a part of this concept.



ROBERT J. WILHELM  
Foreman  
2003-2004 Grand Jury

# 2003-2004 GRAND JURY SAN BERNARDINO COUNTY

Robert J. Wilhelm	◇	Foreman
Roy E. June	◇	Foreman Pro Tem
Bradford L. Kuiper	◇	Secretary
Hal H. Henry	◇	Assistant Secretary
John H. Hartley	◇	Sergeant-at-Arms
Richard J. Ekwall	◇	Assistant Sergeant-at-Arms
Jenny L. Overton	◇	Historian/Librarian

Ray Abril, Jr.	◇	Colton
Gordon G. Bjorklund	◇	Running Springs
Rafael U. Contreras	◇	Chino Hills
Daniel A. Davis	◇	Lytle Creek
Richard J. Ekwall	◇	Colton
LeRoy C. Fiebiger	◇	Upland
Arden C. Fritz	◇	Yucaipa
John H. Hartley	◇	Ontario
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Jenny L. Overton	◇	San Bernardino
George C. Patrick	◇	Upland
William J. Reid	◇	Rialto
Florence Judy Rodgers	◇	Apple Valley
Robert J. Wilhelm	◇	Ontario
Burrell S. Woodring	◇	Yucaipa

## RESIGNATIONS

Paul V. Avila (August 2003)	Ontario
Leon Sakamoto (December 2003)	Chino

Presiding Judge	◇	J. Michael Welch
Legal Advisor	◇	Clark A. Hansen, Jr.
Grand Jury Assistant	◇	Susan L. Shuey

## 2003-2004 GRAND JURY SAN BERNARDINO COUNTY



Front (left to right): Bill Reid, Lois Long, Judy Rodgers, Jenny Overton, Sue Shuey (Grand Jury Assistant)

Middle (left to right): Arden Fritz, Brad Kuiper, Bob Wilhelm (Foreman), Rafael Contreras, Roy June, Ray Abril, Jr., John Hartley

Back (left to right): Richard Ekwall, Dan Davis, Hal Henry, George Patrick, Presiding Judge J. Michael Welch, Lee Fiebiger, Clark A. Hansen, Jr. (Grand Jury Legal Advisor), Burrel Woodring, Gordon Bjorklund

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# **ADMINISTRATIVE COMMITTEE**

**Bill Reid, Chair**

**Richard Ekwall**

**Lee Fiebiger**

**Arden Fritz**

**Roy June**

**Brad Kuiper**

**Jenny Overton**

**Judy Rodgers**

## **ADMINISTRATIVE COMMITTEE**

The Administrative Committee of the 2003-2004 Grand Jury reviewed the following departments of County government:

Board of Supervisors  
Clerk of the Board  
County Administrative Office  
County Counsel  
Human Resources Department  
Information Services Department

Subcommittees were established to review these departments. The Board of Supervisors, department directors, and principal office personnel were interviewed during the investigations. It resulted in final reports and recommendations for the Board of Supervisors and the Information Services Department.

One representative of the committee regularly attended the Board of Supervisors' weekly Tuesday meetings. At times he was joined by other Grand Jurors. Board decisions on agenda items were reported to the full Grand Jury each week.

The Administrative Committee reviewed four citizen complaints received during the year. None were acted upon.

During the 2003-2004 tenure of the Administrative Committee, two Supervisors left office and were replaced on the Board with interim Supervisors whose terms of office expire when two Supervisors will be elected in the November 2004 election.

In April 2004, the County Administrative Officer resigned. The County has appointed five (5) County Administrative Officers in the last three years.

The County Counsel retired in 2003. The Director of the Department of Human Resources retired in May 2004.

The findings and recommendations in final reports for the Board of Supervisors and the Information Services Department follow.

# **BOARD OF SUPERVISORS**

## **BACKGROUND**

The original Charter for the County of San Bernardino was approved by the voters on November 15, 1912. In 1910, the total population of San Bernardino County was only 56,706. Today the population is over 1,709,500. Offices such as the County Counsel, Registrar of Voters, the County Board of Education and the Purchasing Department weren't created until 1957. The County did not have a Retirement System until 1959.

## **FINDINGS**

Although the original Charter gave the Board of Supervisors the authority to "supervise," it must be considered that the Charter was written 92 years ago and applied to a different time. When the newly created Charter took effect in 1915 the County consisted of the five (5) members of the Board of Supervisors and eight (8) County officers, appointed by the Board of Supervisors. Those officers were:

- Sheriff and ex-officio Coroner
- County Clerk and ex-officio Recorder
- Treasurer and ex-officio Tax Collector and License Collector
- District Attorney and ex-officio Public Administrator
- Auditor
- Assessor
- Superintendent of Schools
- Horticultural Commissioner

The Charter designated the Chairman of the Board of Supervisors as the "Purchasing Agent." It seems apparent at the time that Supervisors were required to play a direct daily supervisory role. Today, the 39 plus departments with over 16,000 employees make "hands on" supervision impractical.

It is also appropriate to consider that allowing the County Administrative Officer (CAO) to implement policy set by the Supervisors and to run and supervise the County departments is the logical and current management style practiced by most successful corporations and governments. Today, the role of the Board of Supervisors in County government should be to set policy and supervise the CAO.

In the course of our investigations and visitations during the past year we have uncovered several instances of Supervisor interference and micro-managing in the day-to-day operations of the County.

There have been five (5) County Administrative Officers in the past three years. Since July 1, 2003 eight (8) department heads and one (1) CAO have been fired, forced out, or resigned.

One Supervisor stated that the Supervisors' role is to "govern and provide oversight of all County departments." Another Supervisor said, "Supervisors are full-time employees and it is their job to set policy, supervise and run the County." Two other Supervisors commented that they believe the Supervisors role is to set policy and allow the CAO to run the County. One Supervisor stated that it is the CAO's responsibility to run the County and not the role of the Supervisors.

It should further be noted that the Forward in the County Charter says, *"Even when laws have been written down, they ought not always to remain unaltered."* –Aristotle

## **RECOMMENDATIONS**

- 04-01 TO AVOID MICRO-MANAGEMENT BY MEMBERS OF THE BOARD OF SUPERVISORS, ESTABLISH AND ADOPT A DEFINED POLICY AND PROCEDURE FOR COMMUNICATING WITH THE COUNTY ADMINISTRATIVE OFFICER PRIOR TO CONTACT WITH DEPARTMENT HEADS AND OTHER EMPLOYEES.
- 04-02 ESTABLISH AND ADOPT A MORE DEFINED POLICY, INCLUDING CRITERIA, FOR RECRUITING AND HIRING OF THE COUNTY ADMINISTRATIVE OFFICER.
- 04-03 ESTABLISH AND ADOPT A POLICY FOR THE BOARD OF SUPERVISORS TO ONLY SET POLICY AND WHICH LIMITS THEM TO "SUPERVISING" ONLY THE COUNTY ADMINISTRATIVE OFFICER.

# **INFORMATION SERVICES DEPARTMENT**

## **BACKGROUND**

San Bernardino County has had centralized computing since the 1960's. Today there are approximately 560 employees working countywide in information services (IS). Two hundred eighty (280) work in the Information Services Department (ISD) and another 280 work for specific departments. Many ISD staff are located in the departments to which they provide support. Of the 500 plus IS employees, 67 are currently programmers.

## **FINDINGS**

During the Grand Jury's investigation it was discovered that many departments turn over their used desktop computers to the Purchasing Department for disposal, many of which have been "cannibalized." These computers have had hard drives, memory, etc. removed, leaving them unworkable and with no resale value. Purchasing can only sell the computers for \$20 to \$30 per pallet. If the hard drives, memory, etc. had been retained in the units, they could be sold for considerably more. Purchasing has to pay to dispose of computer monitors.

Discussions with ISD found that it has no control over this issue. ISD doesn't "cannibalize" its old desktop computers, but each department has the option to do what it wants with old computers. There is no County-wide policy regulating the disposal of desktop computers.

ISD Network Services currently provides desktop support to only eleven (11) of the 39 County departments/agencies. When these departments replace desktop computers, ISD makes every effort to maximize the life cycle value. It recycles the computers into departments not able to afford new computers, providing the computers will meet their technical and business requirements. After departmental needs are addressed, ISD attempts to place these older computers into lower tiered functions where they will still provide value to the County.

## **RECOMMENDATIONS**

04-04      DEVELOP A STANDARDIZED COUNTYWIDE POLICY FOR REPLACING AND DISPOSING OF DESKTOP COMPUTERS THAT ARE NO LONGER NEEDED BY THE COUNTY.

- 04-05 EXPLORE THE FEASIBILITY OF DONATING DESKTOP COMPUTERS TO SCHOOLS, NON-PROFIT ORGANIZATIONS OR PRISONS FOR EVERYDAY USE OR TRAINING WHEN THE COUNTY NO LONGER NEEDS THEM.
- 04-06 CONDUCT AN AUDIT TO EVALUATE THE COST BENEFITS TO THE COUNTY OF HAVING THE INFORMATION SERVICES DEPARTMENT (ISD) PROVIDE DESKTOP COMPUTER SUPPORT FOR MORE THAN THE ELEVEN (11) COUNTY DEPARTMENTS IT CURRENTLY SUPPORTS. IF THIS AUDIT PROVES FINANCIALLY BENEFICIAL TO THE COUNTY, THEN ESTABLISH A PROGRAM TO HAVE ISD TAKE OVER DESKTOP COMPUTER SUPPORT FOR ALL OR MOST OF THE COUNTY DEPARTMENTS.

# **AUDIT/FISCAL COMMITTEE**

**Rafael Contreras, Chair**

**Gordon Bjorklund**

**Dan Davis**

**Brad Kuiper**

**Lois Long**

**George Patrick**

## **AUDIT/FISCAL COMMITTEE**

The Audit/Fiscal Committee reviewed the following County departments:

Assessor  
Auditor/Controller-Recorder  
Treasurer-Tax Collector

The Audit/Fiscal Committee did not appoint subcommittees. The full committee was used on reviews and investigations of the above departments.

The Committee reviewed one citizen complaint during the year.

