

OFFICE OF THE SHERIFF MONTEREY COUNTY, CALIFORNIA

February 19, 2008

The Honorable Russell D. Scott
2007 Presiding Judge of the Superior Court
County of Monterey
240 Church Street
Salinas, CA 93901

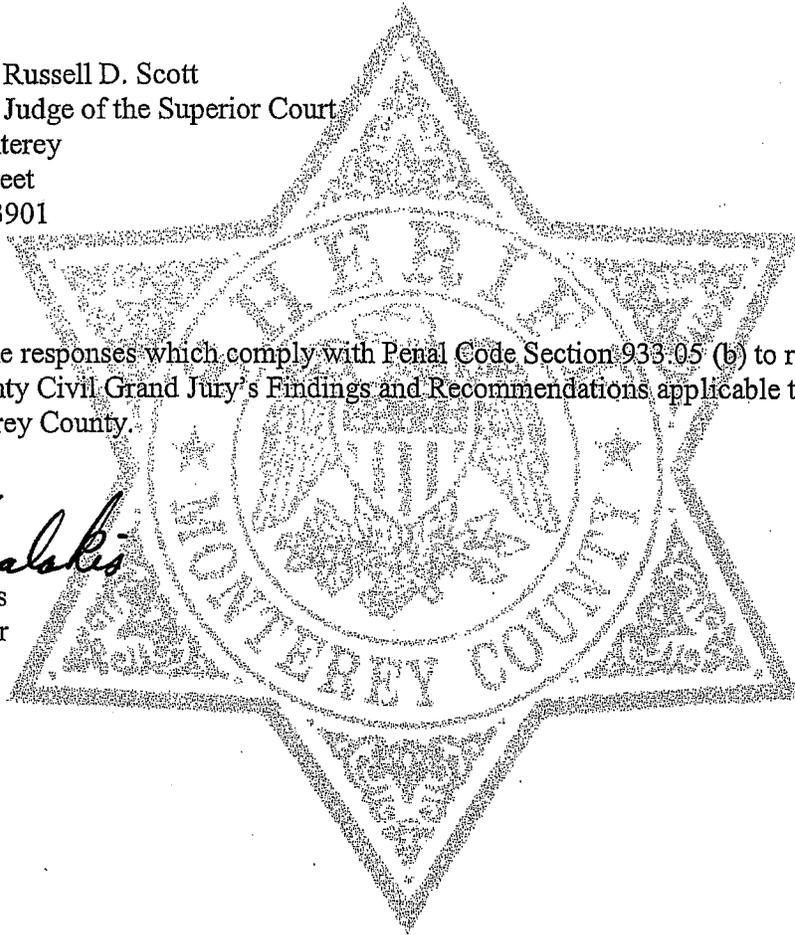
Russ
Judge Scott:

Attached are the responses which comply with Penal Code Section 933.05 (b) to report on the 2007 Monterey County Civil Grand Jury's Findings and Recommendations applicable to the Office of the Sheriff, Monterey County.

Sincerely,

Mike Kanalakis

Mike Kanalakis
Sheriff-Coroner





Monterey County Sheriff's Office

Response to the

**Monterey County Civil Grand Jury
2007 Final Report**

February 19, 2008

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REPORT TITLE: 2007 Grand Jury Report Agency Response
RESPONSE BY: Monterey County Sheriff's Office
RESPONSE TO: Findings F 2.1 – F 2.4

Finding F 2.1: *The County's law enforcement information technology (IT) systems no longer interface with the court's IT systems. The two systems are no longer compatible and do not integrate with each other or with other law enforcement systems.*

Response F 2.1: The respondent agrees.

Finding F 2.2: *There are no plans to upgrade the JMS legacy system.*

Response F 2.2: The respondent disagrees wholly with the finding. The Monterey County Integrated Justice Information System (IJIS) has been addressing the replacement or upgrade of the JMS legacy system.

Finding F 2.3: *The feasibility study of the JMS is underway.*

Response F 2.3: The respondent disagrees partially with the finding. The feasibility study for the County's Integrated Justice Information System (IJIS) was completed in October 2007. The study and resultant IJIS project recommend full replacement of the JMS as a part of the IJIS project. The County is now attempting to identify funding for the replacement effort.

Finding F 2.4: *The consultant is working with all Justice Partners in the study.*

Response F 2.4: The respondent agrees with the finding.

REPORT TITLE: 2007 Grand Jury Report Agency Response

RESPONSE BY: Monterey County Sheriff's Office

RESPONSE TO: Recommendations F 2.1 – F 2.4

Recommendation F 2.1: *The Board of Supervisors should insure the priority and timeliness of the ongoing system upgrade feasibility study.*

Response F 2.1: The Sheriff's Office is in agreement with the Monterey County Board of Supervisors that the recommendation has been implemented. Implementation is not within the authority or control of the Monterey County Sheriff's Office to implement the recommendation.

Recommendation F 2.2: The Board of Supervisors should include the County Probation Department in the scope of the feasibility study.

Response F 2.2: The Sheriff's Office is in agreement with the Monterey County Board of Supervisors that the recommendation has been implemented. Implementation is not within the authority or control of the Monterey County Sheriff's Office to implement the recommendation.

