THE SUTTER COUNTY
BOARD OF SUPERVISORS’
RESPONSE TO THE

2008-2009

SUTTER COUNTY GRAND JURY
FINAL REPORT

Larry Montna   District No. 1
Stanley Cleveland, Jr.  District No. 2
Larry Munger   District No. 3
Jim Whiteaker   District No. 4
James Gallagher   District No. 5
September 25, 2009

The Honorable Christopher R. Chandler  
Presiding Judge of the Superior Court of California  
County of Sutter  
466 Second Street  
Yuba City, CA  95991

Dear Judge Chandler,

On behalf of the Sutter County Board of Supervisors, I am herewith submitting their response to the findings and recommendations of the 2008-2009 Grand Jury.

The Board of Supervisors appreciates the dedicated efforts of the 2008-09 Grand Jury in the preparation of its report and the complimentary comments it made with respect to the County and its employees, and trusts that you will find the enclosed material responsive.

As in the past, I would be happy to meet with the Grand Jury to discuss any or all of these issues.

Sincerely,

LARRY T. COMBS  
County Administrative Officer

LTC:SML
THE SUTTER COUNTY BOARD OF SUPERVISORS’ RESPONSE TO THE 2008-2009 SUTTER COUNTY GRAND JURY FINAL REPORT
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Attachments:

Attachment A – Auditor-Controller’s Response  
Attachment B – Sheriff’s Response  
Attachment C – District Attorney’s Response  
Attachment D – Yuba-Sutter Juvenile Hall’s Response
Department Purchasing and Financial Reconciliation

Findings:

1. The Grand Jury finds the Auditor-Controller’s office does not have standardized guidelines and procedures to aid departments to reconcile purchases to financial reports.

2. The Grand Jury finds there are no formal written procedures to reconcile purchases to financial reports at the department level.

3. The Grand Jury finds the Sutter County Fleet Department, Sheriff’s Department, and Library Services have systems to reconcile purchases to financial reports and have a good rapport with the Auditor-Controller’s Office.

Recommendations:

1. The Grand Jury recommends the Sutter County Auditor-Controller create standardized guidelines and procedures for processing and reconciling department purchases.

2. The Grand Jury recommends the Sutter County Auditor-Controller provide training to departments to aid in account reconciliation.

3. The Grand Jury recommends individual departments create written policies and procedures to reconcile purchases to budget.

Response from the Board of Supervisors, the Library, and Public Works:

The Board of Supervisors agrees with the findings and recommendations. The Library has documented its own internal policies and procedures to reconcile purchases to budget. Once the Auditor-Controller’s Office develops standardized guidelines and procedures for processing and reconciling department purchases, County departments will participate in any training provided by the Auditor-Controller’s Office and comply with the procedures.

It should be noted that we believe that a critical improvement in the process of reconciling purchases to budget appropriations will involve encumbering funds at the time of purchase. The County is currently implementing a new Purchasing module as a component of the County’s new Sungard Personnel-Payroll-Financial Management-Budget-Purchasing software. The Purchasing module can be linked to the Financial Management system to encumber funds and adjust available funds in the budget automatically, once that feature is implemented. Such a process is currently envisioned as a Phase II project once the Phase I priority modules (e.g., Personnel and Payroll) go live (currently scheduled for February 2010).

The Auditor-Controller and the Sheriff are separately elected officials, and as such, respond directly to the Grand Jury’s findings and recommendations concerning their offices. A copy of Mr. Stark’s and Sheriff Parker’s responses are included in this document as Attachments A and B, respectively.
The Board of Supervisors disagrees with the Auditor-Controller’s response to Recommendations #1 and #2. He recommends reclassifying departmental support positions to require at least a Bachelor’s degree in accounting, plus accounting experience and skills, in order to hire personnel who are qualified to reconcile purchases to budget. We believe that it would be cost-prohibitive and unnecessary to convert all budget support personnel to trained accountants in order to accomplish what Mr. Stark considers “a basic accounting skill.” We would note that, other than the Auditor-Controller himself, there is not a single Certified Public Accountant in the Auditor-Controller’s Office. We would support reclassifying positions within the Auditor-Controller’s Office to require a Bachelor’s degree in Accounting and, for positions above entry-level, certification as a Certified Public Accountant (CPA). In fact, the CAO has offered to convert existing positions, as they are vacant, to require CPA certification, but the Auditor-Controller has indicated that he is not supportive of such a change. However, the CAO believes the Auditor-Controller’s office needs to have additional CPAs and will be bringing a recommendation to the Board to accomplish that within the next few months.

In the meantime, it would be more cost-effective for the County if the Auditor-Controller’s Office would develop the standardized policies and procedures manual that he has been instructed to complete on numerous occasions (by both previous Grand Juries and outside audit firms) since FY 2002-03.
Human Services

General Relief Program

Findings:

1. The Grand Jury finds the internal document dated 2006 was in error and did not reflect the current Welfare and Institutions Code.

