



TRINITY COUNTY

Board of Supervisors

P.O. BOX 1613, WEAVERVILLE, CALIFORNIA 96093
PHONE (530) 623-1217 FAX (530) 623-8365

TO: The Honorable Elizabeth Johnson,
Presiding Judge of the Superior Court

FROM: Trinity County Board of Supervisors

SUBJECT: Response to Recommendations of 2013-2014
Grand Jury Judicial Committee Final Report
JUR 2013-2014-014 – Juvenile Detention Facility and the Adult Probation
Department

DATE: September 23, 2014

The Grand Jury Judicial Committee has requested a written response to their final report referenced above. The Board of Supervisors' response is as follows:

Finding #1: *Trinity County provides a high quality Juvenile Hall as detailed in Reference (2).*

Response: I agree with this finding.

Recommendation #1: *No recommendation provided by Grand Jury.*

Response: No response required.

Finding #2: *Time keeping particularly within the probation office is based on the honor system and is open to severe abuse.*

Response: I disagree in part with this finding. The timekeeping system is consistent with that used throughout the county. The timecards are reviewed for accuracy.

Recommendation #2: *The time keeping procedures must be re-designed to include a check-in/check-out methodology. Various techniques need to be explored, but such systems may include:*

Punch clock

Scanner ID cards

Biometric recognition (hand scanner)

JUDY PFLUEGER
DISTRICT 1

JUDY MORRIS
DISTRICT 2

KARL FISHER
DISTRICT 3

DEBRA CHAPMAN
DISTRICT 4

JOHN FENLEY
DISTRICT 5

The CPO is responsible for insuring that time keeping is properly managed in the Department. The methodology and time reports must be available to the CAO and/or his/her designee.

Response: This recommendation will not be implemented at this time. The County has been in the process of updating its payroll accounting system. Although the new system when finished will allow for electronic timekeeping, we must keep in mind that the current general fund precludes the county from filling needed staff positions in all critical departments. Thus, unless grants can be found for new timekeeping equipment, we do not see the county being able to convert to any of the systems suggested in the recommendation above.

Finding #3: *Probation Dept. employees are not familiar with Trinity County grievance procedures.*

Response: I disagree with this finding. The county goes to great lengths to provide this information to employees. The information is provided in the form of printed materials that each employee receives at the time of hire, and employees should attend employee orientation meetings on an annual basis. Further, employees have full access to their union representatives.

Recommendation #3: *Probation Officers and Correctional Officers must be familiar with county grievance procedures. The Chief Probation Officer is responsible for making his/her personnel familiar with the appropriate county code via signed statement of understanding. As these grievances may extend beyond the Chief Probation Officer, the Trinity County Superior Court Judge and the County Administrative Officer must have an MOU and/or necessary appointments to insure that the grievance avenue remains open to all county employees, including Probation Officers and Correctional Officers.*

Response: Has been implemented.

Finding #4: *Who the CPO reports to for administrative and budgetary reasons is unclear, unaccountable, and uncoordinated.*

Response: I agree with the finding.

Recommendation #4: *Establish an MOU, directives, and or appointments between the TCSCJ and the CAO regarding who the CPO reports to and for what purposes. Identify and regulate what type of written and oral reports need to be presented and when. The CPO must provide on at least a monthly basis a written status report showing:*

- *Probation population*
- *JH resident population*
 - o *Numbers for Trinity County*
 - o *Numbers for out of county*
- *Budget status*
 - o *Income*
 - o *Expenditures*
 - o *Shortfalls*
- *Personnel Status*
 - o *Absenteeism*

- *Losses due to retirement, resignation, or other reasons*
- *Substitutions required*
- *Disciplinary actions*
- *Grievance*
- *Union issues*
- *Significant Actions*
 - *Escapes*
 - *Use of medical facilities*
 - *Accidents*
- *Recommendations*

This report needs to go to the TCSCJ, CAO and any other department that has a need to know.

Response: Has been partially implemented. A new county/court MOU provides CAO with a greater role in evaluating the performance of the Chief. Although there is regular reporting by the Chief to the CAO, budgetary insufficiencies will preclude a formal written reporting regiment. .