The findings and recommendations of the Audit/Fiscal Committee follow.



# **ASSESSOR**

## **BACKGROUND**

Under California law the Assessor, an elected official, has the following basic responsibilities:

- Locate, describe and identify ownership of all taxable property in the County
- Establish a taxable value for all property subject to property assessment
- List the taxable value of all property on the assessment roll
- Apply all legal exemptions.

The Assessor maintains current records on approximately 675,000 parcels of real property, 43,000 business property accounts and 33,000 other assessments. The Assessor also administers 17 different types of property tax exemptions.

## **FINDINGS**

The Assessor's Office has steadily improved each assessment process over the past several years due to an efficient and experienced staff. The technical advances and reviews of procedures to eliminate inefficiencies also contributed to the improvement of the assessment process.

The devastating fires in the fall of 2003 destroyed 1,026 homes and damaged 388 other properties in San Bernardino County. The Assessor's office had the task of identifying the damaged and destroyed properties for local and state agencies.

The County Assessor determined that it was very important for property owners who lost their home/property in the fires to have their properties reassessed as soon as possible. Deputy Assessors were directed to locate the burned/damaged properties and to reassess them. The Assessor's Office completed the reassessment of the 1,026 plus homes and 388 other properties in a few weeks.

## **COMMENDATION**

ASSESSOR DONALD WILLIAMSON AND HIS STAFF ARE TO BE COMMENDED FOR AN OUTSTANDING JOB IN COMPLETING OVER 1,400 REASSESSMENTS IN SUCH A SHORT TIME AFTER THE 2003 FIRES IN SAN BERNARDINO COUNTY.

## **AUDITOR/CONTROLLER-RECORDER**

### **BACKGROUND**

The Auditor/Controller-Recorder/County Clerk is an elected office. This report is confined to the Financial Management computer software program and Internal Audits. The office's function is to manage, operate and maintain the County Financial Management System computer programs. The Internal Audits Section conducts financial audits of County departments.

### **FINDINGS**

The Auditor/Controller-Recorder (ACR) currently uses AMS Advantage, version 2.1.1 software for the County's Financial Management System. This version is outdated. To stay current, an upgrade to AMS Advantage, Version 3.0, is required. AMS Advantage 2.x will no longer be supported by AMS. The County can continue to function with the AMS Advantage 2.1.1 for a period of time past July 1, 2005, but at risk. AMS 2.1.1 is a batch processing system where updates are made overnight. Advantage 3.0 is a real-time system where updates are immediate.

Our investigation found that the Purchasing Department needs new procurement software programs for much of the work it now does manually. It is not possible to obtain the necessary software that is compatible with the current County Financial Management System program. The only software program now available for the Purchasing Department is AMS 3.0. It is not compatible with the current Financial Management System software AMS 2.1.1.

The Information Services Department explored a plan that would work, using the two software versions. This plan would cost the County \$1,206,200, plus a one-time start-up cost of \$185,015. It is not a long-term solution, only a temporary one. Along with the high costs, the two systems will never be completely synchronized, and the departments would have different data. To get a complete current, accurate financial picture, the different departments will have to utilize both systems. This is not a practical solution.

It will cost the County \$5,000,000 to update the Financial Management System and purchase procurement software for the Purchasing Department.

County Policy states that all County departments must be audited yearly. Discussions with the Auditor/Controller-Recorder revealed that such audits are covered by the annual Financial Audit. However, internal operational audits are not being done yearly for each department. The ACR has never had sufficient staffing to complete specific audits for each department. The California Government Code mandates specific audits. While mandated audits are conducted as specified, most apply to specific funds, not departments. The Assessor's Office, the Auditor/ Controller-Recorder and the Arrowhead

Regional Medical Center are the only County departments that are subject to mandated audits.

On February 21, 2003 the Auditor/Controller-Recorder submitted a Risk Based Internal Audit Plan to the Board of Supervisors and the County Administrative Officer. The Board approved this plan.

Thirteen (13) County departments are classified as "High Risk". Thirty-four (34) departments are classified as "Moderate Risk". Thirteen (13) are considered "Low Risk". The Risk Based Internal Audit Plan requires that the 13 "High Risk" departments be audited every other year. The 34 "Moderate Risk" departments have to be audited every four (4) years. The thirteen (13) "Low Risk" departments have to be audited every six (6) years.

For the 2002-2003 fiscal year, the ACR stated that mandated audits would require 10,000 Internal Audit hours, leaving only 15,000 hours for operational audits of County departments. The total hours available for auditing are inadequate.

## **RECOMMENDATIONS**

- 04-07 PURCHASE THE AMS ADVANTAGE VERSION 3.0 SYSTEM TO UPGRADE THE AUDITOR/CONTROLLER-RECORDER'S FINANCIAL MANAGEMENT SYSTEM AND THE PURCHASING DEPARTMENT'S PROCUREMENT SOFTWARE SYSTEM.
  
- 04-08 TAKE APPROPRIATE MEASURES TO ENSURE THAT AT LEAST THE 13 "HIGH RISK" DEPARTMENTS ARE AUDITED ANNUALLY.

# **COMPLAINTS COMMITTEE**

**Ray Abril, Jr., Chair**

**Gordon Bjorklund**

**Richard Ekwall**

**Jenny Overton**

**Judy Rodgers**

## COMPLAINTS COMMITTEE

The Complaints Committee received citizen complaints from numerous sources concerning government operation of the cities and County of San Bernardino. The County Grand Jury has no jurisdiction over the Courts or State and Federal agencies or companies in the private sector.

Thirty (30) written complaints addressed to the 2003-2004 Grand Jury were received and reviewed by the Complaints Committee as of June 1, 2004. Complaints requiring detailed investigation were assigned to the appropriate Grand Jury committee for action. The Committee chose to take no action on other complaints.

<u>COMMITTEE ASSIGNMENT</u>	<u>COMPLAINTS</u>
No Action	20
Administrative	4
Audit/Fiscal	1
Economic Development/Public Works	3
Law and Justice	2

Receipt of each complaint was confirmed by letter from the Foreman of the Grand Jury.

**ECONOMIC DEVELOPMENT/  
PUBLIC SERVICES  
COMMITTEE**

**Burrel Woodring, Chair**

**Dan Davis**

**Arden Fritz**

**Hal Henry**

**Lois Long**

**Jenny Overton**

**George Patrick**

**Bill Reid**

## **ECONOMIC DEVELOPMENT/ PUBLIC SERVICES COMMITTEE**

The Economic Development/Public Services Committee's main responsibility was to review the functions of the following County departments.

- Agriculture, Weights & Measures
- Airports
- County Fire
- County Library
- County Museum
- Economic & Community Development
- Jobs & Employment Services
- Land Use Services
- Public Works (Flood Control/Transportation/Regional Parks/Waste Systems)
- Redevelopment Agency
- Registrar of Voters
- Special Districts

After careful review of prior Grand Jury reports, the following subcommittees were formed to conduct in-depth oversight evaluations of the departments listed below.

- Airports
- County Fire
- County Museum
- Economic & Community Development
- Land Use Services/Code Enforcement
- Registrar of Voters
- Special Districts

With the exception of Airports and Special Districts, findings from these investigations are detailed in this final report.

During the investigation of the Registrar of Voters, the committee observed and monitored two general and one special election using the new touch-screen Sequoia system. After the initial errors were corrected, the system functioned as designed.

This committee reviewed three citizen complaints received during the year. Two were acted upon.

A special Ad Hoc Committee on the fire disasters of 2003 was formed by this Grand Jury to look into County operations of the Grand Prix and Old Waterman fires. As part of the inquiry, the County Fire subcommittee participated in interviews with Fire and Communications personnel.

Due to Grand Jury budget constraints, the County Fire subcommittee was unable to properly investigate Board-governed Fire Protection Districts.



## **COUNTY FIRE DEPARTMENT**

### **BACKGROUND**

The San Bernardino County Fire Department provides a full range of emergency, fire and administrative services for 32 separate County fire districts and several contract cities. These services include all phases of fire suppression, selected ambulance transport, paramedics, and large incident command and control.

Levels of service vary based on each community or fire district's revenue and level of risk. Staffing also varies from total paid-call to two or three regular firefighters on an engine. Emergency medical services range from minimally trained First Responders to Emergency Medical Technicians to Paramedics. The County Fire Department is the largest provider of pre-hospital care in the County and second largest ambulance transport provider.

### **FINDINGS**

The Hazardous Materials Household Waste Division is located at San Bernardino International Airport. It is a multi-faceted operation providing regulatory oversight of the collection of business and household hazardous waste. It serves the unincorporated areas as well as all 24 cities and towns in the County. It accepts motor oil, oil filters, antifreeze, auto and household batteries, pesticides, fertilizers, chemical cleaners, hobby/pool supplies, and other designated hazardous waste. At the Recycling Center, recycled items such as paint are sorted, processed and made available, for free, for use in graffiti abatement. Non-restrictive household products are stored and shelved to be made available free to any county citizen.

The Communications Center at Rialto Airport is housed in a temporary building. It houses state-of-the-art technology that represents a substantial investment by the County. This is one of seven (7) fire dispatch centers serving 42 different fire agencies and districts in San Bernardino County. The Emergency/Disaster Center is located in another building on this site. The physical security for these facilities is good, but the buildings are inadequate and not fully earthquake proof.

The County is currently planning to consolidate all County Fire facilities at San Bernardino International Airport.

Cost recovery is a system whereby the County can recover money for services rendered by fire departments and paramedics where insurance or other funds are provided for such service. Cost recovery for County Fire declined when handled by another non-Fire County office. This function was recently returned to the department's Fiscal Services staff and they plan to aggressively pursue collections. There are provisions for cost recovery

contained in the County fee package which establishes the recoverable fees for County services. This area of potential income to the County has been allowed to deteriorate over the past few years.

## **RECOMMENDATIONS**

- 04-09        DESIGN AND BUILD A LARGER PERMANENT COMMUNICATIONS AND EMERGENCY/DISASTER CENTER AT A LOCATION CLOSER TO THE PLANNED COUNTY FIRE DEPARTMENT FACILITIES AT SAN BERNARDINO INTERNATIONAL AIRPORT.
  