Recommendation F 2.3: *The Board of Supervisors and the Superior Court should begin a process which will ultimately result in a seamless flow of law enforcement data of interest to all elements operating within the County irrespective of jurisdiction, geography, or IT methods or means.*

Response F 2.3: The Sheriff's Office is in agreement with the Monterey County Board of Supervisors that the recommendation has been implemented. Implementation is not within the authority or control of the Monterey County Sheriff's Office to implement the recommendation.

Recommendation F 2.4: *The County ID Department should develop evolving contingency plans for all critical County law enforcement IT functions.*

Response F 2.4: The recommendation has not yet been implemented. The County IT Department has traditionally worked with the law enforcement agencies to develop evolving contingency plans for all critical County law enforcement IT functions. Implementation is not within the authority or control of the Monterey County Sheriff's Office to implement the recommendation.

REPORT TITLE: 2007 Grand Jury Report Agency Response
RESPONSE BY: Monterey County Sheriff's Office
RESPONSE TO: Findings F 11.1 – F 11.21

Finding F 11.1: *Suppression of gang activity in Monterey County is a vital tool in getting gang members off the streets.*

Response F 11.1: The respondent agrees with the finding.

Finding F 11.2: *Even though many intervention programs exist in Monterey County, they are not always made easily available to children or families at risk.*

Response F 11.2: The respondent agrees with the finding.

Finding F 11.3: *Prevention is the key to long-term control of gang activity.*

Response F 11.3: The respondent agrees with the finding.

Finding F 11.4: *Competition for both intervention and suppression program dollars is keen.*

Response F 11.4: The respondent agrees with the finding.

Finding F 11.5: *Gangs can be countered with citizen action groups such as Neighborhood Watch program.*

Response F 11.5: The respondent agrees with the finding.

Finding F 11.6: *A community of neighborhood that is united to neutralize gangs and dedicated to working against violence will greatly hamper a gang's ability to flourish.*

Response F 11.6: The respondent agrees with the finding.

Finding F 11.7: *Every member of the community has a responsibility to overcome gang intimidation and not give into the apathy that tacitly supports a gang's activities. To bring peace to the streets of the County, the cooperation of the citizens of the County is necessary.*

Response F 11.7: The respondent agrees with the finding.

REPORT TITLE: 2007 Grand Jury Report Agency Response
RESPONSE BY: Monterey County Sheriff's Office
RESPONSE TO: Findings F 11.1 – F 11.7

Finding F 11.8: *Each member of the different law enforcement departments represented in the GTF uses equipment and techniques from their home department. Each member brings different expertise, and the task force continues to blend these skills together.*

Response F 11.8: The respondent agrees with the finding.

Finding F 11.9: *Because of this diversity in methods, techniques and equipment, the GTF has had to learn on-the-job how to coordinate their own methods and techniques. The equipment is still dependent on their home officers' department.*

Response F 11.9: The respondent agrees with the finding.

Finding F 11.10: *Not all the cars used by the GTF are equipped with Global Positioning Systems (GPS), making it difficult when they are driving through remote areas.*

Response F 11.10: The respondent agrees with the finding.

Finding F 11.11: *Each car used by the GTF is equipped with the computer and interface from its jurisdiction. Different jurisdictions do not have the capability of computer interface with each other. Even though they are now the same unit they must communicate by cell phone. This effect is magnified because Monterey County covers 131,708 square miles.*

Response F 11.11: The respondent agrees with the finding.

Finding F 11.12: *Monterey County has some prevention and intervention programs. However, the County has failed to put effective programs in place. Until there are better programs, the GTF will be necessary.*

Response F 11.12: The respondent disagrees wholly with the finding. The GTF model recognizes that suppression of criminal gang activity was only one component of a three dimensional approach to addressing gang violence on a systematic level. Prevention and intervention efforts compromise the other two elements. The Monterey County Silver Star Gang Prevention and Intervention Program (SSGPI) with the Monterey County Probation Department functioning as the lead agency, has proven very successful as a countywide collaborative of public and community-based agencies,. The SSGPI provides the prevention and early-intervention component of the continuum of coordinated anti-gang efforts at the local level.

REPORT TITLE: 2007 Grand Jury Report Agency Response
RESPONSE BY: Monterey County Sheriff's Office
RESPONSE TO: Findings F 11.1 – F 11.7

Finding F 11.13: *Placing youth into gang activity treatment programs is challenging and may have unintended consequences if not done correctly. Differentiation of a hard-core gang member from a sympathizer is of utmost importance. Keeping these populations separated in treatment programs is of utmost importance.*

Response F 11.13: The respondent agrees with the finding.

Finding F 11.14: *Gang cultures exhibit a predatory nature. Many youth are sympathizers; people who are not officially a part of a gang but may wear gang colors, flash signs or imitate gang behavior. Hard-core gang members will relentlessly attempt to recruit gang sympathizers.*

Response F 11.14: The respondent agrees with the finding.

Finding F 11.15: *Many gangs have membership going back three or four generations. Youth may know no other lifestyle than that of the gang.*

Response F 11.15: The respondent agrees with the finding.

Finding F 11.16: *Violence in gangs is systemic and a way of life. Prevention and intervention are paramount to the suppression of gangs.*

Response F 11.16: The respondent agrees with the finding.