Finding #5: *No clearly defined recovery path, i.e. mutual agreement, exists for disciplinary actions.*

Response: I disagree with this finding. There is a well-defined written procedure for discipline of employees.

Recommendation #5: *The CPO and disciplined employee must agree on a recovery path even if full recovery of privileges and grade cannot be provided. The recovery path must be in writing and signed by the CPO and the employee. If substance abuse is part of the reason for the disciplinary action, and the employee is going to be retained, then the CPO must arrange for a drug and alcohol program for the employee. In that light, the employee must be willing to submit to random testing at a time designated by the CPO. A copy of the recovery path agreement must be provided to the TCSCJ and the CAO.*

Response: Will be partially implemented. The County must be able to define a recovery path. Employees need not agree, nor should the CPO arrange for drug and alcohol programs for the employee.

Finding #6: *The value of maintaining a JH is controversial in light of the small local population.*

Response: I agree with this finding.

Recommendation #6: *The cost benefit analysis regarding the future of the JH is currently underway. This study needs to be completed. Maintaining the JH has more considerations than mere cost. Therefore other factors need to be brought into the argument, such as family separation, educational benefits, and psychological issues.*

Response: Has been implemented. The Cost Benefit Analysis has been completed and was presented to the Board of Supervisors at a special meeting on July 24, 2014.

Finding #7: *The value of providing the CPO a county vehicle for transportation to and from home in Redding needs analysis and justification. No vehicle logs are kept.*

Response: I agree with this finding.

Recommendation #7: *The CAO must produce a cost benefit analysis comparing the cost of loaning a county vehicle to the CPO as opposed to a mileage benefit. Action must be taken based on the analysis.*

Response: Requires further analysis which the CAO will perform this year.

Finding #8: *Repairs are needed for the drinking fountain and the fencing.*

Response: I agree with this finding.

Recommendation #8: *The jury does not know why the drinking fountain stains and residue exist. The reason must be determined and corrected. The fence needs to be repaired and augmented to prevent escape and injury. Some redesign of cell furniture is required to not only insure security, but also maintain safety of the residents.*

Response: Has been partially implemented. Fencing and fountain issues have been resolved. The cell furniture will be addressed at the next inspection with BSCC, to see if modifications are needed.



TRINITY COUNTY
Office of the County Administrator
WENDY G. TYLER
County Administrative Officer
P.O. BOX 1613, WEAVERVILLE, CALIFORNIA 96093-1613
PHONE (530) 623-1382 FAX (530) 623-8365

TO: The Honorable Elizabeth Johnson,
Judge of the Superior Court

FROM: *WGT* Wendy G. Tyler, County Administrative Officer

CC: Clerk of the Board of Supervisors

SUBJECT: Response to Recommendations of 2013-2014
Grand Jury Judicial Committee Final Report
JUR2013-2014-014 – Juvenile Detention Facility and
The Adult Probation Department

DATE: August 24, 2014

The Grand Jury Judicial Committee has requested a written response to their final report referenced above. In my capacity as County Administrative Officer my response is as follows:

Finding #1: *Trinity County provides a high quality Juvenile Hall as detailed in Reference (2).*

Response: I agree with this finding.

Recommendation #1: *No recommendation provided by Grand Jury.*

Response: No response required.

Finding #2: *Time keeping particularly within the probation office is based on the honor system and is open to severe abuse.*

Response: I disagree in part with this finding. The timekeeping system in place in Probation is the same in every other County department, and is based in large part on the honor system. Checks and balances are in place to control abuse.

Recommendation #2: *The time keeping procedures must be re-designed to include a check-in/check-out methodology. Various techniques need to be explored, but such systems may include:*

Punch clock

Scanner ID cards

Biometric recognition (hand scanner)

The CPO is responsible for insuring that time keeping is properly managed in the Department. The methodology and time reports must be available to the CAO and/or his/her designee.

Response: This recommendation will be implemented in part. The County is currently undergoing an upgrade to the financial accounting and payroll systems. This upgrade will allow for electronic timekeeping. It should be noted that currently timecards are available to the CAO for review. The Chief Probation Officer and/or his management staff review each timecard for accuracy.