2. The Grand Jury finds the procedure for establishing residency appears to be inadequate.

3. The Grand Jury finds an inadequate pre-screening process.

4. The Grand Jury finds a fraud referral was not made as prescribed for each applicant. If a current fraud referral is in the Food Stamp case file, a notation was not made in the GR case file.

5. The Grand Jury finds the General Relief and Emergency Relief Manual was last updated in November 1981. Updates and corrections are written in or crossed out as appropriate.

Recommendations:

1. The Grand Jury recommends the 1981 General Relief and Emergency Relief Manual be updated and be placed on the BOS’s agenda for review.

2. The Grand Jury recommends the pre-screening process to establish residency requirements be defined more clearly.

3. The Grand Jury recommends continuing to work collaboratively with the Sutter County District Attorney’s Fraud Investigation Unit to help improve the fraud pre-screening and investigation process.


5. The Grand Jury recommends copies of the fraud referral form must be in the applicant’s entire case file.

6. The Grand Jury recommends changing procedures to ensure compliance with the Welfare and Institutions Code. The Grand Jury recommends yearly checks and applying any new changes to the internal working documents to ensure compliance.

Response from the Board of Supervisors

The Board of Supervisors supports the response from the Human Services Department’s Welfare & Social Services Division. We look forward to reviewing the updated “General Relief and
Emergency Relief Manual” when it is brought before this Board for our review. The Department’s response follows this page.

The District Attorney is a separately elected official, and as such, responds directly to the Grand Jury’s findings and recommendations concerning his office. A copy of Mr. Adam’s response is included in this document as Attachment C.
September 1, 2009

To: Ms. Stephanie Larson
   Assistant County Administrator

From: Lori Harrah, Assistant Director of Human Services, W&SS
       Joan Hoss, Director of Human Services

Re: Grand Jury Response Re General Assistance

I have reviewed the Sutter County Grand Jury findings and recommendations for the Welfare & Social Services Division and offer the following comments. In summary, the Grand Jury reviewed 126 General Relief cases and discovered that 14 of the 126 cases lacked a timely Early Fraud Investigation referral. There were no program requirement errors or payment errors noted in the cases reviewed.

For clarification purposes, I have listed the titles of the exhibits below.

Exhibit A:  Sutter County Manual of Regulations for the General Relief, Emergency Assistance and Indigent Burial Programs
Exhibit B:  Original Departmental Reference Document One
Exhibit C:  Original Departmental Reference Document Two
Exhibit D:  Revised Departmental Reference Document One
Exhibit E:  Revised Departmental Reference Document Two
Exhibit F:  Eligibility Services Branch Organization Chart (10/13/2008) & Administration Organization Chart
Exhibit G:  Eligibility Services Branch Organization Chart (11/01/2008)
Exhibit H:  Internal Memorandum RE: SIU Referral Policy

Findings

1.) The Grand Jury finds the internal document dated 2006 was in error and did not reflect the current Welfare & Institutions Code. (Exhibits B&C)

   The department agrees with this finding that the General Relief section of this document was not correct. The internal document referenced in the review has been updated and a revised copy was distributed to staff on February 18, 2009. (Exhibits D&E)

2.) The Grand Jury finds the procedure for establishing residency appears to be inadequate.

   The department agrees with this finding.

3.) The Grand Jury finds an inadequate pre-screening process.
The department disagrees partially with this finding as the required fraud referral to the Special Investigative Unit (SIU) on all new applicants and those applicants with a one month break in assistance serves as a pre-screening process.

4.) The Grand Jury finds a fraud referral was not made as prescribed for each applicant. If a current fraud referral is in the Food Stamp case file, a notation was not made in the GR case file.

    The department agrees with this finding.

5.) The Grand Jury finds the General Relief and Emergency Relief Manual was last updated in November 1981. Updates and corrections are written in or crossed out as appropriate.

    The department agrees with this finding.

Recommendations:

1.) The Grand Jury recommends the 1981 General Relief and Emergency Relief Manual be updated and placed on the BOS’s agenda for review.

    The department is in the process of updating the General Relief and Emergency Relief Manual and will work towards placing the updated changes on the Sutter County Board of Supervisor’s agenda for review and approval no later than December 31, 2009.

2.) The Grand Jury recommends the pre-screening process to establish residency requirements be defined more clearly.

    The department has reassessed the pre-screening process with respect to residency requirements and changes have been made that will ensure all legal requirements are met.

3.) The Grand Jury recommends continuing to work collaboratively with the Sutter County District Attorney’s Fraud Investigation Unit to help improve the fraud pre-screening and investigation process.