Finding F 11.17: *Graffiti markings serve as a warning to others that the gang rules this part of a neighborhood. If not removed quickly, graffiti draws rivals into the area.*

Response F 11.17: The respondent agrees with the finding.

Finding F 11.18: *Community leaders must stop competing among themselves for programs and funding and instead work together for resources to help both prevention and intervention.*

Response F 11.18: The respondent agrees with the finding as it relates to the GTF. The Monterey County Joint Gang Task Force and the Monterey County Silver Star Gang Prevention and Intervention Program, the City of Salinas' Community Safety Alliance and Rancho Cielo and all Monterey County Law Enforcement agencies work collaboratively to address prevention, intervention and suppression.

REPORT TITLE: 2007 Grand Jury Report Agency Response
RESPONSE BY: Monterey County Sheriff's Office
RESPONSE TO: Findings F 11.1 – F 11.21

Finding F 11.19: *Part of the California "Gang Prevention Network" uses their city teams to participate in roundtable discussions with representatives from the offices of the Governor and both United States Senators from California.*

Response F 11.19: The respondent agrees with the finding.

Finding F 11.20: *Girls raised within a violent gang atmosphere may suffer greatly from low self-esteem. They grow up to believe that domestic violence is a normal way of life, or that they deserve to be abused. Passing this mentality from one generation to the next, violence becomes routine and accepted.*

Response F 11.20: The respondent agrees with the finding.

Finding F 11.21: *The long-term solution to overcoming gangs is through a coordinated community effort that includes prevention and intervention as well as suppression. The County and Monterey County city governments with their associated law enforcement agencies cannot merely arrest their way out of increasing gang violence.*

Response F 11.21: The respondent agrees with the finding. A three dimensional approach that addresses gang violence on a systematic level includes suppression, intervention and prevention.

REPORT TITLE: 2007 Grand Jury Report Agency Response
RESPONSE BY: Monterey County Sheriff's Office
RESPONSE TO: Recommendations F 11.1 – F 11.7

Recommendation F 11.1: *The Board of Supervisors should bring together a network of municipal leaders, law enforcement officials, school administrators, community partners and representatives of faith based communities to create achievable solutions and alternatives to the gang lifestyle.*

Response F 11.1: The recommendation has not been implemented because it is not within the authority or control of the Monterey County Sheriff's Office to do so.

Recommendation F 11.2: *The Board of Supervisors in conjunction with the Monterey County Office of Education, each school district within the County and non-profit organizations should include alternatives to violence in school curriculum.*

Response F 11.2: The recommendation has not been implemented because it is not within the authority or control of the Monterey County Sheriff's Office to do so.

Recommendation F 11.3: *Each school district within the County should encourage after-school activities that are made available in all communities for all children including kids at risk.*

Response F 11.3: The recommendation has not been implemented because it is not within the authority or control of the Monterey County Sheriff's Office to do so.

Recommendation F 11.4: *The Board of Supervisors should fund parental and family counseling programs and programs that teach youth alternatives to gang life. These programs should be made available at schools and through non-profit agencies.*

Response F 11.4: The recommendation has not been implemented because it is not within the authority or control of the Monterey County Sheriff's Office to do so.

Recommendation F 11.5: *The Board of Supervisors and the city council of each city countywide should fund and promote park activities and youth groups as an alternative to gang activities.*

Response F 11.5: The recommendation has not been implemented because it is not within the authority or control of the Monterey County Sheriff's Office to do so.

Recommendation F 11.6: *The Board of Supervisors should fund updated Internet Technology and interface for GTF use in both their office and cars.*

REPORT TITLE: 2007 Grand Jury Report Agency Response
RESPONSE BY: Monterey County Sheriff's Office
RESPONSE TO: Recommendations F 11.1 – F 11.7

Response F 11.6: The recommendation has not been implemented because it is not within the authority or control of the Monterey County Sheriff's Office to do so.

Recommendation F 11.7: *The Board of Supervisors should fund a Global Positioning System device (GPS) for every car used by the Monterey County Joint Gang Task Force.*

Response F 11.7: The recommendation has not been implemented because it is not within the authority or control of the Monterey County Sheriff's Office to do so.

REPORT TITLE: 2007 Grand Jury Report Agency Response
RESPONSE BY: Monterey County Sheriff's Office
RESPONSE TO: Findings F 12.1 – F 12.10

Finding F 12.1: *Although the education requirements for probation officers are higher than those of other law enforcement officers, probation officers are paid less. This pay discrepancy, combined with the high cost of living in Monterey County, makes it difficult to recruit and retain officers.*

Response F 12.1: The respondent agrees with the finding.

Finding F 12.2: *Monterey County took CJIS off-line in December 2004.*

Response F 12.2: The respondent disagrees wholly with the finding. The Administrative Office of the Courts migrated to their own system, SUSTAIN in December 2004. CJIS has remained on line.

Finding F 12.3: *There is no longer any computer interface between the courts and probation. Because of the lack of IT interface between courts and probation, there is approximately a 30 day delay in relaying necessary information from the Courts to the Monterey County Probation Department.*

Response F 12.3: The respondent cannot answer as the Monterey County Probation Department is a separate County Department from the Monterey County Sheriff's Office. The Sheriff's Office has no authority or control over the Probation Department.