Finding #3: *Probation Dept. employees are not familiar with Trinity County grievance procedures.*

Response: I disagree with this finding. Staff is provided an employee handbook upon initial hire that details the grievance procedure, as well as opportunities to attend employee orientation and re-orientation on an annual basis. Further, employees have a rather robust employee association via the United Public Employees of California, that they may avail themselves of when requiring assistance in the grievance process, as well as the County Personnel Department.

Recommendation #3: *Probation Officers and Correctional Officers must be familiar with county grievance procedures. The Chief Probation Officer is responsible for making his/her personnel familiar with the appropriate county code via signed statement of understanding. As these grievances may extend beyond the Chief Probation Officer, the Trinity County Superior Court Judge and the County Administrative Officer must have an MOU and/or necessary appointments to insure that the grievance avenue remains open to all county employees, including Probation Officers and Correctional Officers.*

Response: Has been implemented. As indicated in the response to the Finding above, there are processes in place to educate staff as to the grievance process. Additionally, since beginning his tenure, the Chief has implemented a new email reminder to all Probation Department Staff keeping them advised of the upcoming annual employee orientations and their responsibility to attend them.

Finding #4: *Who the CPO reports to for administrative and budgetary reasons is unclear, unaccountable, and uncoordinated.*

Response: I agree with the finding. The statutory requirement for appointment of the Chief Probation Officer by the Superior Court Judge certainly lends itself to this quandary.

Fortunately, in negotiating a new Court/County MOU, the Presiding Judge has acknowledged this problem and agreed to allow the County a more active role in the recruitment, appointment and annual performance reviews of the CPO.

Recommendation #4: *Establish an MOU, directives, and or appointments between the TCSCJ and the CAO regarding who the CPO reports to and for what purposes. Identify and regulate what type of written and oral reports need to be presented and when. The CPO must provide on at least a monthly basis a written status report showing:*

- *Probation population*
- *JH resident population*
 - o *Numbers for Trinity County*
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 - o *Shortfalls*
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 - o *Absenteeism*
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 - o *Substitutions required*
 - o *Disciplinary actions*
 - o *Grievance*
 - o *Union issues*
- *Significant Actions*
 - o *Escapes*
 - o *Use of medical facilities*
 - o *Accidents*
- *Recommendations*

This report needs to go to the TCSCJ, CAO and any other department that has a need to know.

Response: Has been partially implemented. As indicated above, the Presiding Judge has agreed to allow the County a greater role in evaluating the performance of the Chief. In terms of the requirement of a written monthly report, that will not be implemented. The Chief reports to me on a regular basis and keeps me apprised of developments within the department. Additionally, budgetary and personnel actions are routinely reported to me by either the Chief, or appropriate staff in the Auditor or Personnel departments.

Finding #5: *No clearly defined recovery path, i.e. mutual agreement, exists for disciplinary actions.*

Response: I disagree with this finding. There is as very clearly defined process for discipline of public employees. The reality is that there will rarely be “mutual agreement” between the employer and employee when it comes to discipline.

Recommendation #5: *The CPO and disciplined employee must agree on a recovery path even if full recovery of privileges and grade cannot be provided. The recovery path must be in writing and signed by the CPO and the employee. If substance abuse is part of the reason for the disciplinary action, and the employee is going to be retained, then the CPO must arrange for a drug and alcohol program for the employee. In that light, the employee must be willing to submit to random testing at a time designated by the CPO. A copy of the recovery path agreement must be provided to the TCSCJ and the CAO.*

Response: Will be partially implemented. Disciplined employees should understand their recovery path back to previous employment privileges and grade, if such path exists. There need not be “agreement” on the plan, the plan is at the discretion of the disciplining authority, in consultation with the Personnel Department and County Counsel.

In terms of substance abuse the County has a Drug and Alcohol Policy which details the procedures for employees to receive treatment for substance abuse problems as well as substance abuse treatment insurance coverage. The County has made use of “Last Change Agreements” with employees that provide for random drug testing. While the County encourages employees to seek treatment for substance abuse problems, (whether they remain in our employ, or not) there is no obligation, nor would the County support, the Chief arranging for substance abuse treatment for an employee.

Finding #6: *The value of maintaining a JH is controversial in light of the small local population.*

Response: I agree with this finding.