    The department has revised the pre-screening process to include the Special Investigative Unit (SIU). The Investigator will conduct Early Fraud Prevention Screening for General Relief applicants. In addition, it continues to be our practice that all new General Relief applicants, and applicants with more than a one month break in assistance, are referred to the SIU Investigator. The department appreciates the opportunity to work collaboratively with the District Attorney’s office which has been very helpful in the fraud investigation process.

4.) The Grand Jury recommends revising the current Manual of Regulations to establish a residency procedure for the homeless applicants.

    The Manual of Regulations is the General Relief and Emergency Assistance Manual. The department has analyzed the residency procedures for homeless applicants and will be updating this section of the General Relief and Emergency Assistance Manual to reflect the processes that are being utilized to insure that applicable laws and regulations with respect to residency requirements for the homeless applicant are consistently followed.

5.) The Grand Jury recommends copies of the fraud referral form must be in the applicant’s entire case file.

    The department will continue to reinforce this policy with staff and will ensure copies of the fraud referral are retained in the General Relief case file.

6.) The Grand Jury recommends changing procedures to ensure compliance with the Welfare and Institutions Code. The Grand Jury recommends yearly checks and applying any new changes to the internal working documents to ensure compliance.

    The department will continue to ensure compliance with the Welfare and Institutions Code and apply new changes to internal documents as required by law.
EXHIBIT A
Exhibit A

COUNTY OF SUTTER

MANUAL OF REGULATIONS

GENERAL RELIEF
EMERGENCY ASSISTANCE
INJURED PERSONS

David A. Diggers, Director

John Brownlee, Eligibility Supervisor

Approved by the SUTTER COUNTY BOARD OF SUPERVISORS on November 2, 1981

(REV 10/81)
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SECTION I

INTRODUCTION

1.01 SCOPE: The Sutter County General and Emergency Relief Manual is the adopted policy by the Board of Supervisors to establish the rules, regulations and policies of the Sutter County General Relief Program.

1.01 PURPOSE OF GENERAL RELIEF: The Sutter County General and Emergency Relief Program is designed to serve two purposes by providing aid to those indigent households who are not eligible to any other federal, state or local aid program.

A. General Relief is furnished to provide aid and care for the indigent and dependent poor who are residents of Sutter County and who have no other means of support.

B. Emergency Relief is furnished to provide temporary and immediate relief for the indigent and dependent poor who are non-residents of Sutter County and who have no other means of support.

1.02 ADMINISTRATION: While the administration of the General and Emergency Relief Program is vested in the Board of Supervisors, authority to administer the program is delegated to the Welfare Director. The Welfare Department shall explore with the applicant potential eligibility to all other federal, state and local programs and shall assist the applicant in making application for such programs. The Board of Supervisors through the Welfare Director has the authority to make exceptions to any of these regulations on an individual case basis without affecting the intent of the regulation in all other cases.
SECTION I
DEFINITIONS

2.01 DEFINITIONS: The following definitions are applicable to the Sutter County General and Emergency Relief Program:

2.01 RESIDENCE
A. Residence is the house or dwelling in which the applicants reside. Residence is the place where one remains when not called elsewhere for labor or other special or temporary purpose, and to which he returns in seasons of repose.
B. Residence of an unmarried minor is the residence of the parents. If the parents are separated, the residence of the child is with the parent who has physical custody and the provisions of the AFDC Program are applicable.

2.02 INCAPACITY
A major medically verifiable physical, mental, or emotional impairment or combination of impairments which substantially prevent an applicant from engaging in a gainful occupation within his competence.

2.03 SANCTION:
A sanction is a period of ineligibility imposed on a recipient who has failed to meet some requirement of the General Relief Program while receiving a grant.
2.04 Gainful Employment

Note: Any occupation which will produce cash income to a person. Refusal to accept gainful employment must be with good cause.

2.05 Responsible Relative

Responsibility of relatives regulations apply only to parent for child and to married couples. The income, property, or cooperation with program requirements of either party affects the eligibility of both parties equally.

2.06 Application

A signed request for General and Emergency Relief on a form specified by the Welfare Director.

2.07 Real Property

In general, land and improvements, as differentiated from cash, bonds, mortgages, or similar assets which are personal property. Real property includes, as a general rule, moveable property attached to the land such as trees, fences, buildings, etc. It also includes mines, patented or unpatented, oil, mineral or timber rights.

2.08 Personal Property

In general, possessions or interests which are not real property but which may be easily transported or stored. Personal property also may be in the nature of a valuable property right, such as uncollected judgment, an interest in a firm in receivership, etc.