Finding F 12.4: *The number of people placed on probation continues to rise along with the regular population statistics, about 3% per year.*

Response F 12.4: The respondent cannot answer as the Monterey County Probation Department is a separate County Department from the Monterey County Sheriff's Office. The Sheriff's Office has no authority or control over the Probation Department.

Finding F 12.5: *Caseloads average over 240 cases per officer and are at an all-time high.*

Response F 12.5: The respondent cannot answer as the Monterey County Probation Department is a separate County Department from the Monterey County Sheriff's Office. The Sheriff's Office has no authority or control over the Probation Department.

REPORT TITLE: 2007 Grand Jury Report Agency Response
RESPONSE BY: Monterey County Sheriff's Office
RESPONSE TO: Findings F 12.1 – F 12.10

Finding F 12.6: *The Restoration Unit, which helps resolve victim compensation claims, currently ranks 11th out of the 58 counties within the State for case resolution.*

Response F 12.6: The respondent cannot answer as the Monterey County Probation Department is a separate County Department from the Monterey County Sheriff's Office. The Sheriff's Office has no authority or control over the Probation Department.

Finding F 12.7: *Currently only 31 of the 40 authorized armed officer positions are filled – a 22.5% vacancy rate.*

Response F 12.7: The respondent cannot answer as the Monterey County Probation Department is a separate County Department from the Monterey County Sheriff's Office. The Sheriff's Office has no authority or control over the Probation Department.

Finding F 12.8: *All probation officers are required to use the same type of weapons and equipment with the exception of those currently assigned to the Monterey County Joint Gang Task Force.*

Response F 12.8: The respondent cannot answer as the Monterey County Probation Department is a separate County Department from the Monterey County Sheriff's Office. The Sheriff's Office has no authority or control over the Probation Department.

Finding F 12.9: *The Monterey County Adult Probation Department has 30 Taser[®] devices. Due to lack of training, these Taser[®] devices are not being used.*

Response F 12.9: The respondent cannot answer as the Monterey County Probation Department is a separate County Department from the Monterey County Sheriff's Office. The Sheriff's Office has no authority or control over the Probation Department.

Finding F 12.10: *Due to lack of equipment, some of the Sheriff's deputies working in the County Jail have purchased their own Taser[®] devices.*

Response F 12.10: The respondent agrees with the finding. Approximately 70% of the deputies assigned to the Custody Operations Bureau have been issued or will be issued a Taser[®] in the near future. Due to budget restraints, the Taser[®] being standard issued equipment for all Monterey County Sheriff's deputies has not yet occurred. Deputies that do not want to wait or want the most recent model may purchase their own Taser[®].

REPORT TITLE: 2007 Grand Jury Report Agency Response
RESPONSE BY: Monterey County Sheriff's Office
RESPONSE TO: Recommendations F 12.1 – F 12.6

Recommendation F 12.1: *The Board of Supervisors should fund Taser® training for the Monterey County Probation Department Adult Division officers. If this funding is not feasible, these Taser® devices should be reissued to the Sheriff's Department.*

Response F 12.1: The recommendation has not been implemented. Implementation is not within the authority or control of the Monterey County Sheriff's Office to do so.

Recommendation F 12.2: *The Board of Supervisors should fund the centralization of the Monterey County Probation Department's facilities and allow enough office space to accommodate full staffing requirements.*

Response F 12.2: The recommendation has not been implemented. Implementation is not within the authority or control of the Monterey County Sheriff's Office to do so.

Recommendation F 12.3: *The Board of Supervisors should include the Probation Department in the ongoing IT feasibility study.*

Response F 12.3: The recommendation has been implemented. The Probation Department is already included in the ongoing IT feasibility study called Monterey County Integrated Justice Information System (MCIJIS).

Recommendation F 12.4: *The Board of Supervisors should upgrade the IT systems to allow for interface with the courts and other law enforcement agencies.*

Response F 12.4: The recommendation has not been implemented. Implementation is not within the authority or control of the Monterey County Sheriff's Office to do so.

Recommendation F 12.5: *The Board of Supervisors should fund pay increases so that parity between the Sheriff's Department and the Probation Department will be achieved.*

Response F 12.5: The recommendation has not been implemented. Implementation is not within the authority or control of the Monterey County Sheriff's Office to do so.

REPORT TITLE: 2007 Grand Jury Report Agency Response
RESPONSE BY: Monterey County Sheriff's Office
RESPONSE TO: Recommendations F 12.1 – F 12.6

Recommendation F 12.6: *The Board of Supervisors should address the condition of chronic under-funding and should fully fund the resources needed to resolve the inefficiencies created by overcrowded office space, exceptionally high caseloads and officer recruitment/retention problems.*

Response F 12.6: The recommendation has not been implemented. Implementation is not within the authority or control of the Monterey County Sheriff's Office to do so.

REPORT TITLE: 2007 Grand Jury Report Agency Response
RESPONSE BY: Monterey County Sheriff's Office
RESPONSE TO: Findings F 14.1 – F 14.14

Finding F 14.1: *The Greenfield Police Department uses an assortment of less-than-lethal equipment and weapons. All officers are well trained and knowledgeable in the selection and use of weaponry. Each officer is trained to choose the most appropriate equipment for given situations.*

Response F 14.1: The respondent cannot respond as the Greenfield Police Department is a municipal law enforcement agency separate from the Sheriff's Office.