Recommendation #6: *The cost benefit analysis regarding the future of the JH is currently underway. This study needs to be completed. Maintaining the JH has more considerations than mere cost. Therefore other factors need to be brought into the argument, such as family separation, educational benefits, and psychological issues.*

Response: Has been implemented. The Cost Benefit Analysis has been completed and was presented to the Board of Supervisors at a special meeting on July 24, 2014.

Finding #7: *The value of providing the CPO a county vehicle for transportation to and from home in Redding needs analysis and justification. No vehicle logs are kept.*

Response: I agree with this finding.

Recommendation #7: *The CAO must produce a cost benefit analysis comparing the cost of loaning a county vehicle to the CPO as opposed to a mileage benefit. Action must be taken based on the analysis.*

Response: Requires further analysis. I will review this matter and make a determination as to whether this vehicle use is appropriate by the end of the calendar year.

Finding #8: *Repairs are needed for the drinking fountain and the fencing.*

Response: I agree with this finding.

Recommendation #8: *The jury does not know why the drinking fountain stains and residue exist. The reason must be determined and corrected. The fence needs to be repaired and augmented to prevent escape and injury. Some redesign of cell furniture is required to not only insure security, but also maintain safety of the residents.*

Response: Has been partially implemented. The drinking fountain and fencing recommendations have been implemented. The recommendation concerning redesign of some cell furniture will not be implemented at this time; however, we will advise the BSCC of the jury's concerns at our next inspection and consider possible structural modifications in consultation with them.



TRINITY COUNTY

Probation Department

Hal Ridlehuber, Chief Probation Officer

333 Tom Bell Rd.

P.O. Box 158


Weaverville, CA 96093

Phone: (530) 623-1204 Fax: (530) 623-1237



June 30, 2014

To: Honorable Elizabeth W. Johnson
Presiding Superior Court Judge

From: Hal Ridlehuber, Chief Probation Officer 

Subject: 2013/14 Grand Jury Report

I have reviewed the findings and recommendations of the Trinity County Grand Jury for the fiscal year 2013/2014 and make the following response to their findings and recommendations for the Juvenile Detention Facility and Adult Probation Department.

A response was requested within one week as to Recommendation R8, a stained drinking fountain. The remaining recommendations have response requests of 60 to 90 days and will therefore be addressed in a subsequent document.

Finding and Recommendation #8:

I agree with this finding and recommendation in full. The jury inspection noted the drinking fountain located in the recreation room had a large green stain/residue in the basin.

The County General Services Department has subsequently replaced a leaky water supply line and cleaned the drinking fountain basin. The service technician reported a more regular and vigorous cleaning of the basin will be required in the future to prevent the green stain which is a product of the chlorinated water coming in contact with the brass fittings.

cc: Wendy G. Tyler, CAO/Clerk of the Board

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Trinity County
Board of Supervisors

By: _____



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Phone: (530) 623-1204 Fax: (530) 623-1237



TO: Honorable Elizabeth W. Johnson,
Presiding Superior Court Judge

FROM: Hal Ridlehuber, Chief Probation Officer

CC: Clerk of the Board of Supervisors ✓

SUBJECT: Response to Recommendations of 2013-1214 Grand Jury Judicial Committee Final Report
Re: JUR-2013-2014-014 Trinity County Juvenile Detention Facility and the Adult Probation Department.

DATE: August 20, 2014

The Grand Jury Judicial Committee has requested a written response to their final report on the Trinity County Juvenile Detention Facility and the Adult Probation Department. In my capacity as Chief Probation Officer my response is as follows:

Finding #1: Trinity County provides a high quality JH as detailed in Reference (2).

Response: I agree with this finding and am pleased the Grand Jury understands the quality of the juvenile hall facility, staff and its rehabilitative programs.

Finding #2: Time keeping particularly within the probation office is based on the honor system and is open to severe abuse.

Response: I disagree in part with this finding.