2.09 Owner of Property

Is the person who holds legal title to the property unless (a) he holds title only for convenience, i.e., for purposes of inheritance to avoid probate, etc. and (b) he has no beneficial interest in the property, i.e., no right to possess and use the property or to receive the proceeds. Conversely, a person for whose legal title of property is held by another under these circumstances, is the owner.

2.10 Applicant(s)

Is a person(s) who has filed, or has had filed on his behalf, a written application on the specified form for General and Emergency Relief Program.
2.11 PARTICIPANT(EN)

is a person(s) who has been found eligible and granted assistance under
the 'General and Emergency Relief' Program.

2.12 HOUSEHOLD

A household is a person or persons who reside together or share a residence
and have legal responsibility to support, such as, husband and wife, parent
and child, etc.

2.13 PUBLIC ASSISTANCE

Public Assistance is defined as cash assistance under one of the following
programs:

a. Aid to Families with Dependent Children
b. SSI/SSP
c. SSP
d. County General Relief
e. Student Loans
f. G. I. Bill
g. Social Security Assistance
h. Veteran's Benefits
i. Other

2.14 INCOME

A. Cash Income

Cash income is any cash payment received by an applicant from
any source.

B. In-kind Income

In-kind income is any benefit or need item received by an applicant
from any source other than in cash.
SECTION III
GENERAL RELIEF

3.01 ELIGIBILITY TO GENERAL RELIEF:
Eligibility of Sutter County Residents for General Relief is determined by the Sutter County Welfare Department in accordance with the regulations established in this manual. All applicants must meet all applicable eligibility requirements before aid can be granted.
In order to be eligible for General Relief, applicants must cooperate fully in providing requested information and verifications and must cooperate with other persons or agencies to whom they are referred.

3.02 APPLICATION:
The Sutter County Welfare Department will accept applications for General Relief and Emergency Relief between the hours of 8:00 A.M. and 5:00 P.M. Monday through Friday, holidays excluded. Application must be made to the Welfare Department, 190 Garden Highway, Yuba City. All applications must be completed on the specified form.
A. Anyone may file an application on behalf of another, however, contact with the proposed recipient by the Department is required.
B. Any resident of Sutter County may file an application for General Relief.
C. Any non-resident of Sutter County may file an application for Emergency assistance.
D. Any funeral home operator, family member, or other interested person may file an application for an Indigent Burial.

3.03 PROMPT ACTION:
The Welfare Department must take prompt action on all applications. Prompt action means that the Department will make a home visit to the applicant's residence within five (5) working days of the date of application. Payment shall be authorized or the application denied as soon as eligibility is determined but no later than the last working day of the month. The Department shall endeavor to handle all cases expeditiously. Forms to the Auditor authorize release of funds shall be annotated for immediate action.

3.04 IMPARTIAL TREATMENT:
All applicants for General and Emergency Relief shall receive fair and impartial
treatment within the limitations established in this manual.

2.06 ELIGIBILITY FACTORS:
A. Identification
   1. Policy
      No aid shall be provided under the General Relief Program to persons without acceptable proof of identification.
   2. Proof
      Acceptable proof of identification shall consist of any of the following:
      a) California Driver's License or DMV ID card with a photograph
      b) U.S. Passport
      c) INS documents I-94, I-151 or I-551
      d) Birth Certificate, with a second form of ID such as:
         1) Baptismal Certificate
         2) Employment Records
         3) Draft Card
         4) Temporary California Driver's License, or other out-of-state license without a photograph.
         5) Social Security Number (must be viewed).
      e) Any of the following forms of identification, when approved by the pre-application Eligibility Worker Supervisor:
         1) A statement from Law Enforcement Officials, including Probation and Parole Officers.
         2) A preponderance of other identifying documentation.

3.04 RESIDENCE IN SUTTER COUNTY
A. Policy
   Aid under the General Relief Program shall be paid only to eligible county residents. A General Relief applicant must establish that he/she is a county resident at the time of application and intends to remain a resident in order to establish eligibility for aid.
B. Proof of Residence
   1. For the purposes of the General Relief Program, a county resident is defined as a person who intends to reside within Sutter County as
evidenced by:

a. A 30-day rent receipt or utility bills (PG&E, phone, water) in the applicant's name for a Sutter County address, for a period ending within the past thirty (30) days; or,
b. A Probation or Parole Agent verified that the applicant is restricted to Sutter County as a condition of probation or parole; or,
c. Any other combination of documents which provide a preponderance of evidence verifying intent to reside.

2. In no case shall residence in a temporary facility or a facility that does not charge for lodging, or itself, serve to establish county residency. Living in a car, camper or staying in the river bottoms does not constitute county residency. The fact that a person so residing makes a voluntary contribution towards his lodging does not serve to establish residency.

C. Group Homes

1. Any applicant residing in one of the Alcohol Recovery Homes or other group home or halfway house is ineligible to General Relief assistance for the duration of such residence.