- 04-10        CREATE A SPECIAL COST RECOVERY DEPARTMENT, FREE OF POLITICAL RESTRICTIONS, WITHIN FISCAL SERVICES OF THE COUNTY FIRE DEPARTMENT, AND FUND IT WITH A MINIMUM OF ONE (1) FULL-TIME STAFF MEMBER. STAFFING SHOULD BE INCREASED AS RECOVERY AND CASELOAD INCREASES.
  
- 04-11        PURSUE ALL POSSIBLE AREAS OF COST RECOVERY, INCLUDING APPLICABLE INSURANCE FOR HOMEOWNERS, AUTOMOBILE, MEDICAL, HAZARDOUS MATERIAL SPILL, CLEAN UP AND FIRE AND AMBULANCE RESPONSE.

# **AD HOC COMMITTEE FIRE DISASTER OF 2003**

## **THE FIRES**

### **BACKGROUND**

The Grand Prix Fire started on October 21, 2003 near the community of Rancho Cucamonga. It burned 59,448 acres and destroyed 135 homes, 60 outbuildings and one commercial structure. The fire claimed one fatality. 54,684 residents were evacuated. The cause, although not arson, was found to be human in origin.

The Old Waterman Fire began October 25 near Waterman Canyon. There was 91,281 acres of land destroyed in the fire. 993 homes and ten (10) commercial properties were destroyed by the fire. Thirty-five (35) homes had structural damage. There were six (6) stress related deaths and many other injuries. 102,151 residents were evacuated. The cause of the fire was determined to be arson.

The County established a \$50,000 reward for information leading to the arrest and conviction of anybody involved in the arson. Another \$50,000 reward was established by Stater Bros. supermarkets.

The fires were so intense that tornado-like firestorms scattered debris higher than anyone in local memory could recall. One pilot involved in water drops reported encountering burning plywood at 1300 feet.

Six air tankers were withdrawn from firefighting operations when the windshields of the aircraft were cracked.

When the Cedar Fire began near San Diego, firefighting resources were stretched to capacity.

### **FINDINGS**

At one time there were twelve (12) different fires burning throughout California. The unified command structure included nine (9) incident commanders each on the Grand Prix and Old Waterman fires.

Priorities kept changing as the emergencies created by the fires changed. The top priority was protecting life and the second was protecting property. Because the Cedar Fire near San Diego began incurring loss of life, resources were pulled from the fires in San Bernardino County and transferred to the Cedar Fire.

The Mountain Area Safety Task Force (MAST) was a success story of good fire management. In September 2002 County officials and other agencies and utility companies began creating plans to handle the potential fire hazard that the bark beetle infestation was creating in the San Bernardino Mountains.

This group realized that if the County experienced fires, the mutual aid system would bring firefighting units to the area. They developed detailed fire maps for those units unfamiliar with County territory. Once the actual fires began, this proved to be very useful.

A lack of adequate channels hindered communications among the firefighting teams, hampering the command control of units fighting the different fires. At various times, while actually fighting the fires, command teams were not always aware of where the fire engines were all located. Utilization of available Global Information System (GIS) technology would have helped the situation by providing instant tracking of fire positions.

## **RECOMMENDATION**

04-12        PROVIDE THE MOST UP-TO-DATE GLOBAL INFORMATION SYSTEM TECHNOLOGY TO THE COUNTY FIRE DEPARTMENT FOR COORDINATED COMMUNICATIONS DURING A DISASTER.

## **EMERGENCY OPERATIONS CENTER (RIALTO)**

### **BACKGROUND**

The Emergency Operations Center (EOC) is located at Rialto Airport. Its purpose is to coordinate the multi-agency responses to major emergencies that occur in the County. Individuals who are notified to report to the EOC are trained to perform specific functions designated under the Standardized Emergency Management System (SEMS) as mandated in California Senate Bill 1841.

Over 200 EOC responders are ready 24 hours a day, seven days a week. Many agencies stand ready with numerous corresponding Department Operations Centers (DOC). They include County departments, utility companies, hospitals, the California Highway Patrol, the California Department of Transportation, the California Air National Guard, and the American Red Cross.

## **FINDINGS**

Several employees from the County's Information Services Department (ISD) and the County Fire Information Systems (IS) staff were actively involved in the operational support efforts in the County Fire Communications Center at Rialto Airport during the fire disaster in the fall of 2003. ISD also provided support efforts for the Logistics Group. Due to its activity and participation, several observations were made.

When the fire disaster was increasing significantly in scope and its potential impact on mountain communities was becoming more obvious, call volumes and the ability to handle calls efficiently became a challenge. When call volumes increased or it was important to reach a specific individual, the group began to rely on wireless cell phones to successfully accomplish support tasks. Cell phone coverage or availability varied among the different wireless service vendors being used.

A problem that surfaced was the lack of an adequate loudspeaker system at the EOC headquarters. ISD provided the EOC with a portable unit, but it would not interface with the existing speaker system in the building. Integrating a system into the existing speakers in the building would be useful.

The existing EOC Information Technology (IT) infrastructure does not fully accommodate access to the County network. The majority of the EOC participants who staff the various EOC support groups during a disaster are County employees. It is important that they have access to a certain number of personal computer workstations or have the ability to connect their laptops to the County e-mail system, other County information data systems, and the Internet.

This would allow them to perform their assigned EOC tasks and communicate with other County employees and their departments. Access to the County network is being addressed now that the Consolidated Fire Agencies of the East Valley (CONFIRE) and the Joint Powers Authority (JPA) has been authorized by the Board of Supervisors to manage the network services for County Fire and the Emergency Operations Center.

The various EOC support groups (i.e., Information Center, Public Relations, Operations, Logistics, etc.) have procedures and processes that are "paper bound," which makes the communication of statuses and next action steps to be taken somewhat cumbersome.

The EOC management team could take advantage of newer application software technology that would allow them to track their EOC activities from initial event reporting along with all actions taken during the event, up to and including the final action taken to bring it to closure.

This technology approach can incorporate event workflow management with support staff assignment tracking, priority setting and event escalation, if certain activities do not occur according to prescribed procedures and timeframes. Event status and next planned

activities can be displayed on a screen for all to see within the EOC. The system could be accessed to easily obtain this type of information.

ISD states this type of software application is available and cost-effective. ISD also has experience and expertise in developing applications of this nature and can assist the EOC Management Team in this initiative.

## **RECOMMENDATIONS**

- 04-13 CONDUCT AN INFORMATION TECHNOLOGY (IT) ASSESSMENT OF THE EMERGENCY OPERATIONS CENTER'S INFRASTRUCTURE WITH REGARD TO WIRE LINE/WIRELESS COMMUNICATIONS CAPABILITIES, PERSONAL COMPUTER WORKSTATION CONNECTIVITY AND BUSINESS PROCESS IMPROVEMENT.
  
- 04-14 CONTACT EACH COUNTY AUTHORIZED WIRELESS CELL PHONE VENDOR AND OBTAIN ASSURANCE THAT THEY HAVE ADEQUATE COMMUNICATION WITH THE RIALTO EMERGENCY OPERATIONS CENTER.
  
- 04-15 PURCHASE AND INSTALL THE NECESSARY EQUIPMENT TO ENSURE THE INTEGRATION OF THE EOC SPEAKER SYSTEM INTO THE EXISTING SPEAKER SYSTEM IN THE BUILDING AT RIALTO AIRPORT.
  
- 04-16 CONDUCT AN ASSESSMENT OF THE COST-TO-BENEFIT RATIO OF PURCHASING OR HAVING THE INFORMATION SERVICES DEPARTMENT DEVELOP THE SOFTWARE APPLICATIONS TO TRACK ALL ACTIVITY DURING A DISASTER.

## **EVACUATION AND SHELTERS**

### **BACKGROUND**

In the last week of October 2003, when wild fires ravaged County forests, homes and other properties, thousands of San Bernardino County residents were evacuated from their homes. The County and the American Red Cross established evacuation centers that provided food, beds and other basics of life.

San Bernardino International Airport (formerly Norton Air Force Base) in San Bernardino and the Jessie Turner Community Center in Fontana were two designated evacuation centers. Federal, State and County agencies as well as churches, community businesses and other relief organizations contributed their services to the evacuation centers.

## **FINDINGS**

Some mountain evacuees at the International Airport center reported receiving “no answer” to the fire information number for the community of Blue Jay. They evacuated only when alerted by neighbors advising them to “get out.”

In both evacuation centers visited by the Grand Jury it was evident that television and radio newscasts were the only sources of information. The newscasts provided minimal continuous information about the areas from which individuals were evacuated, which seemed to stress already overstressed individuals.

Some evacuees reported thefts at the airport center.

A registration of evacuees was maintained at both centers. If an evacuee left for another destination, no information was recorded about that evacuee’s destination to provide to other individuals concerned about the evacuee’s whereabouts.

At the Jesse Turner Center in Fontana, facilities were not adequate to handle the large influx of evacuees. Four showers were depleted of hot water after several uses. Some evacuees moved out soon after checking into the facility.

Donations of clothing were disorganized. Items were dropped off at the premises without any cataloging done. It made it difficult to accommodate evacuees trying to find needed donated items when they were not properly segregated.

## **RECOMMENDATIONS**

- 04-17        ESTABLISH A DISASTER WARNING AND INFORMATION TELEPHONE NUMBER (IN ADDITION TO FIRE AND POLICE) AND OPERATE IT 24 HOURS A DAY, EVERY DAY OF THE YEAR.
  
- 04-18        EQUIP EVACUATION CENTERS WITH STRATEGICALLY PLACED LARGE SCREEN TELEVISION SETS THAT DISPLAY CONTINUOUS UP-TO-DATE INFORMATION FOR EVACUEES ABOUT THE DISASTER AND WHAT IS OCCURRING IN COMMUNITIES AFFECTED BY THE DISASTER.

- 04-19       INSTALL MONITORS TO PROTECT EVACUEES FROM PROPERTY THEFT, AND POST SIGNS WARNING AGAINST PROPERTY THEFT.
  
