

MONTEREY COUNTY



COUNTY ADMINISTRATIVE OFFICE

LEW C. BAUMAN
COUNTY ADMINISTRATIVE OFFICER

168 West Alisal St., 3rd Fl
Salinas CA 93901-2680
(831) 755-5115
FAX (831) 757-5792
www.co.monterey.ca.us

August 31, 2017

The Honorable Mark E. Hood
Presiding Judge of the Superior Court
Monterey County Superior Courts
240 Church Street
Salinas, CA 93901

SUBJECT: Response to 2016-2017 Monterey County Civil Grand Jury Final Report
"Jail Insufficient Number of Deputies: Car 54 Where are You"

Dear Judge Hood:

Attached please find the Monterey County Board of Supervisors Response to 2016-2017 Monterey County Civil Grand Jury Final Report "Jail Insufficient Number of Deputies: Car 54 Where are You" and the signed Board Order. The Board of Supervisors approved the response on August 29, 2017, which complies with the requirements set forth in Sections 933 and 933.05 of the California Penal Code.

The Board approved response should be deemed and accepted by the Presiding Judge of the Superior Court of Monterey County and the Monterey County Civil Grand Jury as the response of the Board of Supervisors, County Administrative Officer, and appointed department heads.

Sincerely,

Lew C. Bauman
County Administrative Officer

By: Manuel T. González
Assistant County Administrative Officer

MTG:mri

cc: Lew C. Bauman, County Administrative Officer
Office of the County Counsel

Attachments: Board of Supervisors Response
August 29, 2017 Board Order



Monterey County Board of Supervisors

168 West Alisal Street,
1st Floor
Salinas, CA 93901
831.755.5066

Board Order

Upon motion of Supervisor Phillips, seconded by Supervisor Alejo and carried by those members present, the Board of Supervisors hereby:

- a. Approved the response to the 2016 - 2017 Monterey County Civil Grand Jury Interim Final Report: "Jail Insufficient Number of Deputies: Car 54 Where are You"; and
- b. Directed the County Administrative Officer to file the approved response with the Presiding Judge of the Superior Court, County of Monterey, by September 7, 2017.

PASSED AND ADOPTED this 29th day of August 2017, by the following vote, to wit:

AYES: Supervisors Alejo, Phillips, Parker and Adams

NOES: None

ABSENT: Supervisor Salinas

I, Gail T. Borkowski, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book 80 for the meeting August 29, 2017.

Dated: August 31, 2017
File ID: 17-0768

Gail T. Borkowski, Clerk of the Board of Supervisors
County of Monterey, State of California

By Denise Hancock
Deputy



Monterey County Board of Supervisors

Response to the

2016-2017 Monterey County Civil Grand Jury Interim Final Report

**JAIL INSUFFICIENT NUMBER OF DEPUTIES:
CAR 54 WHERE ARE YOU**

August 29, 2017

TABLE OF CONTENTS

I. Jail Insufficient Number of Deputies: Car 54 Where are You

<i>Findings F-1</i>	.....	<i>Page 3</i>
<i>Findings F-2</i>	.....	<i>Page 3</i>
<i>Findings F-3</i>	.....	<i>Page 3</i>
<i>Findings F-4</i>	.....	<i>Page 3</i>
<i>Findings F-5</i>	.....	<i>Page 3</i>
<i>Findings F-6</i>	.....	<i>Page 4</i>
<i>Findings F-7</i>	.....	<i>Page 4</i>
<i>Findings F-8</i>	.....	<i>Page 4</i>
<i>Findings F-9</i>	.....	<i>Page 4</i>
<i>Findings F-10</i>	.....	<i>Page 4-5</i>
<i>Findings F-11</i>	.....	<i>Page 5</i>
<i>Findings F-12</i>	.....	<i>Page 5</i>

II. Jail Insufficient Number of Deputies: Car 54 Where are You

<i>Recommendation R-1</i>	.....	<i>Page 6</i>
<i>Recommendation R-2</i>	.....	<i>Page 6</i>
<i>Recommendation R-3</i>	.....	<i>Page 6</i>
<i>Recommendation R-4</i>	.....	<i>Page 6</i>
<i>Recommendation R-5</i>	.....	<i>Page 7</i>
<i>Recommendation R-6</i>	.....	<i>Page 7</i>

REPORT TITLE: Jail Insufficient Number of Deputies: Car 54 Where are You
RESPONSE BY: Monterey County Board of Supervisors
RESPONSE TO: Findings F-1, F-2, F-3, F-4, F-5, F-6, F-7, F-8, F-9, F-10, F-11 and F-12

F1: The Hernandez Settlement requires an “adequate” number of sworn deputies to supervise the jail. Current staffing of the jail, even with the reassigned deputies from patrol, is barely “adequate” to comply. Both the jail and patrol are understaffed. The number of deputies reassigned from patrol to the jail has left patrol in a state of crisis.