Recommendation #1: The time keeping procedures must be re-designed to include a check-in/out methodology. Various techniques need to be explored, but such systems may include:

- Punch clock
- Scanner ID cards
- Biometric recognition (hand scanner)

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AUG 20 2014

Trinity County
Board of Supervisors
By: _____

Response: Requires further analysis. The Probation Department fully complies with the current county-wide time keeping procedures as established by the Trinity County Auditor's Office. With management's daily oversight of staff's arrival and departure times I believe appropriate checks and balances are in place to account for employee's time under the current payroll system. The Probation Department will implement any method adopted by the Board of Supervisors to account for employee time as I am committed to following any new and more efficient procedures.

Finding #3: Probation Department employees are not familiar with Trinity County grievance procedures.

Response: Disagree.

Recommendation #3: PO's and CO's must be familiar with county grievance procedures. The CPO is responsible for making his/her personnel familiar with the appropriate county code via a signed statement of understanding. As the grievances may extend beyond the CPO, the TCSCJ and the CAO must have an MOU and/or necessary appointments to insure that the grievance avenue remains open to all county employees, including PO's and CO's.

Response: Has been implemented. I disagree with the finding and recommendation in that the county already has implemented a procedure to familiarize employees in the county grievance procedures. All county employees, including PO's and CO's, are provided the Trinity County Employee Information Booklet and are required to attend an employee orientation presentation by the Personnel Department when they first begin employment and annually thereafter. Section XII of the Employee Information Booklet "Grievances" provides an overview of the grievance policy. Section XII concludes with the statement "If you need more detailed information, the specific procedures to be followed in filing a grievance are found in county code sections 2.60.710 and 2.60.730". At each orientation session the employees sign a document acknowledging receipt and understanding of the policies.

To enhance employee's awareness and knowledge of the procedure I have started a new email reminder to all Probation Department Staff keeping them advised of the upcoming annual employee orientations and their responsibility to attend them.

Finding #4: Who the CPO reports to for administrative and budgetary reasons is unclear, unaccountable, and uncoordinated.

Response: I agree with the finding in part and the new Court/County MOU more clearly identifies the role of the CAO and Presiding Judge in the recruitment, appointment and annual performance reviews of the CPO.

California Penal Code Section 1203.6 states "The adult probation officer shall be appointed and may be removed for good cause in a county with two superior court judges, by the presiding judge. In the case of a superior court of more than two judges, a majority of the judges shall make the appointment, and may effect removal...."

The Judicial Council and the California State Association of Counties released findings and recommendations of the "Probation Services Task Force." [Probation Services Task Force, Final Report (June 2003) which I believe puts the issue in perspective. "The governance of probation rests at the local level and is shared between the judicial and executive branches of local government. One of

the principal functions of probation departments is to carry out orders of the court, and, in most counties, the CPO is appointed by the court. The task force learned through its outreach efforts that the prevailing opinion is that probation clearly aligns itself with the court and that probation officers clearly view themselves as an arm of the court. However, probation is a county department, with the CPO serving as a county department head, and the executive branch ultimately has budgetary, management, and fiscal responsibility for the operations of the probation department.

Recommendation #4: Establish an MOU, directives, and or appointments between the TCSCJ and the CAO regarding who the CPO reports to and for what purposes. Identify and regulate what type of written and oral reports need to be presented and when. The CPO must provide on at least a monthly basis a written status report showing:

- Probation population
- JH resident population
 - o Numbers for Trinity County
 - o Numbers for out of county
- Budget status
 - o Income
 - o Expenditures
 - o Shortfalls
- Personnel Status
 - o Absenteeism
 - o Losses due to retirement, resignation, or other reasons
 - o Substitutions required
 - o Disciplinary actions
 - o Grievance
 - o Union issues
- Significant Actions
 - o Escapes
 - o Use of medical facilities
 - o Accidents
- Recommendations

This report needs to go to the TCSCJ, CAO and any other department that has a need to know.

Response: Requires further analysis as to the specific report content and frequency desired by the CAO and TCSCJ. I strongly believe that good communication between the CPO, CAO and TCSCJ is essential for an effective local justice system. As CPO I keep the CAO and TCSCJ regularly and fully informed on all pertinent issues including probation populations, juvenile hall population, budget, personnel, significant actions, etc. I will continue to work with both to identify and regulate what type of written and oral reports need to be presented and when, however some of the reports recommended by the Grand Jury would be very time consuming to prepare on a monthly basis.

