



JEFF NEVES
SHERIFF - CORONER - PUBLIC ADMINISTRATOR
COUNTY OF EL DORADO
STATE OF CALIFORNIA

REPLY TO:

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August 4, 2003

The Honorable Jerald Lasarow
Supervising Grand Jury Judge
El Dorado County Superior Court
1354 Johnson Blvd.
South Lake Tahoe, CA 96150

Dear Judge Lasarow:

Enclosed is my written response to the FY 2002-03 Grand Jury Findings and Recommendations that pertain to the El Dorado County Sheriffs Office.

If you have any questions about the material, please contact me at 621-5678.

Very truly yours,


JEFF NEVES

Sheriff - Coroner
Public Administrator

Enclosure

cc: Each member - Board of Supervisors
Interim Chief Administrative Officer

INAPPROPRIATE TAHOE DIFFERENTIAL PAY
CITIZEN COMPLAINT #C19 - 02/03

Findings

F1. The Sheriff told the Undersheriff he could be assigned to Lake Tahoe, with the hours and days to be set by the Sheriff.

Respondent is unable to comment as the Sheriff referred to in the finding is retired Sheriff Hal Barker and the respondent is Sheriff Jeff Neves, the current Sheriff. Sheriff Neves was not privy to conversations between retired Sheriff Hal Barker and retired Undersheriff Ed Newman about Undersheriff Newman's assignment to Tahoe and is therefore unable to respond to this finding.

F2. The Sheriff did not set days or hours for the Undersheriff to work in South Lake Tahoe.

Respondent is unable to comment as the Sheriff referred to in the finding is retired Sheriff Hal Barker and the respondent is Sheriff Jeff Neves, the current Sheriff. Sheriff Neves was not privy to conversations between retired Sheriff Hal Barker and retired Undersheriff Ed Newman about Undersheriff Newman's assignment to Tahoe and is therefore unable to respond to this finding.

F3. The Undersheriff received Tahoe Differential pay without working primarily in the South Lake Tahoe area.

Respondent agrees partially with finding. Retired Undersheriff Newman's payroll file indicates he received Tahoe Differential pay from February 27, 1999 until he retired on May 5, 2000. Respondent, current Sheriff Jeff Neves, has no personal knowledge as to whether Undersheriff Newman worked primarily in the South Lake Tahoe area while receiving that pay or not as Sheriff Neves was not retired Undersheriff Ed Newman's supervisor during that time. However, current Sheriff Neves is aware, based on reports from other Sheriff's managers assigned to Tahoe during the period in question, that retired Undersheriff Newman spent little, if any, time in the Tahoe office.

F4. Payroll clerks, without written authorization, routinely sign Payroll/Personnel Action forms on behalf of Division Chiefs, including those resulting in financial impact.

Respondent disagrees partially with finding. There was a point in time when payroll clerks signed Payroll/Personnel Action forms resulting in

financial impact, but that has not been the case since December 2002. The Sheriff or Undersheriff now signs all Payroll/Personnel Action forms resulting in Financial impact.

F5. The Tahoe Differential pay received by the Undersheriff impacted his final compensation, which in turn was used to calculate his retirement benefits.

Respondent agrees.

Recommendations

R1. Payroll/Personnel Action Forms relating to the Undersheriff should be signed by the Sheriff.

Recommendation has been implemented effective December 2002. The Grand Jury previously received a copy of the written directives sent to Sheriff's managers and Payroll Clerks.

R2. Delegation of authority to Payroll Clerks to sign on behalf of Division Chiefs should be specific and exclude actions involving financial benefit.

Recommendation has been implemented effective December 2002. The Grand Jury previously received a copy of the written directive sent to Payroll Clerks.

**SHERIFF'S NON FOLLOW-UP REGARDING SICK LEAVE ABUSE
CITIZEN complaint #C20-02103**

Findings

F3. The Undersheriff contacted the Payroll clerks with instructions to change his vacation leave to sick leave.

Respondent agrees with finding. The Undersheriff referred to is retired Undersheriff Ed Newman.

F4. The 2000/2001 Grand Jury reported this Undersheriff was paid 200 hours for sick leave when he was not sick and resulted in the use of accumulated sick leave for which he would not have been entitled to be paid for upon retirement.

Respondent agrees with finding. The Undersheriff referred to is retired Undersheriff Ed Newman.

F5. The Sheriff, responding to the 2000/2001 Grand Jury Report, said he would investigate the Grand Jury's finding. If the Sheriff determined that the Undersheriff was not entitled to receive sick leave payment, he would demand repayment of funds.