- 04-20       ESTABLISH A COMMUNICATIONS SYSTEM THAT PROVIDES A BETTER TRACKING SYSTEM ON EVACUEES AND PROVIDES INFORMATION TO CONCERNED INDIVIDUALS TRYING TO LOCATE AN EVACUEE.
  
- 04-21       ESTABLISH A MORE ORDERLY SYSTEM OF RECEIVING DONATED ITEMS AND INSTITUTE A CATALOGING SYSTEM THAT MAKES IT MORE CONVENIENT TO LOCATE AND DISTRIBUTE DONATED ITEMS TO EVACUEES WHEN THEY REQUIRE THEM.



# **LAND USE SERVICES DEPARTMENT**

## **CODE ENFORCEMENT DIVISION**

### **BACKGROUND**

A confidential citizen complaint alleging abuse of power by individuals involved in the Code Enforcement Division of the San Bernardino County Land Use Services Department was received by the 2003-2004 Grand Jury.

A review of this complaint determined that a similar one had been reviewed by a previous Grand Jury and involved many of the same individuals.

### **FINDINGS**

The Code Enforcement Division of the Land Use Services Department operates without a departmental operations manual. An operations manual would assure standard practices throughout the department and eliminate errors in the documentation and uniform enforcement of codes throughout the County.

### **RECOMMENDATION**

04-22      DEVELOP AND ADOPT AN OPERATIONS MANUAL FOR THE CODE ENFORCEMENT DIVISION OF THE LAND USE SERVICES DEPARTMENT.

## **COUNTY MUSEUM**

### **BACKGROUND**

The San Bernardino County Museum consists of a main site in the City of Redlands, and seven satellite museums located in the five Supervisorial Districts of the County.

The main Museum houses a major valuable bird egg collection. The Museum staff has assembled a valuable natural history collection acquired during the oversight of the paleontological site at Diamond Lake near Hemet. The Museum has agreements with the U. S. Bureau of Land Management and other Federal agencies to supervise various dig sites in San Bernardino County and southwest California. The Museum also contracts with local developers to do the necessary archeological studies of land that has been approved for development.

### **FINDINGS**

On July 10, 1970 the Board of Supervisors entered into an agreement (amended July 6, 1971) with Mr. & Mrs. Louis Mousley in which the County accepted the gift of the Mousley Museum.

The agreement stipulates that the County will maintain and keep open the Yucaipa satellite museum, known as the Mousley Museum, "... in perpetuity as a free public museum and wildlife sanctuary for the benefit of the people of San Bernardino County." The Mousley Museum and adjoining wildlife area is currently closed.

During its investigation, the Grand Jury noted that budget cuts and the accompanying loss of staff make it extremely difficult for the County Museum to carry out its mission and maintain the Mousley Museum as stated in the original agreement.

Budget cuts also make it difficult for the County Museum to properly collect, preserve and provide educational displays of collections, as well as the many anticipated acquisitions in the future.

### **RECOMMENDATIONS**

04-23      INSTITUTE A STUDY OF THE PROCEDURES AND POLICIES REGARDING THE COUNTY'S TREATMENT OF GIFTS, AND PROVIDE GUIDELINES FOR THEIR ACCEPTANCE AND ADMINISTRATION.

04-24 PROVIDE FUNDS TO ENABLE THE COUNTY MUSEUM TO COMPLY WITH THE 1970 AGREEMENT BETWEEN THE COUNTY AND THE MOUSLEY MUSEUM.

# **REGISTRAR OF VOTERS**

## **BACKGROUND**

The purpose of the office of the Registrar of Voters (ROV) is to provide accurate and complete election service to the voters of San Bernardino County.

## **FINDINGS**

The current Registrar of Voters came to this County with previous experience in using the touch screen voting equipment manufactured by Sequoia Voting Systems.

In 2003, complying with Federal and State mandates, the Registrar of Voters purchased 4,000 touch screen voting units and related equipment, software and technical professional services from Sequoia Voting Systems.

The new equipment was first used in San Bernardino County in January 2004 in a recall election in the City of Highland. The election produced results that showed the touch screen voting equipment was accurate and voter and poll-worker friendly. The California Primary Election of March 2, 2004 was the first large-scale use of the equipment. In that election the ROV programmed the equipment for over 20,000 ballot variations in 818 precincts at 408 polling places located in over 20,000 square miles of San Bernardino County.

Our investigation found there were a few minor problems encountered in the March 2004 election. They were identified and plans were implemented to correct the problems.

Permanent polling places are established. No private homes or garages are used. ROV teams check each polling place for adequate working space, sufficient electrical power, handicap accessibility, parking, and ease of voting.

The voting machines are delivered to polling places one or two days prior to Election Day. When the polls close only a box containing the electronic vote recording cartridges and paper printouts from each machine, voted absentee and provisional ballots and excess supplies are transported by vehicles to designated and centralized collection points. They are then transported to the main vote counting equipment at the ROV office in the city of San Bernardino. The voting machines are retrieved the day following an election.

At Primary Election voting sites in March 2004, departing voters were asked to respond to a questionnaire giving their opinion on the new touch screen voting system.

- 98.7% Machines were easy to use
- 96.7% Better than any voting system used before
- 91.8% Confident their vote was correctly recorded

There were complaints that “The hardest part was putting the accessing card into the slot.” The accessing card needs to be securely in place to start the voting process.

Federal funds called “Punch Card Buyout Money” help counties offset the cost of abolishing the punch card system. The funds are supplied to the states for further distribution to counties to help offset the cost of converting from the punch card system to touch screen voting. San Bernardino County’s share of the funds will be approximately \$2.1 million.

The Registrar of Voters should remodel its customer service counters to improve its service to the voters and improve security for the electronic voting equipment stored there.

## **RECOMMENDATIONS**

- 04-25 APPROVE FUNDS FOR THE CAPITAL IMPROVEMENT REQUIRED FOR THE INTERIOR LAYOUT CHANGE AT THE REGISTRAR OF VOTERS.
- 04-26 ALLOW THE REGISTRAR OF VOTERS TO RETAIN 25 PERCENT OF THE \$2.1 MILLION (OR \$500,000) OF THE PUNCH CARD BUYOUT MONEY FOR REMODELING.

# HEALTH & HUMAN SERVICES COMMITTEE

**Lee Fiebiger, Chair**

**Ray Abril**

**Rafael Contreras**

**Richard Ekwall**

**John Hartley**

**Lois Long**

**Jenny Overton**

**Bill Reid**

**Judy Rodgers**

**Burrell Woodring**

# HEALTH AND HUMAN SERVICES COMMITTEE

Written County material was studied by appointed members of the Health and Human Services Committee who then interviewed department Directors and their staff members.

The following departments were reviewed:

- Behavioral Health
- Children's Services
- Preschool Services
- Public Health
- Veterans Affairs

Following are the reports and recommendations of the Health and Human Services Committee.

## **DEPARTMENT OF BEHAVIORAL HEALTH**

### **BACKGROUND**

The San Bernardino County Department of Behavioral Health (DBH) provides an array of bilingual, geographically dispersed services to all County residents seeking mental health care.

Outpatient and inpatient mental health services are managed by the Behavioral Health Department and coordinated through the Arrowhead Regional Medical Center (ARMC). The departments of Behavioral and Public Health and ARMC report directly to the County Administrative Officer.

### **FINDINGS**

Outpatient services are provided at clinics located in all regions of the County. A 90-bed unit at ARMC provides inpatient care to patients with acute psychiatric disorders.

The administrative headquarters of Behavioral Health is located at 820 E. Gilbert Street, San Bernardino, in a building called the *East Valley Resource Center*. The building, which opened February 23, 2004, occupies approximately 22,000 square feet of administrative and mental health care offices. Behavioral Health still needs 25,000 to 30,000 square feet of additional space to provide mental health services. Additional administrative offices and clinics are located in four older County-owned buildings at 700 East Gilbert Street.

Eleven (11) buildings are located at the Gilbert Street site. Five (5) are closed due to public safety reasons. Two buildings (DBH Warehouse #1 and Building #5) are used for storage. A house at 655 Gilbert Street, an old thrift store, and Building H, which was a hospital, are currently empty. A building that was once a chapel is now identified by a makeshift sign on a surrounding chain link fence as the "Gabrielle Mulvane Community Center". The building, not owned by Behavioral Health, is currently operated by the community-based, non-profit organization, I.C.U.C., under a Board of Supervisors approved contract.

The Gilbert Street and Paseo Way entrances provide access to the buildings, which are identified by numbers or alphabetical letters. At the Gilbert Street entrance a deteriorating sign with faded lettering advertises the County of San Bernardino Department of Behavioral Health. The other weathered sign at the Paseo Way entrance lists incorrect and outdated information about the buildings and the services they provide.



Buildings 2 and 3 were built in the late 1960s. Building 4 was built in 1972 and construction on Building 5 was completed shortly after. The buildings are modular trailer units that were erected with a 15-year life expectancy. Building 6 was completed in August 1995. During their existence they have been investigated for unsafe conditions that pose a potential threat to the health and safety of Behavioral Health employees and patients.

Computer records at the Risk Management Division of the Human Resources Department, dating from November 10, 1998 to October 31, 2003, outline investigations of the buildings for poor air quality, formaldehyde exposure, dry rot, leaking roofs, mold contamination, dead birds and bird droppings between interior walls, and rodent infestation to such an extent that rats have been discovered in the ceilings, insulation and the sub-flooring of the buildings.

Building 4 has had a history of complaints from employees about odors in the facility. Known as the Phoenix Outpatient Clinic, \$10,000 was spent to clean the air ducts in November 2003. Because it provides outpatient mental health services to adults, it requires Medi-Cal certification every two years. Consequently, the building has to be rehabilitated every four years. It cost \$69,000 for asbestos abatement and overall refurbishing of the building during the initial months of 2004. To demolish the structure would cost an estimated \$40,000 to \$50,000.

Buildings 5 and 6 have been investigated for roof leaks, mold contamination, and poor indoor air quality when employees complained of upper respiratory symptoms. Building 5 was unilaterally closed by Behavioral Health in 2002 when it indicated it no longer wanted to expend additional funds to remedy the mold contamination.