Finding F 14.2: *The Police Chief of Greenfield personally designed a Mobile Emergency Command Center (MECC). All department employees are cross-trained in the use operation and deployment of the MECC.*

Response F 14.2: The respondent cannot respond as the Greenfield Police Department is a municipal law enforcement agency separate from the Sheriff's Office.

Finding F 14.3: *The Department's equipment includes an assortment of additional tools used to assign officers in searches such as the use of a robotic remote control camera, which may be deployed to "clear" an area prior to entrance.*

Response F 14.3: The respondent cannot respond as the Greenfield Police Department is a municipal law enforcement agency separate from the Sheriff's Office.

Finding F 14.4: *All Greenfield police officers are issued Level B Haz-Mat suits which are primarily used when there is a severe respiratory hazard present or moderate skin exposure present. Level B offers protection with a chemical resistant coverall, one of two piece splash unit. Pressure demand Self Contained Breathing Apparatus (SCBA) or supplied air respirator with escape SCBA gloves and tools.*

Response F 14.4: The respondent cannot respond as the Greenfield Police Department is a municipal law enforcement agency separate from the Sheriff's Office.

Finding F 14.5: *The Greenfield Police Department sets the standard in emergency preparedness in the County. They have practiced their procedures and are prepared for any civil emergency.*

Response F 14.5: The respondent cannot respond as the Greenfield Police Department is a municipal law enforcement agency separate from the Sheriff's Office.

REPORT TITLE: 2007 Grand Jury Report Agency Response
RESPONSE BY: Monterey County Sheriff's Office
RESPONSE TO: Findings F 14.1 – F 14.14

Finding F 14.6: *All Greenfield Police Department employees are certified in both Standardized Emergency Management System (SEMS) and National Incident Management System (NIMS), required by the Department of Homeland Security and the State of California. SEMS: (<http://www.oes.ca.gov/Operational/OESHome.nsf/PDF/SEMS-NIMS-2007-PDFs/file/DirectorLtr07.pdf>). NIMS: (http://www.fema.gov/emergency/nims/nims_training.shtml)*

Response F 14.6: The respondent cannot respond as the Greenfield Police Department is a municipal law enforcement agency separate from the Sheriff's Office.

Finding F 14.7: *Greenfield's Community Service Officer negotiated an agreement with a local towing service to remove abandoned vehicles from city streets at no charge to the municipality, thus reducing urban blight.*

Response F 14.7: The respondent cannot respond as the Greenfield Police Department is a municipal law enforcement agency separate from the Sheriff's Office.

Finding F 14.8: *Greenfield is a rapidly growing community area. The Police Chief aids city planners to develop parks and recreational areas to avoid creating areas that might become opportunities for crime locations.*

Response F 14.8: The respondent cannot respond as the Greenfield Police Department is a municipal law enforcement agency separate from the Sheriff's Office.

Finding F 14.9: *Educating the community is key to the prevention of crime and the Greenfield Police Department holds regular community awareness meetings.*

Response F 14.9: The respondent cannot respond as the Greenfield Police Department is a municipal law enforcement agency separate from the Sheriff's Office.

Finding F 14.10: *The Greenfield Police Department created a comprehensive and informative Internet web page that includes salient data on current community issues. The page includes On-line Amber Alerts, School Violence Reports, the Violence Suppression Unit (VSU) Information, LiveScan Fingerprint notices, DUI Enforcement, Online Crime Reporting, Registered Sex Offender Information, real time flood information, press releases and more. The website may be viewed in both English and Spanish at (<http://ci.greenfield.ca.us/police.htm>).*

REPORT TITLE: 2007 Grand Jury Report Agency Response
RESPONSE BY: Monterey County Sheriff's Office
RESPONSE TO: Findings F 14.1 – F 14.14

Response F 14.10: The respondent cannot respond as the Greenfield Police Department is a municipal law enforcement agency separate from the Sheriff's Office.

Finding F 14.11: *Pre-arranged and parentally authorized, K-9 school drug searches are in the process of negotiations and, if approved, will be conducted on a random basis at Greenfield schools.*

Response F 14.11: The respondent cannot respond as the Greenfield Police Department is a municipal law enforcement agency separate from the Sheriff's Office.

Finding F 14.12: *The Greenfield Police Department is awaiting approval of its plan to conduct random DUI and illegal drug and weapons traffic checkpoints on a periodic basis.*

Response F 14.12: The respondent cannot respond as the Greenfield Police Department is a municipal law enforcement agency separate from the Sheriff's Office.

Finding F 14.13: *The Greenfield Police Department concentrates pro-actively on preventing crime including shopping cart control, weed abatement, the aforementioned abandoned vehicle removal program and graffiti control.*

Response F 14.13: The respondent cannot respond as the Greenfield Police Department is a municipal law enforcement agency separate from the Sheriff's Office.