3.05 CITIZENSHIP AND LEGAL ALIEN STATUS:

All General Relief applicants must be determined to be legally present in the United States, and must establish that they have the right to remain for an indefinite period of time before aid may be issued. In general, United States Citizens and Aliens admitted for purposes not temporary in nature meet these requirements.

3.06 AGE:

Minors are persons under 18 years of age. Minors are not eligible for General Relief unless:

A. The minor is emancipated by Court Order, or,
B. The minor is married.

If one of the above conditions is met, the minor applicant may be eligible for assistance if all other points of General Relief eligibility have been met.
3.17 INCAPACITY:

An applicant shall be considered incapacitated for employment when it is determined that there is a medically verifiable major physical, mental or emotional impairment or combination of impairments which substantially prevent the applicant from engaging in a gainful occupation within his competence. Incapacity exists when the applicant’s impairment or disability prevents him from working at a job for which he is equipped by education, training or experience or which he can learn by on-the-job training. The test of whether aid shall be granted on the basis of incapacity shall be one of the following:

A. A medical report form CA-901 completed by a licensed physician indicating that incapacity exists.
B. Determination of Disability by the simplified Medi-Cal eligibility process.
C. Determination of Disability by the Social Security Administration that has been discontinued for financial rather than physical reasons.

3.08 UNEMPLOYMENT

An applicant shall be considered unemployed when not working, is registered at Employment Development Department, possesses or has applied for a Social Security number, and has not terminated or refused to accept employment within thirty (30) days preceding application without good cause.

A. All able bodied employable applicants shall be required, as a condition of eligibility to participate in the General Relief Work Program (See Section 3.14).

3.09 GOOD CAUSE shall be:

A. termination by an employer due to lack of work, or
B. refusal to accept or continue employment or on-the-job training if the applicant establishes that:
   1. The employment or training is in excess of his/her physical or mental capacity.
   2. The employment or training violates applicable health and safety laws and regulations.
   3. The wage offered for employment is less than the applicable State or Federal minimum wage, whichever is higher.
   4. The job is available due directly to a bona fide strike or lockout and was not vacated by the individual.
3.10 ELIGIBILITY STANDARDS FOR PROPERTY IN GENERAL RELIEF:

A. Real Property

The applicant shall not own real property of a market value of more than $1,000 over and above all liens and encumbrances on such real property, except that aid will be granted subject to the conditions specified in General Relief Manual Section 3.12, Agreement to Repay.

B. Personal Property

The applicant shall not own personal property of a market value of more than $300 over and above all liens and encumbrances on such personal property. In determining the value of personal property, consideration shall be given to all cash on hand or in bank accounts, and the value of shares of stocks, bonds, insurance policies, etc.

C. Household Items

Necessary household furnishings and appliances, wearing apparel and jewelry, ordinarily and reasonably related to, and personally used by, the applicant and his resident family shall be exempt.

D. Motor Vehicle

The equity in one motor vehicle not exceeding $350.00 over and above all liens and encumbrances on such vehicle, providing that the value of such motor vehicle, does not exceed $1,000.00 shall be exempt. The value of a motor vehicle shall be determined by multiplying the license fee by 50.

E. Tools and equipment, etc, used in a commercial activity, trade, calling or profession

To the maximum aggregate actual cash value of $1,000 over and above all liens and encumbrances on such items or any combination of the following: Tools, instruments, implements, uniforms, furnishings, books, equipment and other personal property ordinarily and reasonably necessary to, and personally owned and used by the applicant exclusively in the exercise of the trade, calling or profession by which the members of the applicant customarily earn a livelihood shall be exempt. However, if the equity of the applicant in such property is more than $1,000, aid will be granted subject to the conditions specified in General Relief Manual Section 3.12, Agreement to Repay.

F. Mobile Home

One mobile home in which the applicant actually resides, of a value not exceeding $1,000 over and above all liens and encumbrances of said mobile home shall be exempt. However, if the equity is more than $1,000, aid will
be granted subject to the conditions specified in General Relief Manual Section 3.12, Agreement to Repay.

2.3 APPLICATION FOR OTHER BENEFITS:

A. Policy

All persons applying for General Relief must file an application for any other federal, state or local benefits to which they may be eligible. Applicants who refuse to apply for other benefits or who knowingly make themselves ineligible for such benefits shall not be granted benefits under the Sutter County General and Emergency Relief Program.

B. Eligibility for Other Aid Programs

General Relief aid payments shall not be made to persons receiving aid under the APDC, SSI/SSP or AFSB Programs. General Relief payments received from another county shall be counted as income in the month received.

A person is receiving aid under one of these programs during the month in question if he/she received an aid payment, including a payment from another state.