Response F1: The response to this finding is more appropriately addressed by the Sheriff. However, the Board of Supervisors will work with the County Administrative Office, Human Resources and the Sheriff’s Office in addressing Finding 1.

F2: The Sheriff’s Department does not have an adequate number of authorizations to meet the demand for the jail and patrol, and for the additional personnel necessary to cover absences for vacations, sickness, disability, family leave or personal matters. Additional staffing required to cover just these absences is estimated to be 25, or roughly 10% of the total current authorizations.

Response F2: The response to this finding is more appropriately addressed by the Sheriff. However, the Board of Supervisors will work with the County Administrative Office, Human Resources and the Sheriff’s Office in addressing Finding 2.

F3: A reduction in the MCSO’s budget would mean a reduced number of deputies. This would result in:

- The County would be at odds with complying with the Hernandez Settlement, which could mean fines and further litigation.
- A continued severe lack of adequate patrol coverage in our county.
- This will continue to cost our county millions of dollars in overtime.

Response F3: The response to this finding is more appropriately addressed by the Sheriff. However, the Board of Supervisors will work with the County Administrative Office, Human Resources and the Sheriff’s Office in addressing Finding 3.

F4: According to the mission statement of the MCSO, “to safeguard the lives and property of the people within our county”, our county’s citizens have the right to protection under the law.

Response F4: The Board of Supervisors agrees with this finding and concurs with the response from the Sheriff’s Office to Finding 4.

F5: The proposed budget reductions, which reduce the authorizations for deputy staffing, will have a negative effect on the MCSO’s ability to provide protection to our county’s citizens.

Response F5: The Board of Supervisors disagrees with this finding because actual sworn deputies were not reduced, only open positions. The Board and CAO continue to work with the Sheriff to achieve a balance on position allocation to allow the Sheriff to recruit and fill positions.

F6: Monterey County spent over \$6 million in overtime between March 24, 2016 and March 23, 2017. This amount could have funded in excess of 40 additional deputy authorizations. With an annual salary plus benefits of roughly \$125,000 per person, the County could hire 40 deputies, and still have another million left over to cover the unavoidable overtime. Some overtime is unavoidable, but a significant reduction could reasonably be expected.

Response F6: The response to this finding is more appropriately addressed by the Sheriff. However, the Board of Supervisors will work with the County Administrative Office, Human Resources and the Sheriff's Office in addressing Finding 6.

F7: The MCCGJ believes that the MCSO should recognize that the tasks performed by deputies in the jail are significantly different from those performed by deputies on patrol. Each is performed in a unique environment and under very different conditions. To consider the patrol and jail duties as interchangeable has some advantages to management in terms of flexibility of assignments, but this policy has costs in terms of hiring and retaining deputies, as well as on their morale.

Response F7: The response to this finding is more appropriately addressed by the Sheriff. However, the Board of Supervisors will work with the County Administrative Office, Human Resources and the Sheriff's Office in addressing Finding 7.

F8: Having these two separate job classifications would have a positive impact on recruiting, retention, advancement and morale.

Response F8: The response to this finding is more appropriately addressed by the Sheriff. However, the Board of Supervisors will work with the County Administrative Office, Human Resources and the Sheriff's Office in addressing Finding 8.

F9: There are duties in the jail that could be performed by CSS and Corrections Officers, which would allow the Sheriff's deputies, to return to patrol.

Response F9: The response to this finding is more appropriately addressed by the Sheriff. However, the Board of Supervisors will work with the County Administrative Office, Human Resources and the Sheriff's Office in addressing Finding 9.

F10: Many local cities and counties are vying for the same candidates upon graduation from the academy. Some of these same cities/counties offer signing bonuses in excess of \$17,000. Monterey County pays for candidates to attend an academy. Upon completion of an Academy, the candidate may opt to work for the County, if an authorization is vacant. If not, the candidate will apply elsewhere, and our County is out the salary paid while in the academy, and the tuition. Compounding the hiring issue is the fact that these graduates, upon signing on with our county, are relegated to the jail for two years or longer, until a transfer to patrol is available. They would go straight to patrol at other locales. Our policy of assigning academy graduates directly to the jail, prior to patrol, is a deterrent to recruitment.

Response F10: The response to this finding is more appropriately addressed by the Sheriff. However, the Board of Supervisors will work with the County Administrative Office, Human Resources and the Sheriff's Office in addressing Finding 10.