Respondent agrees with finding. The Sheriff referred to is retired Sheriff Hal Barker and the Undersheriff referred to is retired Undersheriff Ed Newman.

Recommendations

R1. Procedures should be established, implemented, and followed for obtaining appropriate approval to change any vacation leave to sick leave for all personnel, including management.

Recommendation has been implemented effective December 2002. The Grand Jury previously received a copy of the written directive sent to all Sheriff's managers and Payroll Clerks.

R2. Written medical verification required for related sick leave should be obtained in a timely manner.

Recommendation has been implemented.

R3. Proper procedures should be established for follow-up of required written medical verification.

Recommendation has been implemented.

CRIMINAL JUSTICE COMMITTEE
EL DORADO COUNTY JAIL - PLACERVILLE

Findings

F1. The central control booth needs new floor covering

Respondent agrees.

F2. The antenna wire was exposed in the main hallway.

Respondent agrees.

F3. Some produce was old and needed to be discarded.

Respondent disagrees.

F4. Two food storage bins had cracked lids.

Respondent agrees.

Recommendations

R1. The central control booth floor covering should be replaced.

Recommendation requires further analysis that will be completed by December 31, 2003. General Services staff is checking with local carpet vendors about the feasibility of recarpeting the panels and are also obtaining quotes for new and used replacement panels.

R2. The antenna wire in the main hall should be put in a conduit.

Recommendation has not been implemented but will be by the end of August 2003.

R3. Produce should be checked regularly.

Recommendation has been implemented. Produce is checked regularly, in addition to inspections by the Environmental Management Department and quarterly dietician inspections. These inspections have never found produce or leftovers to be old or out of date.

R4. Cracked food storage lids should be replaced.

Recommendation has been implemented.

CRIMINAL JUSTICE COMMITTEE
EL DORADO COUNTY JAIL - TAHOE

Findings

F1. Prisoners are transported from South Lake Tahoe to Placerville for dental services.

Respondent agrees.

F2. The correctional officers routinely work 12-hour shifts with substantial additional overtime.

Respondent disagrees partially with finding. Correctional officers were working 12-hour shifts at the time of the Committee's inspection, but have since returned to a 9/80 schedule because vacant positions were Filled.

F3. Although \$31,860 was appropriated from the Criminal Justice Trust Fund in 1998 and included in the County of El Dorado Proposed Budget and Workplan (General Services Carryover Facility Projects, 98-21 South Lake Tahoe Sheriff Handicap Ramp) necessary improvements to the ramp for the disabled entrance have not been made resulting in continued safety hazard to users and potential liability to the County.

Respondent agrees.

F4. Current camera surveillance in the hallway between the jail and Court Building is not adequate.

Respondent disagrees.

Recommendations

R1. Local dental services should be utilized as appropriate.

Recommendation will not be implemented because it is not warranted or reasonable. The County has a multi-year contract for medical services, including dental services, that requires all dental services to be provided in Placerville as that is the most cost-effective way of delivering the service. Prisoners are transported back and forth as part of the normal biweekly transfer of inmates between the Tahoe and Placerville facilities. Utilization of local dental services increases the need for inmates to be transported, increases the opportunity for escape and requires dentists to be willing to schedule inmate visits during off hours - something they have historically not been willing to do except in an emergency.

R2. Staffing should be adequate to minimize the need for overtime.

Recommendation will not be implemented because it is not warranted or reasonable. The Board of Supervisors had authorized adequate staffing based on a plan approved by the California Department of Corrections. For a variety of reasons, the Sheriff's Office has been unable to keep all those positions filled, resulting in the periodic need for overtime and/or 12-hour shifts. While the department makes every effort to recruit and hire jail staff, vacancies are a reality and overtime and shift adjustments will be an ongoing cost of doing business.

R3. The ramp for the disabled should immediately be improved to meet safety conditions and the American with Disabilities Act (ADA) requirements.

The Sheriff is unable to respond as responsibility for implementing this recommendation lies with the Department of General Services.

R4. Camera surveillance in the hallway between the jail and Court Building should be properly and adequately upgraded.

Recommendation will not be implemented because it is not warranted or reasonable. There is one camera in the hallway and it is monitored whenever prisoners are in the corridor. Inmates are dressed in orange and restrained in waist chains and leg shackles or dressed in regular clothes with a restraining leg brace and handcuffs while moving through the corridor. Uniformed deputy sheriffs escort prisoners and the number of escorts is determined by the number of inmates being moved and the assessed risk presented by the particular group or individual. The addition of a second camera to cover the thirty feet that is currently "blind" would not result in any increased security.