C. Potentially Eligible for AFDC

General Relief applicants who appear to be eligible for AFDC in Sutter County shall be required to apply prior to granting of General Relief.

If AFDC is denied, the applicant shall not be required to appeal the denial unless additional information not available to the AFDC Eligibility Worker becomes known.

1. Potentially Eligible "Essential Persons"

The following relatives living in the home of an AFDC child may be essential persons:

- Stepparents

A person who appears to be potentially eligible for inclusion in the AFDC budget unit as an essential person shall be referred to the AFDC Eligibility Worker for a determination of eligibility. Such a person may continue to be eligible for General Relief only if the AFDC Worker determines that the person does not qualify as an essential person. Failure of the AFDC recipient to request the inclusion of the potentially eligible essential person does not constitute a denial of AFDC benefits.

-10-
3. Ineligible Members of an AFDC Family

Any member of an AFDC household who can be aided under the AFDC Program is not eligible for General Relief. Such ineligible persons include:

a. Any person excluded from the AFDC budget because of his/her request.

b. Any person who would be eligible for inclusion in the AFDC budget unit but failed to meet program requirements. Such persons may include, but are not limited to the following:
   - An AFDC caretaker relative who refuses to apply for a Social Security number.
   - AFDC caretaker relative who does not cooperate with Child Support requirements.
   - Any person excluded from the AFDC grant because of an AFDC non-cooperation, penalty or sanction determination.

3. SSI/SSP

All General Relief applicants and recipients deemed potentially eligible for aid under the Federal SSI/SSP Program shall be required to apply for aid under that program, appeal denials of benefits, and comply with Interim Assistance Program requirements as a condition of receiving General Relief.

3. Medi-Cal

All General Relief applicants shall be advised of the Medi-Cal Program as an available resource.

3. Food Stamps

All General Relief applicants shall be required to apply for benefits under the Federal Food Stamp Program as a possible available resource.

3. Veteran's Benefits

All General Relief applicants deemed potentially eligible for Veteran's benefits shall be required to apply for them as a possible available resource.

3. Any Other

Federal, State or any potential source of income must be applied for by a General Relief applicant who is deemed potentially eligible to them.

3.12 AGREEMENT TO REPAY

All members of households receiving General Relief are required to repay the benefits received under the program. An Agreement to Repay must be signed by all adult recipient members of the household prior to benefits being authorized.
A. All property shall be considered a resource for the household's support. However, property falling with the limitations specified in General Relief Manual shall be excluded from consideration. Property exceeding the limits in General Relief Manual shall be considered a resource of support and an Agreement to Repay shall be required prior to granting of aid.

B. An Agreement to Repay shall be considered acceptable when it meets the following criteria:

1. All applicants agree, in writing, to make arrangements for refinancing of such property and further agree, in writing, that, upon receipt of the proceeds from refinancing or a loan, they will immediately repay the full amount of aid extended on their behalf by Sutter County.

2. All applicants agree, in writing, to permit Sutter County to impose a lien against such real property or agree, in writing, to transfer interest in such real or personal property to Sutter County until such time as they are able to reimburse Sutter County for the full amount of aid extended on their behalf.

C. Terms of Agreement

An Agreement to Repay signed by the applicants shall remain in full effect and force upon the applicants and their estate until repayment has been effected. The applicants shall agree to bear all costs necessary pursuant to obtaining enforcement of such agreement.

D. County Responsibility

Sutter County shall not be held liable for any costs incurred in the collection of such Agreement to Repay. Upon receipt of such agreement, the Welfare Department of Sutter County shall grant General Relief if all other factors of eligibility have been determined.
The General Relief Work Program is designed to provide work experience to all able-bodied employable General Relief recipients and to provide them an opportunity to repay the amount of their grant by working.

A. Purpose

B. Participation

A person who applies for General Relief on the basis of unemployment must agree prior to granting of aid to participate in the Work Program. He may accept any proper work assignment and must exhibit good work habits while on the project.

C. Non-Participation

Persons not otherwise exempted, who refuse to participate in the Work Project without good cause (as determined by the Eligibility Worker), are ineligible for General Relief.

1. Refusal to demonstrate good work habits shall be deemed to be refusal to participate in the Work Project creating ineligibility for General Relief.

2. The first sanction for non-participation will result in ineligibility for a thirty (30) day period, the second for a sixty (60) day period, third or additional sanctions result in the ineligibility for a ninety (90) day period.

3. The sanction is to begin on the date of the next reapplication for General Relief and to extend for the specified period.

D. Hours

Persons assigned to the Work Project can be required to work up to the number of hours equivalent to the amount of the General Relief Grant at the established Federal or State minimum wage, whichever is higher. Provisions of Fair Labor Standards Act apply to all assignments under the Work Project.