F11: MCSO is working diligently to fill all the current authorizations. However, even after those authorizations are filled, there will remain an insufficient number of Sheriff's deputies to meet the needs of both the jail and patrol.

Response F11: The response to this finding is more appropriately addressed by the Sheriff. However, the Board of Supervisors will work with the County Administrative Office, Human Resources and the Sheriff's Office in addressing Finding 11.

F12: Reducing the number of authorizations for deputies is a self-defeating proposition. To do so will continue to waste our tax dollars on unnecessary overtime.

Response F12: The response to this finding is more appropriately addressed by the Sheriff. However, the Board of Supervisors will work with the County Administrative Office, Human Resources and the Sheriff's Office in addressing Finding 12. Reducing the number of authorizations for deputies is a self-defeating proposition.

REPORT TITLE: Jail Insufficient Number of Deputies: Car 54 Where are You
RESPONSE BY: Monterey County Board of Supervisors
RESPONSE TO: Recommendations R-1, R-2, R-3, R-4, R-5 and R-6

R1: The Board of Supervisors should budget for additional authorizations for Sheriff deputies, alleviating the massive amount of overtime.

Response R1: This recommendation requires further analysis. The Board of Supervisors agrees that staffing levels should be sufficient to minimize overtime needs. The Board works with the Sheriff and County Administrator to find the appropriate level of funding for staff recognizing budget limitations and overtime fluctuations. The recommendation will be implemented insofar as appropriate within budget constraints and Sheriff Office needs.

R2: The Board of Supervisors should fund an outside personnel consulting firm to conduct a job analysis for the two assignments: jail and patrol. This analysis should include, as in the following, but not limited to”

- The tasks each job requires
- The conditions under which they are done
- The standards which they must achieve

Response R2: This recommendation requires further analysis. The Board of Supervisors will work with the County Administrative Office, Human Resources and the Sheriff’s Office in working through this recommendation, as appropriate.

R3: The Sheriff’s Department should hire directly for patrol or for the jail. There should be distinct promotional paths for both divisions.

Response R3: This recommendation is more appropriately addressed by the Sheriff. However, the Board of Supervisors is open to exploring staffing options with the Sheriff.

R4: The Board of Supervisors should investigate the use of corrections officers, where appropriate. These officers, in conjunction with the additional authorizations for deputies, will cover the shortfall of deputies in the jail.

Response R4: This recommendation is more appropriately addressed by the Sheriff at this time. The Board is open to exploring staffing options with the Sheriff.

R5: A job description, and an approved pay scale, should be adopted for corrections officers, whose training, qualifications and job assignments would differ from those of a deputy.

Response R5: This recommendation is more appropriately addressed by the Sheriff at this time. The Board is open to exploring staffing options with the Sheriff.

R6: A staffing implementation plan should be adopted that will, over time, eliminate the use of a deputy to fill a job that could be performed by a more modestly compensated and less highly trained correctional officer.

Response R6: This recommendation is more appropriately addressed by the Sheriff. The Board is open to exploring staffing options with the Sheriff.



Salinas Union High School District

Dan Burns
Superintendent
tim.vanoli@salinasuhsd.org

Blanca Baltazar-Sabbah, Ed.D.
Associate Superintendent
Instructional Services
blanca.baltazar@salinasuhsd.org

Randy Bangs
Assistant Superintendent
Human Resources
randall.bangs@salinasuhsd.org

Ana V. Aguillon
Manager of
Business Services/CBO
ana.aguillon@salinasuhsd.org

August 22, 2017

The Honorable Mark E. Hood
Presiding Judge of the Superior Court
County of Monterey
240 Church Street
Salinas, CA 93901

Re: Salinas Union High School District Response to 2016-17 Grand Jury Report

Honorable Judge Hood:

The Salinas Union High School District (SUHSD) has carefully reviewed and considered the Findings and Recommendations set forth in the "2016-17 Monterey County Civil Grand Jury Report, The Impact of Second Language Learners from Low Income Families on Elementary Education in Salinas." This letter shall serve as the official response of the Salinas Union High School District Board President to the Findings and Recommendations of the Monterey County Civil Grand Jury ("Grand Jury").

Finding

F 7. Cooperation and coordination between the elementary school districts and the Salinas middle schools within the Salinas Union High School District is not adequate to ensure that all students entering middle schools are equally prepared.

Response: SUHSD partially agrees with this finding. The Salinas Union High School District and our partners in seven elementary feeder school districts have begun to work collaboratively to vertically articulate programs and curriculum to ensure that entering middle school students are equally prepared.

Sincerely,

Evamarie Martinez
SUSHD Board President