Risk Management contends that the building was closed by a mutual decision of both departments. It did say that the number of complaints about the conditions at the Gilbert Street buildings exceeded the norm for County buildings. The building remains closed despite Risk Management's June 17, 2002 memo which stated "...the facility can be safely occupied once the mold abatement is completed."

## **RECOMMENDATIONS**

04-27      REPLACE ALL OUTDATED SIGNS AT THE GILBERT STREET LOCATION WITH MORE USER-FRIENDLY, STRATEGICALLY PLACED ENTRANCE SIGNS DISPLAYING A MASTER DIRECTORY AND MAP THAT PROVIDES DIRECTIONS TO PATIENTS, VISITORS AND EMERGENCY VEHICLES THAT MAY BE SUMMONED TO THE LOCATION TO HANDLE LIFE THREATENING EMERGENCIES.

- 04-28 IDENTIFY BEHAVIORAL HEALTH BUILDINGS AT THE GILBERT STREET LOCATION USING BUILDING PLACARDS THAT DESIGNATE THE SERVICES AVAILABLE IN EACH BUILDING.
- 04-29 REQUIRE THAT ALL BEHAVIORAL HEALTH BUILDINGS AT THE GILBERT STREET LOCATION HAVE PAMPHLET MAPS TO ASSIST VISITORS AND PATIENTS IN FINDING THEIR WAY AROUND THE AREA.
- 04-30 CONDUCT REGULAR SAFETY INSPECTIONS OF THE BEHAVIORAL HEALTH BUILDINGS AT THE GILBERT STREET LOCATION TO PROTECT THE HEALTH AND SAFETY OF BEHAVIORAL HEALTH EMPLOYEES AND PATIENTS, AND PROVIDE A WORKPLACE ENVIRONMENT THAT DOES NOT PLACE THE COUNTY AT A LIABILITY RISK.
- 04-31 CONDUCT A FEASIBILITY STUDY TO DETERMINE THE COST EFFECTIVENESS OF MAINTAINING CLOSED BUILDINGS AND SURROUNDING PROPERTY AT THE GILBERT STREET LOCATION AND EVALUATE THE COST-EFFECTIVENESS OF REMODELING/ DEMOLISHING OLD BUILDINGS VERSUS CONSTRUCTING NEW BUILDINGS SO MONEY IS NOT WASTED IN CONTINUOUSLY REFURBISHING BUILDINGS THAT WILL EVENTUALLY STILL NEED TO BE REPLACED.

## **DEPARTMENT OF CHILDREN'S SERVICES**

### **BACKGROUND**

Children in San Bernardino County are served by several departments and agencies. They include Child Support Services, the Children's Network, the Department of Behavioral Health, the Department of Children's Services and the Preschool Services Department. All are divisions of the County's Human Services System.

The Department of Children's Services (DCS) provides family centered programs and services designed to insure safe, permanent nurturing families while strengthening and attempting to preserve the family unit. The three main services of Foster Care, Child Protective Services and Adoption Services are provided by a staff of approximately 900.

### **FINDINGS**

The Department of Children's Services has over 5,000 children placed out of their homes in various shelter care programs, including some out-of-state placements.

In addition to the department headquarters in San Bernardino, there are satellite offices serving families in outlying areas of the County.

The caseload is 35-70 children for each social worker, allowing just a few hours a month to spend on each child. Sometimes this is conducted through telephone calls. Our investigation revealed the need to correct the ratio of social workers to children/clients. There is no recommended caseload from the State.

During this Grand Jury's tenure there was frequent publicity about the frustration of families in the system who felt disenfranchised from their children. They were vocal at the Board of Supervisors meetings and received media attention. The issues could not be solved within the Board's legal scope because State and Federal legislation and mandates of the Court system prevent changing Court decisions.

The serious problem of social worker understaffing could be lessened by the use of volunteers. However, volunteers in the department have to be specially trained because of the confidentiality of cases. Currently this training is not provided. DCS is hopeful that the Human Services System will develop a large cadre of volunteers who are screened and properly trained.

## **RECOMMENDATIONS**

- 04-32 HIRE MORE SOCIAL WORKERS TO CORRECT THE OUT OF BALANCE RATIO OF SOCIAL WORKERS TO CLIENTS.
- 04-33 MAKE FUNDS AVAILABLE TO HIRE AN ADMINISTRATOR TO OVERSEE TRAINING AND COORDINATION OF VOLUNTEERS FOR THE DEPARTMENT OF CHILDREN'S SERVICES.

## **PUBLIC HEALTH DEPARTMENT**

### **BACKGROUND**

The Public Health Department enforces all Health and Safety codes. Its primary function is to protect the citizens of the County from any outbreak of disease or chronic illness, and maintain an accurate tracking system should such an occurrence take place.

### **FINDINGS**

The County Administrative Office seeks to improve service and reduce costs by closely evaluating services provided by the Arrowhead Regional Medical Center (ARMC), the Department of Behavioral Health and the Public Health Department. The directors of Behavioral Health and Public Health report directly to the County Administrative Officer (CAO). This will facilitate the future restructuring of these operations without any immediate changes to salaries or staffing.

Grand Jury investigation noted duplication of Behavioral Health services, facilities and personnel located in close proximity to ARMC. Relocating these services and personnel to ARMC and reducing the need for leased clinical space will bring immediate cost savings to the County.

The citizens of this County and past Grand Juries recommended that a restaurant grading system be implemented. On April 27, 2004 the Board of Supervisors directed the Department of Public Health to prepare a restaurant inspection grading ordinance for adoption and to report back to the Board within 45 days.

### **RECOMMENDATIONS**

- 04-34           CONSOLIDATE SERVICES, FACILITIES AND PERSONNEL OF THE PUBLIC HEALTH AND BEHAVIORAL HEALTH DEPARTMENTS WITH ARROWHEAD REGIONAL MEDICAL CENTER (ARMC).
  
- 04-35           IMPLEMENT A RESTAURANT GRADING SYSTEM THROUGHOUT THE COUNTY.

# VETERANS AFFAIRS DEPARTMENT

## **BACKGROUND**

The San Bernardino County office of Veterans Affairs is a department within the County Human Services System. Established in 1926, it is the oldest county veterans' service office in the state and the nation.

The County currently has the fourth largest veteran population in the State of California. The department was created to help local veterans and their families obtain veterans' benefits from Federal, State and local agencies. 568,000 veterans, dependents and survivors reside in San Bernardino County.

Members of the Grand Jury visited the main Veterans Affairs office in San Bernardino and the part-time office in Twentynine Palms that provides service in that area every other week.

## **FINDINGS**

San Bernardino County Veterans Service Representatives are not employees of the Federal government; they are County employees who assist veterans with claims. They work closely with service officers from most of the main veteran's organizations. They play an important role in the national veteran's advocacy network.

There is minimal duplication between the County and the Federal government. The Federal veterans' offices in the County provide medical care, health services and psychological counseling. The only non-medical veterans' service for County residents, other than the County Veterans Affairs office, is in West Los Angeles.

The San Bernardino office has one supervisor, two full-time and one part-time service representatives and two clerks. The Chino office has one supervisor and one clerk. The Victorville office has one supervisor, three service representatives and two clerks. The department also conducts one day a week visitation to the Loma Linda VA Hospital and USDVA Counseling Center on Hospitality Lane in the city of San Bernardino.

Barstow, Yucca Valley and Twentynine Palms are only visited twice a month. They utilize office space in local senior or community centers. Office hours are 9:00 a.m. to 3:00 p.m. The single Veterans' Services Representative sees 30 to 50 veterans or dependents on an average day, with a waiting list that carries over to the next visit. The large veterans' population in Twentynine Palms and Yucca Valley ranges from servicemen about to be discharged from the Twentynine Palms Marine Corps Base to elderly World War II veterans, and is steadily increasing.

## **RECOMMENDATION**

04-36        INCREASE THE OFFICE VISITS AND OFFICE HOURS IN THE YUCCA VALLEY AND TWENTYNINE PALMS OFFICES OF THE VETERANS AFFAIRS DEPARTMENT TO PROVIDE ADEQUATE WEEKLY SERVICE.

# **INTERNAL SERVICES COMMITTEE**

**Brad Kuiper, Chair**

**Ray Abril, Jr.**

**Gordon Bjorklund**

**Rafael Contreras**

**Lee Fiebiger**

**Arden Fritz**

**John Hartley**

**Hal Henry**

**Roy June**

**Bill Reid**



## **INTERNAL SERVICES COMMITTEE**

The Internal Services Committee reviewed the operations and functions of the County's Internal Services Group, which includes the following departments:

- Architecture and Engineering
- Facilities Management
- Fleet Management
- Purchasing
- Real Estate Services

Subcommittees were formed and each of these departments was investigated by the Grand Jury. Final reports with recommendations follow for all of these departments except Real Estate Services.

# **ARCHITECTURE AND ENGINEERING DEPARTMENT**

## **BACKGROUND**

The Architecture and Engineering Department (A&E) is responsible for the planning, design and administration of the County's Capital Improvement Program. A&E is required to implement, manage and refine the County's delivery process to preserve its resources and maintain the quality of construction established by the standards of State and local government. The staff prepares bid packages and advertises for bids, negotiates and administers contracts for design and construction, and provides inspection and construction project management services to final completion.

## **FINDINGS**

A&E has 23 employees to carry out its responsibilities. The department is self-supporting because each project includes management costs. Each project is assigned a project manager who follows it from beginning to end. Nine (9) project managers supervise approximately 250 projects per year. Projects costing less than \$25,000 do not require approval by the Board of Supervisors.

A&E manages projects in two major phases. The first phase is called a Professional Services contract. Contracts are awarded based on the ability of the professional service consultant to complete the task. Other criteria include the ability and experience of staff and the quality of the contractor's references and recommendations.

The second phase is the Construction contract. These contracts are awarded in compliance with the standards, codes and policies of State and local governments. Each contract has a ten percent (10%) contingency built into the cost to cover change orders in the contract.

The Architecture and Engineering Department has no policy and procedures manual to protect it and the County if questions arise about department operations. A&E does have an in-house procedure that tracks each project to meet target dates for completing each step of the project.