Finding #5: No clearly defined recovery path, i.e. mutual agreement, exists for disciplinary actions.

Response: I agree with the finding that a more clearly defined path to recovery from disciplinary action is necessary.

Recommendation #5: The CPO and disciplined employee must agree on a recovery path even if full recovery of privileges and grade cannot be provided. The recovery path must be in writing and signed by the CPO and the employee. If substance abuse is part of the reason for the disciplinary action, and the employee is going to be retained, then the CPO must arrange for a drug and alcohol program for the employee. In that light, the employee must be willing to submit to random testing at a time designated by the CPO. A copy of the recovery path agreement must be provided to the TCSCJ and the CAO.

Response: Will be implemented. I agree with the recommendation to implement a plan to insure that disciplined employees understand their recovery path back to previous employment privileges and grade. Management level staff completing evaluations will address professional growth and development issues in greater detail in the employee performance evaluations. This will provide the employee with constructive feedback on how to improve their job skills, understand their recovery path to a previous grade or simply promote to a grade not attained before.

The existing County Drug and Alcohol Policy 3-98 lays out in detail the procedures for employees to receive treatment for substance abuse problems as well as substance abuse treatment insurance coverage. The CPO could certainly assist an employee in locating and choosing a substance abuse program but per the policy would not be responsible for “arranging for a drug and alcohol program for the employee” as stated in recommendation #5.

Finding #6: The value of maintaining a JH is controversial in light of the small local population.

Response: I agree with the finding that maintaining a juvenile hall is a controversial issue.

Recommendation #6: The cost benefit analysis regarding the future of the JH is currently underway. This study needs to be completed. Maintaining the JH has more considerations than mere cost. Therefore other factors need to be brought into the argument, such as family separation, educational benefits, and psychological issues.

Response: Has been implemented. The Cost Benefit Analysis has been completed and was presented to the Board of Supervisors at a special meeting on July 24, 2014. I believe the analysis makes a compelling case for continuing to operate the juvenile hall over outsourcing the services to another county.

Finding #7: The value of providing the CPO a county vehicle for transportation to and from home in Redding needs analysis and justification. No vehicle logs are kept.

Response: Agree

Recommendation #7: The CAO must produce a cost benefit analysis comparing the cost of loaning a county vehicle to the CPO as opposed to a mileage benefit. Action must be taken based on the analysis.

Response: Requires further analysis. As CPO I am required to travel regularly to various locations both within the state and the county. As a peace officer I'm also expected to respond to emergency situations and accordingly keep a county vehicle equipped for such a response. Trinity County Ordinance Section 2.56.030 assigns county officials, including the CPO, a county vehicle. In addition the current department heads MOU with the county requires that county vehicles shall be used for all business travel when available. I believe I am in full compliance with all county regulations regarding vehicle use but I am always willing to follow any changes to policy as they occur.

Finding #8: Repairs are needed for the drinking fountain and the fencing.

Response: Agree. These repairs have been made. The time frame for the drinking fountain response was one week from the receipt of this report and has been corrected and responded to under previous cover.

Recommendation #8: The jury does not know why the drinking fountain stains and residue exist. The reason must be determined and corrected. The fence needs to be repaired and augmented to prevent escape and injury. Some redesign of cell furniture is required to not only insure security, but also maintain safety of the residents.

Response: The drinking fountain and fencing recommendations have been implemented. The time frame for the drinking fountain response was one week from the receipt of this report and has been responded to under previous cover. The facility's perimeter fencing was upgraded in December of 2013. The redesign of some cell furniture will require further analysis as the furniture is largely of poured concrete construction and the concern by the jury is an open space beneath those beds and tables. The facility is inspected annually by the Board of State and Community Corrections "BSCC" and passed this year's inspection with no out of compliance issues. These inspections include the consideration of safety issues for both the facility's and resident's safety. We will advise the BSCC of the jury's concerns at our next inspection and consider possible structural modifications.

I am pleased to receive the 2013/14 Trinity County Grand Jury report and to have had the opportunity to meet with them on several occasions and respond to these findings. They have been a pleasure to work with. Although I don't concur with all the findings made by this Grand Jury I believe they do an excellent job evaluating our various programs and staff at our Juvenile Hall and Probation Department.