E. Payments

No additional payments will be made to persons assigned to the General Relief Work Project beyond the amount of the General Relief Grant. Payments from Project Agencies will be made to the County of Sutter, and offset against the Project Assignee's General Relief Grant received in the month in which the work was performed.
f. Workmen's Compensation

Work Project Assignees will be provided Workmen's Compensation insurance coverage.

6. Job Search Requirements

Participation in the General Relief Work Program does not relieve the recipient of the requirement to be actively seeking gainful employment. An adequate job search shall consist of:

1. Register at Employment Development Department
2. Report to EDD twice (2) a week. See Memorandum next page.
3. Make twenty (20) job contacts a month at the rate of five (5) a week.
4. Provide the required verification of meeting these requirements.

H. Responsible Relative Provision

In those months when the recipient assigned to the Work Project fulfills the required number of work project hours, there will be no relative liability for that month.

1. Good Cause

Good Cause for refusal to participate in the General Relief Work Project are the same as those outlined in Section 3.09

J. Appeals

The Appeal process as established in Section VI applies to all aspects of the General Relief Work Program.
3.15 STANDARDS OF AID FOR GENERAL RELIEF

Standards of Aid for General Relief are determined by the Board of Supervisors to meet minimum needs and shall not exceed the amounts specified in the manual. (See Section 1.02 relative to a Welfare Director’s Exception in individual case situations.)

A. Basic Need:

<table>
<thead>
<tr>
<th>Number of Persons</th>
<th>Maximum Grant</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Single living alone</td>
<td>$196.65</td>
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<tr>
<td>2. Married living together</td>
<td>$254.15 \times 2 = 508.30</td>
</tr>
<tr>
<td>3. Family group of 3</td>
<td>$311.65 \times 3 = 934.95</td>
</tr>
<tr>
<td>4. Family group of 4</td>
<td>$369.15 \times 4 = 1476.60</td>
</tr>
<tr>
<td>5. Family group of 5</td>
<td>$426.65</td>
</tr>
<tr>
<td>6. Family group of 6 or more</td>
<td>$484.15</td>
</tr>
</tbody>
</table>

B. Shared Housing:

1. If two or more General Relief applicants not responsible for the support of each other (i.e., not a family) plan to share housing, divide the maximum grant for the number of applicants involved by that number of people to arrive at the grant for each individual in the group. **Example:** four single GR applicants plan to enter into a shared living arrangement. Divide the maximum GR grant for four (369.15) by four. The grant for each individual case would be 92.29.

2. If a single GR individual or family shares housing with others not in receipt of GR, compute the budget as follows:
   (a) Exclude from consideration any children in the shared living arrangement who will not be receiving GR;
   (b) Add all other persons in the shared living arrangement, and divide the maximum grant for this number of people by the number involved;
   (c) Multiply the resultant figure by the number of people who will be receiving GR to arrive at the grant.

   **Examples:**

   (i) Single GR applicant will be sharing housing with his brother and sister-in-law, who are not on GR. Maximum grant for three is 311.65. Divide $311.65 by three. The grant will be $103.88 (311.65 \div 3 = 103.88).
(2) GR family of man, wife, and two children will be sharing housing with his brother and sister-in-law who are not on GR. Maximum grant for six is $421. Divide $421 by six ($70.17) and multiply by four. (number of people who will be receiving GR) to arrive at the grant of $280.68.

(3) Same example as (2) above, except non-GR brother and sister-in-law have two children of their own. The grant would be $280.68 just as in the above example, because the non-GR children are excluded from the count.

3. If two GR families plan to share housing, the budget is computed in a manner similar to that previously explained with respect to a group of unrelated GR applicants sharing housing. Example: a GR family of four plans to share housing with a GR family of three. The maximum grant for seven ($421) is divided by seven. This yields a figure of $60.14 per person. Thus the grant would be $180.42 for the family of three and $240.56 for the family of four.

C. Income In-Kind:

When a necessary item of need is supplied free to General Relief applicants, the following schedule shall apply unless it can be proven that the item supplied is worth a lesser amount:

<table>
<thead>
<tr>
<th>Number in Household</th>
<th>Food</th>
<th>Rent</th>
<th>Utilities</th>
</tr>
</thead>
<tbody>
<tr>
<td>Family unit</td>
<td>$80</td>
<td>$100</td>
<td>$12</td>
</tr>
<tr>
<td>Single individual</td>
<td>40</td>
<td>60</td>
<td>9</td>
</tr>
<tr>
<td>Two unrelated in shared housing*</td>
<td>40</td>
<td>50</td>
<td>9</td>
</tr>
<tr>
<td>Three or more unrelated in shared housing*</td>
<td>40</td>
<td>10</td>
<td>6</td>
</tr>
</tbody>
</table>

*Applicable to each individual.