## **RECOMMENDATION**

04-37      DEVELOP A POLICY AND PROCEDURES MANUAL TO PROTECT THE ARCHITECTURE AND ENGINEERING DEPARTMENT AND THE COUNTY AGAINST QUESTIONABLE POLICIES AND PROCEDURES.

## **FACILITIES MANAGEMENT DEPARTMENT**

### **BACKGROUND**

The Facilities Management Department is responsible for the cleaning and maintenance of 250 County buildings. For leased buildings, the lease agreements require cleaning and maintenance. The department employs approximately 47 custodians, 24 groundskeepers and 55 maintenance personnel.

### **FINDINGS**

Facilities Management is negotiating with other departments, especially the Human Services System, to find ways to utilize volunteers and community service workers from various programs.

The Senior Home Repair Program, a Federally-funded program in San Bernardino County, is administered through the Facilities Management Department.

A major portion of the department's budget of \$14,503,536 is allocated to paying the County's utility bills.

Facilities Management manually processed over 11,000 utility bills. It created an inefficient billing system. There was no assurance that bills were being paid on time. It was difficult to track the status of accounts that no longer existed due to cancellation or other reasons. It was difficult to match accounts with meters.

An audit conducted by Macias Consulting Group, Inc. regarding the utility bill paying process recommended that the Facilities Management Department install a software program to help reduce the amount of paperwork and provide monetary savings to the County.

The Custodial staff has been reduced to a level where a custodian is responsible for cleaning about 50,000 to 60,000 square feet per day. The industry standard is 20,000 to 25,000 square feet.

Most of the custodial staff is scheduled to work day shift hours to reduce labor costs and address budgetary concerns. This requires their presence when County buildings are the most crowded with employees and visitors doing business with the County. The intermingling of custodial and maintenance staff with the knowledgeable and trained staff of County departments is disruptive to the work patterns of both groups and affects productivity.

Limited staffing requires supervisors to perform a daily triage of areas to clean.

Some departments have expressed dismay that a reduced cleaning and maintenance staff has curtailed the cleaning and maintenance of floors and carpets. To keep areas presentable, staff members in some departments occasionally set aside time for cleaning. It is not cost effective to have knowledgeable trained personnel of departments doing tasks that the trained staff of the Facilities Management Department should be doing.

## **RECOMMENDATIONS**

- 04-38        ADOPT THE UTILITY ANALYSIS AUDIT BY MACIAS CONSULTING GROUP, INC. AND INCORPORATE ITS FINDINGS INTO THE FACILITIES MANAGEMENT DEPARTMENT.
  
- 04-39        ENDORSE THE FACILITIES MANAGEMENT DEPARTMENT'S EFFORTS TO INCLUDE ALL COUNTY BUILDINGS ON THEIR COMPUTER PROGRAM, WHICH WILL ENHANCE THE ABILITY TO CONTROL AND PROJECT COSTS WITHIN THE DEPARTMENT.
  
- 04-40        REINSTATE STAFFING LEVELS IN THE FACILITIES MANAGEMENT DEPARTMENT TO A LEVEL THAT BRINGS THE SIZE OF THE AREA COVERED BY CUSTODIAL AND MAINTENANCE STAFF TO A LEVEL THAT IS SUBSTANTIALLY CLOSER TO INDUSTRY STANDARDS.
  
- 04-41        RESTORE FUNDS TO ENABLE THE FACILITIES MANAGEMENT DEPARTMENT TO ASSIGN CUSTODIAL AND MAINTENANCE STAFF TO EVENING AND NIGHT SHIFT WORK.

# FLEET MANAGEMENT DEPARTMENT

## **BACKGROUND**

A study of San Bernardino County policies revealed that of the five categories used to define how vehicles are assigned to various departments, Category V was worded in such a way that it could be interpreted that dependents of County employees or officials would be able to operate those vehicles. Category V vehicles are assigned to employees who may need a car 24 hours a day.

The County has three fleets in addition to the one controlled and serviced by the Fleet Management Department; they are the Human Services System, Sheriff's Department and Special Districts/County Fire Department.

## **FINDINGS**

Within the County of San Bernardino Standard Practice Manual is Standard Practice No. 12-04 SP, *Vehicle Services Rules and Procedures, Section 3, Assignment of Vehicles, Category V – Personal Use Limited to Commuting*. As worded, this policy could place the County in an unnecessarily high-risk position by allowing dependents of County employees and officials to operate County vehicles.

Our investigation found that the policies and procedures of Fleet Management have not been reviewed or updated since 1992, and are in need of review and revision.

The County has in excess of 5,000 vehicles. Approximately 2,000 are under the indirect supervision of the Fleet Management Department. Special Districts and the County Fire Department hold about 400, and 600 are with the Human Services Division. The Sheriff's Department has about 2,000 vehicles.

In March 2004 the County entered into a four-month agreement with Fleet Counselor Services, Inc. to provide a vehicle services management and operations review (audit) covering all departments that maintain/purchase and dispose of vehicles.

Vehicles can be serviced by the Fleet Management Department and many are serviced by outside sources. Fleet Management also services vehicles for non-profit agencies in San Bernardino County at the County's going rate for service.

## **RECOMMENDATIONS**

- 04-42 RE-WRITE STANDARD PRACTICE 12-04, SECTION 3, *ASSIGNMENT OF VEHICLES, CATEGORY V – PERSONAL USE LIMITED TO COMMUTING*, TO ELIMINATE THE ABILITY OF DEPENDENTS OF COUNTY EMPLOYEES OR OFFICIALS TO OPERATE COUNTY VEHICLES.
- 04-43 REVIEW ALL POLICIES AND PROCEDURES RELEVANT TO FLEET MANAGEMENT AND UPDATE THEM TO COMPLY WITH CURRENT ESTABLISHED POLICIES AND PROCEDURES.
- 04-44 COMPLY WITH THE RECOMMENDATIONS OF THE FLEET COUNSELOR SERVICES AUDIT NOW IN PROGRESS, IF SUBSTANTIAL SAVINGS ARE SHOWN BY CONSOLIDATING THE VARIOUS FLEETS INTO ONE DEPARTMENT.

# **PURCHASING DEPARTMENT**

## **BACKGROUND**

The Purchasing Department is responsible for the acquisition of equipment, supplies and services for County departments. Four divisions of the department provide services to the entire County:

- Procurement Division
- Printing Services
- Central Mail Services
- Central Stores

## **FINDINGS**

The Purchasing Department has been honored with the “Excellence in Procurement” award three years in a row. The award was established in 1995 by the National Purchasing Institute and recognizes the achievement of organizational excellence in public procurement.

Our investigation revealed that the unauthorized removal of parts from computers (cannibalization) is occurring. Computers are returned to Surplus Property without hard drives. Printers are also returned to Surplus Property without software drivers to operate them. There is no written policy that prohibits this practice of “cannibalization” of computers.

The Purchasing Department pays State-approved vendors \$15-20 to dispose of each monitor. Working computers are distributed to other departments or sold. Our investigation revealed reasons for cannibalization:

- Departments are unwilling to delete the information from hard drives
- Some departments have technicians who believe it is useful to have inventory
- Misappropriation of parts

\$260 million worth of supplies and services is purchased annually for County departments. At least 7-8 signatures are required to finalize a purchase.

The department collects approximately \$80,000 annually from three public sales of surplus property. Labor costs reduce the profit to \$30,000. To save money, the department wants to conduct just two sales of surplus properties to the public yearly.

Board of Supervisors approval is required only if services and construction exceed \$25,000 per item. If budgeted by the department, there is no limit on goods, supplies and materials any County department can obtain.

Our investigation found that the Purchasing Department needs new procurement software programs for much of the work it now does manually. It is not possible to obtain the necessary software that is compatible with the current County Financial Management System program. The only software program now available for the Purchasing Department is AMS 3.0. It is not compatible with the current Financial Management System software AMS 2.1.1.

The Information Services Department explored a plan that would work, using the two software versions. This plan would cost the County \$1,206,200, plus a one-time start-up cost of \$185,015. It is not a long term solution, only a temporary one. Along with the high costs, the two systems will never be completely synchronized, and the departments would have different data. To get a complete current, accurate financial picture, the different departments will have to utilize both systems. This is not a practical solution.

It will cost the County \$5,000,000 to update the Financial Management System and purchase procurement software for the Purchasing Department.

## **COMMENDATION**

THE PURCHASING DEPARTMENT IS COMMENDED FOR BEING HONORED THREE CONSECUTIVE YEARS WITH THE "EXCELLENCE IN PROCUREMENT" AWARD.

## **RECOMMENDATIONS**

- 04-45        IMPLEMENT POLICIES TO STANDARDIZE THE HANDLING OF SURPLUS COMPUTERS, PRINTERS AND OTHER EQUIPMENT TO ASSURE THAT THE COUNTY IS ADEQUATELY REIMBURSED FOR THE SALE OF SURPLUS EQUIPMENT.
  
- 04-46        CONDUCT SURPLUS PROPERTY SALES TWICE A YEAR.
  
- 04-47        PURCHASE THE AMS VERSION 3.0 PROCUREMENT SOFTWARE FOR PURCHASING, COUPLED WITH UPGRADING THE AUDITOR/ CONTROLLER-RECORDER'S FINANCIAL MANAGEMENT SOFTWARE FROM AMS VERSION 2.1.1 TO 3.0, AT A COST OF APPROXIMATELY FIVE MILLION DOLLARS (\$5,000,000).



# **LAW AND JUSTICE COMMITTEE**

**Roy June, Chair**

**Gordon Bjorklund**

**Dan Davis**

**John Hartley**

**Hal Henry**

**George Patrick**

**Judy Rodgers**

**Burrel Woodring**

## **LAW AND JUSTICE COMMITTEE**

The Law and Justice Committee had the responsibility for investigating the following County departments:

- District Attorney
- Probation
- Public Administrator/Coroner/Public Guardian/Conservator
- Public Defender
- Sheriff

The authority for the investigation of these departments is found in the California Penal Code and Government Code.

It is to be noted that the Coroner's report does not include a report on the Public Guardian and the Public Administrator.