Finding F 14.14: *Terrorism within the Monterey County is a possibility, and Greenfield is well prepared for many scenarios including a dirty bomb, chemical, biological and even agro-terrorism attack.*

Response F 14.14: The respondent cannot respond as the Greenfield Police Department is a municipal law enforcement agency separate from the Sheriff's Office.

REPORT TITLE: 2007 Grand Jury Report Agency Response
RESPONSE BY: Monterey County Sheriff's Office
RESPONSE TO: Recommendations F 14.1 – F 14.5

Recommendation F 14.1: *All city police departments in the County should be fully cross-trained so that any peace officer would be capable, if needed, of taking charge of any emergency situation. This way a city is not dependent on one or two people.*

Response F 14.1: The recommendation will not be implemented by the Sheriff's Office as this recommendation pertains to city police departments. Municipal law enforcement agencies are separate entities and are not under the operational control of the Sheriff's Office.

Recommendation F 14.2: *All city police departments in the County should have a range of less-than-lethal weapons.*

Response F 14.2: The recommendation will not be implemented by the Sheriff's Office as this recommendation pertains to city police departments. Municipal law enforcement agencies are separate entities and are not under the operational control of the Sheriff's Office.

Recommendation F 14.3: *All County and city personnel required to take NIMS and SEMS training should complete their training as soon as possible.*

Response F 14.3: The recommendation has been implemented in the Sheriff's Office. The Sheriff's Office will not be implementing this recommendation for other County and city personnel as they are not under the control or authority of the Sheriff's Office.

Recommendation F 14.4: *The Board of Supervisors should require completion of county-wide NIMS and SEMS training as soon as possible.*

Response F 14.4: The recommendation has been implemented in the Sheriff's Office. The Sheriff's Office will not be implementing this recommendation for the Board of Supervisors as they are not under the control or authority of the Sheriff's Office.

Recommendation F 14.5: *The Board of Supervisors, city councils, Sheriff and all city law enforcement agencies should publicly address the necessity of securing proper storage of agricultural equipment and industrial chemicals in the County. The agriculture industry and the public need to be educated on the hazards of chemicals.*

REPORT TITLE: 2007 Grand Jury Report Agency Response
RESPONSE BY: Monterey County Sheriff's Office
RESPONSE TO: Recommendations F 14.1 – F 14.5

Response F 14.5: The recommendation has been implemented in the Sheriff's Office. The Sheriff's Office has an Agriculture Task Force and is a member of the federally funded Agricultural Crime Technology Information & Operations Network (ACTION) program. The ACTION program and the Agriculture Task Force address local agriculture crime issues and anti-terrorism initiatives. The County wide Sheriff's Office Agriculture Task Force does collaborate and coordinate with other law enforcement agencies in Monterey County. The Sheriff's Office will not be implementing this recommendation for the Board of Supervisors city councils and other city law enforcement agencies as they are not under the control or authority of the Sheriff's Office.

REPORT TITLE: 2007 Grand Jury Report Agency Response
RESPONSE BY: Monterey County Sheriff's Office
RESPONSE TO: Findings F 15.1 – F 15.9

Finding F 15.1: *The Sheriff rotates the Coroner's command staff every 3 to 5 years.*

Response F 15.1: The respondent agrees with the finding.

Finding F 15.2: *The cost of the central removal services will undoubtedly increase at the end of the current contract.*

Response F 15.2: The respondent agrees with the finding.

Finding F 15.3: *There is a nationwide shortage of pathologists which impacts Monterey County's ability to retain qualified staff.*

Response F 15.3: The respondent disagrees partially with this finding. There is a shortage of pathologists. Our pathologist has been with us for 15+ years.

Finding F 15.4: *Policies and procedures for a mass casualty situation occurring in Monterey County and command structure for such an emergency is outdated and needs to be rewritten.*

Response F 15.4: The respondent disagrees partially with the finding. Command structure for such an emergency is in place. Depending on the scope of the emergency, local, state and federal agencies may be involved. Our Office's personnel are trained in ways to manage such an emergency utilizing established protocols such as ICS, NIMS and SEMS. It is correct that the policy regarding the Coroner's role in such an emergency is outdated and needs to be rewritten. The Coroner's Division is revising their Mass Fatality Plan to conform to current State standards. This will be completed by June 30, 2008.

Finding F 15.5: *In the event of a mass casualty situation, Monterey County will incur the additional cost of international transportation to return the remains of non-citizens back to their home countries.*

Response F 15.5: The respondent disagrees wholly with the finding. The cost of returning bodies to their home country rests with the family of the deceased, and/or the Government of the Country in question.

Finding F 15.6: *The donated x-ray machine in the Coroner's Office has not been functional for over a year, and replacement parts are no longer available.*

REPORT TITLE: 2007 Grand Jury Report Agency Response
RESPONSE BY: Monterey County Sheriff's Office
RESPONSE TO: Findings F 15.1 – F 15.9

Response F 15.6: The respondent agrees with the finding.

Finding F 15.7: *When necessary, a body is transferred back and forth to Natividad Medical Center for x-ray. The cost incurred for time and travel would be eliminated by a functional x-ray machine.*

Response F 15.7: The respondent agrees with the finding.

Finding F 15.8: *The County lacks a sufficient number of body bags needed in the case of a mass casualty situation.*

Response F 15.8: The respondent disagrees partially with the finding. The Sheriff's Coroner Division has approximately 350 body bags in inventory. This number is reasonable as more than this number is not practical due to space constraints and the shelf-life of the body bags. Body bags are readily available from a vendor when requested.

Finding F 15.9: *In the event of a mass casualty situation the Monterey County Morgue is undersized. This will affect Monterey County in the event of a pandemic or other mass casualty disaster where the County would have to acquire refrigerated trucks.*

Response F 15.9: The respondent agrees with this finding. The Sheriff's Office in collaboration with the Office of Emergency Services and the Health Department has identified alternate temporary morgue sites should a mass casualty incident occur.

REPORT TITLE: 2007 Grand Jury Report Agency Response
RESPONSE BY: Monterey County Sheriff's Office
RESPONSE TO: Recommendations F 15.1 – F 15.4

Recommendation F 15.1: *The Board of Supervisors and the County Administrative Officer should provide all funding necessary for the Coroner's Office to purchase an x-ray machine.*

Response F 15.1: The recommendation has not been implemented. The Coroner's Office does need an X-Ray machine and this is a budget request for Fiscal Year 08-09. The Sheriff's Office continues to work with the County Administrative Office and the Board of Supervisors to secure funding for this purchase.

Recommendation F 15.2: *The Sheriff should set and publish a timeline for the Coroner's Office to complete the new written policies and procedures for emergency preparedness. Tests should be conducted yearly to ensure feasibility and functionality.*

Response F 15.2: The recommendation has not been implemented because it is not warranted. The Coroner's Division is revising the Coroner's protocol for emergency preparedness and this will be completed by June 30, 2008. The necessity to set and publish is satisfied with this date. Annual tests to ensure the feasibility and functionality of the Coroner's Division emergency protocol are not necessary. The Coroner's Office participates in training and tabletop exercises conducted through the Monterey County Office of Emergency Services, the Army's Homeland Security Division other local agencies. In the near future an exercise is scheduled that is related to the Pandemic Influenza threat. The Coroner is integral to any emergency preparedness drill, so is routinely included in training exercises conducted in the County.

Recommendation F 15.3: *The Board of Supervisors should fund the purchase of additional body bags to be on hand in case of a mass casualty situation.*

Response F 15.3: The recommendation will not be implemented because it is not warranted or reasonable. Body bags are available through a vendor should the need arise. Issues with storage and shelf life support the current inventory level of approximately 350 body bags.

Recommendation F 15.4: *The Board of Supervisors should address the potential increased cost of the repatriation of the bodies of non-citizens after a mass casualty situation.*

Response F 15.4: The recommendation will not be implemented because it is a non issue. The cost of repatriation of bodies does not fall to the County.

REPORT TITLE: 2007 Grand Jury Report Agency Response
RESPONSE BY: Monterey County Sheriff's Office
RESPONSE TO: Findings F 16.1 – F 16.9

Finding F 16.1: *Due to lack of equipment, some deputies have chosen to purchase their own Taser® devices for use in the County Jail.*

Response F 16.1: The respondent agrees with the finding. Approximately 70% of the deputies assigned to the Custody Operations Bureau have been issued or will be issued a Taser® in the near future. Due to budget restraints, the Taser® being standard issued equipment for all Monterey County Sheriff's deputies has not yet occurred. Deputies that do not want to wait or want the most recent model may purchase their own Taser®.

Finding F 16.2: *One of the main duties for the Sheriff's Department is to provide deputies for court security.*

Response F 16.2: The respondent agrees with the finding. The Sheriff's Office has four main duties. The Sheriff as the Chief Law Enforcement Officer of the County is responsible for law enforcement in the unincorporated county area. The second major function of the Sheriff is acting as "Ministerial Officer of the Court." The Sheriff provides bailiffs to the Court to maintain court discipline and accountability for defendants. As Ministerial Officer of the Court, the Sheriff is required to serve a variety of civil processes and process civil writs of execution. The third duty of the Sheriff is acting "Keeper of the County Jail". As the County Jailer, the Sheriff is responsible to maintain the County Jail, the Adult Rehabilitation Facility and auxiliary services. The fourth duty of the Sheriff is that of Coroner.

Finding F 16.3: *The one K-9 unit in the jail is used to conduct drug searches and other general services.*

Response F 16.3: The respondent agrees with the finding.

Finding F 16.4: *Sheriff's Department statistics show that 30% of the incarcerated offenders are considered hard-core gang members while an additional 30% are gang sympathizers.*

Response F 16.4: The respondent agrees with the finding.

REPORT TITLE: 2007 Grand Jury Report Agency Response
RESPONSE BY: Monterey County Sheriff's Office
RESPONSE TO: Findings F 16.1 – F 16.9

Finding F 16.5: *Due to design flaws and overcrowding, order among the inmates is difficult to maintain. Inmates watch each other and take full advantage of any situation made available to them to commit an assault. A new, contemporary designed facility should eliminate many of these issues.*

Response F 16.5: The respondent agrees with the finding.

Finding F 16.6: *According to the Sheriff's Department violence inside the County jail is rising.*

Response F 16.6: The respondent agrees with the finding.