Following are the reports and recommendations of the Law and Justice Committee.

## DISTRICT ATTORNEY

### **BACKGROUND**

The District Attorney is an elected officer and is responsible for the duties of 199 attorneys as well as a staff of administrators, investigators, secretaries and clerks.

The office is charged with the prosecution of offenses committed within the County. These offenses are acts designated as crimes by the legislative bodies of the State, the counties, cities and districts. Prosecution requires the services of the District Attorney's office in the Central Court in San Bernardino as well as in eleven (11) branch courts and three Juvenile courts, one of which is in the City of San Bernardino.

The office is organized into special units that address specific areas of criminal activity. Deputies, supervisors and staff are assigned to each special unit. Organized units in place are Major Crime, Career Criminal, Workers Compensation Fraud, Elder Abuse, Truancy, Domestic Violence, Auto Theft, Bad Check Restitution Program, Public Integrity, Life Parole, and Victim Services. Special units have been organized and relate generally to victims rights and services.

### **FINDINGS – COMMUNITY INVOLVEMENT**

The District Attorney's office is generally reactive in its operation. It does not go out into the community seeking random criminals or crimes to prosecute. It reacts when cases are brought to its attention by law enforcement agencies.

Discussion is taking place in the District Attorney's office concerning a new concept that would make the office proactive. This requires attorneys and investigators to go into the community and work with the public on crime prevention. This community prosecution concept is intended to augment the already intense prosecution duties undertaken by the office.

The State Department of Justice publishes an annual report on criminal activity throughout the State. This report is produced and distributed by the department's Information Services and is released by the Attorney General. The report for the year 2003 was released in April 2004. Despite intense law enforcement and vigorous prosecution, criminal activity in San Bernardino County increased. The report for 2003 shows increases over 2002 of two percent (2%) in violent crimes and 8.7 percent increase in property crimes.

The creation of a proactive unit to go into the community with a program of crime prevention is necessary, particularly in the area of crimes against property.

## **FINDINGS – CENTRAL BRANCH LOCATION**

The Central Branch is the largest of the 12 branches of the Superior Court. Ten of the Superior Court departments are used exclusively for criminal matters. The greatest number of District Attorney deputies is assigned to the Central Branch. It handles the heaviest caseload.

Divisions of the Central Branch are housed in five different locations within the city. These locations are:

<b>Location</b>	<b># Employees</b>	<b>Sq. Ft. Occupied</b>	<b>Yearly Cost</b>
316 N. Mt. View	119	23,000	N/A (County facility)
606 E. Mill Street	7	1,700	\$23,951
412 Hospitality Lane	84	23,933	\$388,000
385 N. Arrowhead	8	1,733	N/A (County facility)
Pershing storage facility	0	1,240	\$7,200
<b>Total</b>	<b>218</b>	<b>51,606</b>	<b>\$419,151</b>

The Central Branch is located at 316 N. Mt. View Avenue. The next largest is 412 Hospitality Lane. The two offices are separated by four miles, parking lot to parking lot. Driving time between the offices averages 15 minutes one way during working hours. This has created problems in supervision, as well as disruption of prosecution proceedings.

Supervision by telephone, fax, interoffice mail, e-mail or courier is less effective than face-to-face contact. In order to meet face-to-face, deputies or staff must assemble at Mt. View Avenue or the supervisory staff must go to Hospitality Lane.

Bringing the two offices within walking distance of each other will create a more cohesive operation. It will also eliminate any feeling of isolation and would better serve the criminal justice system.

Delays in court proceedings are caused by extended recess time necessary for round trips between the criminal courts and Hospitality Lane. These delays affect the uninterrupted flow of evidence to the jury and jeopardize the prospect of conviction.

Moving the Hospitality Lane units to within walking distance of the criminal courts will eliminate the need for extensive recess time during criminal prosecution.

The District Attorney's Central branch must be consolidated and must be located closer to the criminal courts.

Of all the sites considered, only one was found to be large enough and close enough to the criminal courts.

The building at 303 West Third Street is within walking distance of the criminal courts. It is large enough to meet the space requirements of a consolidated central branch. It is, or will be, acquired by the County. A move into this building will save the County \$419,151 annually. This is rent now being paid for buildings not owned by the County.

## **RECOMMENDATIONS**

- 04-48        CREATE A COMMUNITY PROSECUTION UNIT IN THE DISTRICT ATTORNEY'S OFFICE TO WORK IN THE COMMUNITY ON CRIME PREVENTION.
  
- 04-49        MOVE THE DISTRICT ATTORNEY ORGANIZATIONS CURRENTLY HOUSED AT 412 HOSPITALITY LANE IN SAN BERNARDINO CLOSER TO THE CRIMINAL COURTS.
  
- 04-50        CONSOLIDATE ALL OF THE DISTRICT ATTORNEY CENTRAL BRANCH ORGANIZATIONS INTO A LOCATION WITHIN WALKING DISTANCE OF THE CRIMINAL COURTS.

## **PROBATION DEPARTMENT**

### **BACKGROUND**

The purpose of the San Bernardino County Probation Department is to protect the citizens of the County through assessment, treatment and control of adult and juvenile offenders. It provides a wide range of effective services based on legal requirements and recognized professional standards.

### **FINDINGS**

The department has approximately 50 adult casework probation officers who are involved in the supervision of 14,500 cases. Each officer supervises a caseload of about 300 probationers. Cases are divided into high risk, regular, and low-risk categories to determine the level of supervision required. The department also has 32 investigative probation officers who investigate cases for the court and write pre-sentencing investigative reports. Statistics show that the ratio of caseload to officer is higher than other counties in the State that have comparable populations.

Adults on probation are required to pay a fee for supervision. Fees range from \$15 to \$30 per month, based on the level of supervision that is required and the ability of the offender to pay. A separate Collections unit of County government that is not part of the Probation Department is responsible for collecting the fees. This County Collections unit receives 25 percent of the fees that are collected.

The Court may order a convicted defendant to pay restitution to the victim(s) of a crime. The County Collections unit which monitors compliance with payment of restitution often does not notify probation officers when a defendant defaults. Consequently, probation officers responsible for the supervision of the defendant do not consider these payments to be a high priority in the control and treatment of probationers.

Budgetary restrictions have forced the department to consolidate the supervision of high-risk adult felons and sex offenders with lesser risk felons. This increases the likelihood of repeat offenders and places the public at a greater risk of harm from them.

Responding to a demand for more bed space for juvenile residential detention treatment centers, the Probation Department negotiated an agreement with Vision Quest, a private service agency, to finance construction costs for a 144-bed facility for assessing and treating juvenile offenders.

Despite some controversy over the nature and size of the agreement, the Board of Supervisors approved a ten year contract with Vision Quest for 72 beds for in-County juvenile resident assessments and treatment services. To financially protect the County,

the Board agreement contains a clause that allows a “release from bed guarantee” if there is an insufficient number of juveniles to fill the 72-bed requirement. The Vision Quest facility is state licensed and charges \$5,000 per month. The State pays half the charges. The costs cover food, medical and schooling. Probation personnel are not required at the facility.

The costs in the Probation Department’s budget include \$1,719,986 for combining Food Services, \$1,574,402 for Medical Services and \$894,275 for Intake Services. The present accounting system does not list items related to the separate department programs.

## **RECOMMENDATIONS**

- 04-51 HIRE AND TRAIN MORE PROBATION OFFICERS TO ATTAIN A BETTER CASELOAD RATIO.
  
- 04-52 ESTABLISH A SPECIAL COLLECTIONS UNIT WITH NEW POSITIONS IN THE PROBATION DEPARTMENT THAT WORKS CLOSELY WITH PROBATION OFFICERS AND MONITORS THE ABILITY OF DEFENDANTS TO MAKE RESTITUTION TO THEIR VICTIM(S) AND/OR PAY THEIR SUPERVISION FEES.
  
- 04-53 REINSTATE HIGH-RISK OFFENDER SUPERVISION AND CREATE A SPECIAL SEX OFFENDER UNIT USING THE LATEST TECHNOLOGY FOR SUPERVISING SUCH OFFENDERS.
  
- 04-54 REQUIRE THE PROBATION DEPARTMENT TO PROVIDE THE COUNTY WITH MONTHLY REPORTS ON THE VISION QUEST OPERATION.
  
- 04-55 APPLY COSTS BUDGETED FOR FOOD, MEDICAL AND INTAKE SERVICES TO EACH OF THE PROBATION PROGRAMS, SUCH AS CAMP HEART BAR, KUIPER YOUTH CENTER AND THE REGIONAL YOUTH EDUCATIONAL FACILITY TO SHOW A COMPARISON OF COST PER INDIVIDUAL IN DETENTION.

## **CAMP HEART BAR**

### **BACKGROUND**

The San Bernardino County Probation Department opened Camp Heart Bar in 1999 with the support and cooperation of the U.S. Department of Forestry and the San Bernardino County Superintendent of Schools. The site was a former State park and Forestry Department fire station.

The program provides a 90-day highly structured experience for at-risk boys ages 15 to 17. It focuses on developing traits and skills that build self-reliance and prepare the boys for a return to their communities.

### **FINDINGS**

Camp Heart Bar is a paramilitary style boot camp for minors. The program began with three youths (cadets) and now has 20. They undergo individual three-month training cycles and, depending on their age, continue with six-months of follow-up care.

There is one certificated school teacher and one teacher's aide. Some cadets have special needs which are provided by a psychologist two days a week. During their three-month training cycle, cadets are required to complete 100 hours of schooling or 25 educational credits.

There is no television or radio, and parents or guardians are only permitted to visit cadets from 1:00 p.m. to 3:00 p.m. on Sundays.

Cadets earn rank privileges through military courtesies and inspections. They hold daily military drills and color guard flag presentation.

On Saturdays the cadets perform camp cleanup and occasionally public service at various city and county parks and campgrounds. They worked with the Salvation Army at the evacuation center at San Bernardino International Airport during last year's major fires.

Our investigation revealed the Camp Heart Bar experience to be highly successful in rehabilitating at-risk juveniles.

### **RECOMMENDATION**

04-56 ENLARGE THE CAMP HEART BAR FACILITY AND INCREASE THE NUMBER OF CADETS IN ITS PROGRAM USING PRESENT CAPITAL IMPROVEMENT PLANS.



## **PUBLIC ADMINISTRATOR/CORONER/ PUBLIC GUARDIAN**

### **BACKGROUND**

The San Bernardino County Public Administrator/Coroner/Public Guardian/Conservator is an elected official.

The Coroner's department is responsible for establishing the cause and manner of death of County residents under its jurisdiction. It is also responsible for notifying the next of kin and identifying the deceased. The department investigates over 9,400 deaths per year, up from 7,900 since 1988. Approximately 2,000 of those deaths are investigated within the Desert Division area. Deaths in this area continue to increase three to five percent (3-5%) per year.

The Public Administrator/Public Guardian/Conservator takes possession of estate properties as required by the Probate Code and Welfare and Institutions Code, and/or by order of the Superior Court. These properties are stored in the department's warehouse at East Rialto Avenue in San Bernardino, until they can be transferred, sold or distributed with the approval of the Superior Court.

### **FINDINGS**

Temporary dividers separate the floor of the warehouse. Letters and numbers placed on the walls of the warehouse form a grid for determining the location of estate properties. This process has worked over the years with few problems. Still, there is a possibility that such properties could be commingled due to human error or the floor shifting in an earthquake.

The County's current leased Desert Division facility in Victorville is approximately 1,800 square feet and is inadequate for providing services to constituents of this County. It serves a population of more than 250,000 County residents. The facility has limited storage space. The refrigeration unit has the capacity to store eight (8) bodies. The facility has no capacity to perform autopsies or head-to-toe examination of human remains. Families often have to travel more than 100 miles to assist investigators in resolving painful issues regarding circumstances of death. There are no areas in the current leased facility that are suitable to handle contaminated property and/or clothing.

The East Desert Region, located at Needles and the Colorado River Basin, covers 9,460 square miles. To service this vast area, the Coroner presently employs one (1) full-time deputy coroner investigator. For 28 years this was a fee-for-service contract position involving a local merchant in Needles who required minimal reimbursement for his Coroner services. In 2001 it became a County employee position, a Deputy Coroner Investigator in the East Desert Region, with all County benefits.

The deputy coroner in Needles investigated 1,152 deaths from March 1, 2003 through March 1, 2004. The specific breakdown of these death investigations that he responded to were seven accidental deaths, 24 traffic deaths, 16 natural deaths and two (2) suicides. The other 1,128 deaths involved paperwork and phone calls pertaining to natural deaths routed to the Needles office from all over the County.

The Needles deputy coroner has retired, leaving no local/immediate coverage for the East Desert Region. His retirement will require the reassignment of a deputy coroner from the Central and Desert offices to assume the duties of the region, with all the additional costs this assignment will create. More deaths due to a growing population and increased interstate traffic have increased the need for additional Coroner staffing in the East Desert Region. It is estimated that four (4) additional deputy coroners will be needed to adequately cover this area.

## **RECOMMENDATIONS**

- 04-57 PURCHASE OR CONSTRUCT CONTAINERS FOR THE PUBLIC ADMINISTRATOR/PUBLIC GUARDIAN/CONSERVATOR STORAGE WAREHOUSE TO ADEQUATELY AND SECURELY HOUSE ESTATE PROPERTIES.
  
- 04-58 CONSTRUCT A NEW DESERT DIVISION STAND-ALONE FORENSIC/ INVESTIGATIVE FACILITY OF AN ESTIMATED 10,740 SQUARE FEET ON COUNTY PROPERTY AT DALE EVANS PARKWAY IN THE TOWN OF APPLE VALLEY.
  
- 04-59 IMPLEMENT THE CORONER AND SHERIFF'S PLAN TO RETAIN NEEDLES' RESIDENT DEPUTY SHERIFFS AS DEPUTY CORONERS. HUMAN RESOURCES WOULD NEED TO ESTABLISH A NEW JOB CLASSIFICATION OF DEPUTY SHERIFF/CORONER.

## **LAW OFFICES OF THE PUBLIC DEFENDER**

### **BACKGROUND**

It is constitutionally mandated that all persons accused of a crime shall have the right to be represented by counsel. When persons charged with a crime claim they cannot afford to hire their own legal representative, it is expected that the Public Defender's office will provide that representation by Court order.

### **FINDINGS**

When the Public Defender determines there is a conflict of interest with clients, the Courts will appoint a private attorney to represent them. This attorney is selected from a group of attorneys called the Conflicts Panel. The cost of this representation is paid by the County from the Indigent Defense Fund.

The Public Defender budget for 2003-2004 was approximately \$18 million. Ninety-five (95) of the Public Defender's office staff of approximately 275 are attorneys.

Case statistics in the Public Defender's office show the following filings for the fiscal year ending June 30, 2003:

- 13,570 felony cases
- 29,962 misdemeanors
- 4,094 minor filings

A case is defined by the Administrative Office of the Courts as a filing of a document with the court naming a person or defendant or respondent.

Members of the Grand Jury observed the arraignments calendar in the Central District Superior Court.

The Public Defender is usually assigned to defendants at arraignment. Defendants are required to fill out a form listing name, address, phone number and a Social Security number, which is optional. They are then required to pay a \$25 fee. This fee can be waived by the Judge.

When a case is closed, the procedure calls for a hearing to determine if defendants are truly indigent or if they can afford to employ a private attorney. This procedure is frequently waived by the Judge. If an assessment is charged, it is usually less than what

the actual costs are. They are frequently uncollected. The amount collected in 2002-2003 and returned to the General Fund along with the \$25 filing fee, totaled approximately \$650,000. The total budget of the combined Public Defender and Conflicts Panel was \$27.3 million.

The Public Defender does not investigate whether clients are indigent or not. The Courts, however, use a form titled "Information sheet on Waiver of Court Fees and Costs (Calif. Rules of Court, rule 985)", numbered 982(a)(17)(A). It is used only in Family Court. This form verifies the needs and financial information of an applicant, making it possible for the Court to make a much more informed decision.

According to the National Advisory Commission of the American Bar Association, the caseload of a full-time defense attorney or assigned counsel shall not exceed 150 felonies yearly, 400 misdemeanors annually, or 250 juvenile offender cases per year.

Based on the Grand Jury investigation, using the number of cases recommended by the National Advisory Commission of the American Bar Association doubles the workload of the San Bernardino County Law Offices of the Public Defender. Insisting on a more efficient investigation for eligibility for indigent legal assistance reduces the number of cases for the Public Defender and the Conflicts Panel.

The 2002-2003 Grand Jury found security at the Juvenile facility in the San Bernardino office to be substandard. It recommended improving the security between the public and employees' areas. The County agreed with the recommendation and ordered the improvements to be implemented. This was scheduled for October of 2003, but as of April 2004 it had not been implemented.

## **RECOMMENDATIONS**

- 04-60 WITHHOLD FUNDING TO THE INDIGENT DEFENSE FUND UNTIL A MORE EFFECTIVE PROCEDURE FOR DETERMINING ELIGIBILITY IS IMPLEMENTED.
- 04-61 INCREASE THE NUMBER OF ATTORNEYS IN THE LAW OFFICE OF THE PUBLIC DEFENDER.
- 04-62 REESTABLISH A COMPLETION DATE FOR SECURITY IMPROVEMENTS AT THE PUBLIC DEFENDER'S JUVENILE FACILITY IN SAN BERNARDINO.

# SHERIFF

## **BACKGROUND**

The Sheriff's Department provides law enforcement and protection for citizens within the unincorporated areas and contract cities of the County of San Bernardino. The task is made more difficult by having to cover over 20,000 square miles of County land.

Previous Grand Juries have reviewed the Sheriff's Department. Considering the continuous comment and concern by citizens within the County regarding the propriety of the department's favorable and unfavorable actions, this Grand Jury felt compelled to again review the Department.

## **FINDINGS**

Prior Grand Juries have suggested the consolidation of the Coroner's Office with the Sheriff's Department. There are only five counties left in the State that still has separate Coroner's offices. The Sheriff contends that cross training deputy sheriffs as deputy coroners would partially eliminate lengthy Interstate 15 shutdowns involving traffic deaths, especially in outlying areas such as the Baker Grade.

The Sheriff estimates there would be approximately \$300,000 in savings by combining the two departments. Cross training Sheriff's deputies to be deputy coroners would also enable the deputies to perform Coroner's tasks and should eliminate the wait time for a deputy coroner to arrive at the accident scene.

## **Aviation Division**

The Sheriff's Aviation Division is headquartered at Rialto Airport. During certain times of the year, the airport experiences high winds. This poses such a high risk and safety concern for aircraft, that flights are often grounded.

The condition of the flight line crew "ready room" is substandard. This structure is an old, temporary modular unit located north of the facility aircraft hangar. The unit needs major maintenance and/or repairs. The roof leaks and the heating and cooling system is in such poor operating condition that portable heating and cooling units are presently used.

## **Communications – Valley Dispatch Center**

The Valley Dispatch Center, adjacent to Rialto Airport, houses communications equipment that represents state-of-the-art technology.

Due to the number of operating personnel present and the heat generated by the electronic equipment, the air conditioning is unable to maintain a comfortable level within the Center, especially during the summer months. Area fans are used to maintain adequate air circulation.

Personnel are concerned about their personal safety and the safety of the equipment if a major seismic event occurs. The structure was originally a food storage warehouse and has not been seismically retrofitted.

## **RECOMMENDATIONS**

- 04-63            COMBINE THE CORONER WITH THE SHERIFF'S DEPARTMENT.
  
- 04-64            RELOCATE THE SHERIFF'S AVIATION DIVISION TO AN AREA THAT HAS FEWER HIGH WIND INCIDENTS PER YEAR AND INTO BUILDINGS THAT ARE SEISMICALLY SECURE AND WITH UPGRADED FACILITIES.
  
- 04-65            RELOCATE THE SHERIFF'S VALLEY DISPATCH CENTER INTO A MORE MODERN AND SEISMICALLY SECURE BUILDING THAT PROTECTS EQUIPMENT AND THE PERSONNEL.