Finding F 16.7: *The Sheriff's Department considers an 85% recidivism rate as normal. There are no policies or procedures to evaluate the success/failure of any of the programs offered to inmates.*

Response F 16.7: The respondent disagrees partially with the finding. The recidivism rate has not been statistically verified. It is correct that there are no policies or procedures to evaluate the success or failure of any of the programs offered to the inmates. The programs offered in the jail do meet the Corrections Standard Authority requirements.

Finding F 16.8: *About 15% of the inmate population requires psychotropic drugs for psychiatric illnesses, a slightly higher percentage than the general County population.*

Response F 16.8: The respondent agrees with the finding.

Finding F 16.9: *Recruitment and retention are high priority issues for the department. At the time of the Grand Jury's tour in April, the jail was short 47 deputies. By October there were only 16 deputy positions and two non-custodial positions vacant.*

Response F 16.9: The respondent disagrees partially with the finding. Recruitment and retention are high priority issues for the Sheriff's Office. The specific numbers cited are incorrect. The 47 deputy vacancies most likely represent the total number of deputy vacancies in the Sheriff's Office. This would include vacancies in the Administration Bureau and the Enforcement Operations Bureau and not just the Custody Operations Bureau.

REPORT TITLE: 2007 Grand Jury Report Agency Response
RESPONSE BY: Monterey County Sheriff's Office
RESPONSE TO: Recommendations F 16.1 – F 16.6

Recommendation F 16.1: *the Board of Supervisors should fund increases in pay where needed so that parity is achieved between the various County law enforcement departments.*

Response F 16.1: The recommendation has not been implemented. Implementation is not within the authority or control of the Monterey County Sheriff's Office. The Sheriff as the Chief Law Enforcement Officer of the County has consistently supported the Monterey County Sheriff's Deputies being the highest paid law enforcement officers in the County.

Recommendation F 16.2: *The Board of Supervisors should fund the purchase of a Taser® device for every deputy assigned to the Monterey County Jail. The Adult Division of the Probation Department has 30 Taser® devices it is not using. If the funding of Taser® device training for Monterey County Probation Department Adult Division officers is not feasible, these Taser® devices should be reissued to the Sheriff's Department.*

Response F 16.2: The recommendation has not been implemented. Implementation is not within the authority or control of the Monterey County Sheriff's Office. The Sheriff supports the Taser® being standard issued equipment for all Monterey County Sheriff's deputies.

Recommendation F 16.3: *The Board of Supervisors and the Sheriff should consider all modern jail designs to include the proper housing for the most violent inmates. The new jail, when built, should include smaller general population blocks that will offer a higher level of control over ever-increasing violence.*

Response F 16.3: The recommendation has been implemented. The Board of Supervisors approved Jail Facility Needs Assessment planning project has been completed. This assessment provides the foundation for the funding, designing and constructing of additional detention beds and/or new County jail facility. The Sheriff continues to work with the County Administrative Office and Board of Supervisors to secure funding for new jail construction. Monterey County is also pursuing a state partnership consistent with the Public Safety and Offender Rehabilitation Services Act of 2007 (AB900). The AB 900 Grant award would secure jail construction funding. The partnership with the State could also result in a California Department of Corrections and Rehabilitation Re-entry Facility being built.

Recommendation F 16.4: *The Sheriff should make sure all windows, doorways and exercise areas at the Monterey County Jail are secured and far enough away from the civilian population so that contraband cannot easily enter prison grounds or be easily accessed by inmates.*

REPORT TITLE: 2007 Grand Jury Report Agency Response
RESPONSE BY: Monterey County Sheriff's Office
RESPONSE TO: Recommendations F 16.1 – F 16.6

Response F 16.4: The recommendation has been implemented. Video surveillance, physical barriers and mesh screens over the caged fencing have been installed to prevent contraband from entering the facility. Additionally, the Sheriff's Office is working on a video visiting system that will reduce contraband and enhance the availability of inmate visits by the community.

Recommendation F 16.5: *The Sheriff should institute measurements or analyses that would determine what programs help to lower the rate of recidivism.*

Response F 16.5: This recommendation will not be implemented because it is not warranted or is not reasonable. The Sheriff's Office Custody Operations Bureau (Jail) is regulated by State standards set by the Corrections Standards Authority (CSA). The Corrections Standards Authority in its' Jail Profile Survey Annual Report 2005 states that "California jails on average cannot fully meet the needs of the justice system due to population pressures and capacity constraints." Additionally it identifies the complicating issues of the high percentage of felony inmates, the high percentage of non-sentenced inmates, the high percentage of mental health needs inmates and the high percentage of maximum security inmates. These factors coupled with the transitory nature of the local level inmate and budget restraints make it difficult to institute program measurement or analysis. The Custody Operation Bureau does have programs as mandated by CSA, but the measurements or analyses may be more appropriate to the rehabilitative resources such as the Probation Department or community based organizations.

Recommendation F 16.6: *The Sheriff should address the reason an 85% recidivism rate is considered normal and accepted.*

Response F 16.6: This recommendation will not be implemented because it is not warranted or is not reasonable. The recidivism rate has not been statistically verified or validated as normal. The Sheriff's Office priority at this time is to address the issues of overcrowding and an aging jail through new jail construction. The problems that promulgate high recidivism rates indicate a global response, rather than at the county jail level, is necessary.