Note:

In a situation involving both shared housing and in-kind income, the in-kind income should be deducted from the appropriate maximum grant, not from the shared housing grant. Example: GR family of man, wife, and one child will be sharing housing with his brother and sister-in-law, who are not on GR and who are willing to provide free rent.

Correct budget computation:

$311 (maximum grant for five) minus $100 (in-kind value of free rent)
for family group) equals $271. $271 divided by five equals $54.20. $54.20 multiplied by three (number who will be receiving GR) equals $162.60, which will be the grant.

Incorrect budget computation:
$371 ÷ 5 = $74.20. $74.20 ∗ 3 = $222.60. $222.60 - $100 = $122.60.

3.16 COMPUTATION OF PAYMENT OF GENERAL RELIEF GRANT:
All payments of General Relief are for the month of application only. Eligibility is determined on a monthly basis.

3.17 INCOME
A. Earned income:
Any money received as renumeration for labor performed. Allow mandatory deductions from gross earned income to arrive at net earned income to be used as the budgetary figure.

B. Mandatory Deductions:
Mandatory deductions are those items which an employer must, by law, deduct
from an employee's pay, such as: income tax withholding, Social Security, disability insurance, etc. The applicant must claim the maximum number of exemptions allowed under IRS regulations.

C. Unearned Income:
Any money received from any source except from employment. Normally no deductions are allowed from unearned income.

D. In-Kind Income:
Any benefit with monetary value received from any source other than in cash. It includes the value of need items in Section 3.15 B.

3.18 THE GENERAL RELIEF BUDGET

The amount of aid shall be calculated on the General Relief Budget Form SU 241 (REV). This document shall also serve as the referral document for collection of aid paid. It shall also serve as the Notice of Action to the recipient.
All income less mandatory deductions shall be considered in computing the amount of grant.

3.19 APPLICATION OF INCOME

Anticipated income shall be projected for the month of application and all projected income shall be considered in computing the budget. Normally, only one payment shall be authorized for any month and later adjustments to the payment shall not be authorized unless to adjust an underpayment.

3.20 METHOD OF PAYMENT

Upon determination of eligibility, the payment of General Relief benefits shall be authorized on a SU 278. When authorized, a Request for Release of Funds will be forwarded to the Auditor's office. Payment will be by county warrant to the recipient by mail unless "will call" arrangements are made.

3.21 MONEY PAYMENT PRINCIPLE

As in other aid programs, each recipient has the right to manage their own affairs; to decide what use of their money, including the aid payment, will best serve their interests; and to make purchases through the normal channels of exchange, enjoying the same rights and discharging responsibilities in the same manner as other members of the community.

-16-
Aid payments in the General Relief Program shall be made in conformity with the money payment principle except when a problem in money management exists.

3.20 NECESSITY TO REAPPLY

Since all aid payments in the General Relief Program are made on a monthly basis, it is necessary for the recipient to reapply in order to continue to receive benefits. Application may be made prior to the end of the month, but action on the application cannot be authorized until the first (1st) working day of the next month. The applicant shall be informed of the provision when they first make application and, in writing, when a determination has been made on any application for General Relief.

3.21 BEGINNING DATE OF AID

Beginning date of aid shall be the first of the month or the date of application, whichever is later. If eligibility cannot be established prior to the end of the month, there shall be no grant for that month and a new application must be made if aid is desired for the following month.

3.22 APPLICATION OF GENERAL RELIEF BUDGET TO THE FOOD STAMP PROGRAM

Application for Food Stamps is a condition of Eligibility for General Relief. The General Relief budget will be computed without regard to the Food Stamp allotment. (Food Stamp Manual Section 63-503). All income considered in computing the General Relief budget and all payments of General Relief will be considered in computing the Food Stamp allotment.

3.25 NOTIFICATION

The Welfare Department shall be responsible for notifying all applicants of the action taken on their application for General Relief. Such notification shall include:

a. Effective date of granting or denial
b. Amount of grant
c. Copy of budget
d. Manual Section number that applies to denial
e. Notification that grant is authorized for one month only and a new application must be made if General Relief is needed for the following month
r. Notification of the right to appeal any General Relief action within ten (10) calendar days by filing a written appeal with the Department.

c. A reminder of the Agreement to Repay.

II. REVISION OF DENIAL ACTION

The Department shall make provision for the reversal of denial action when the applicant presents evidence establishing eligibility provided such evidence is presented within the month of application.
SECTION IV

EMERGENCY RELIEF

Emergency Relief may be granted to those found eligible who are non-residents of Sutter County who have no other means of support and who are in need of temporary assistance. Emergency Relief is immediate and on a temporary basis.

4.01 WHO MAY APPLY

A. Non-residents of Sutter County
B. Residents of Sutter County may apply for gasoline orders only.

4.02 APPLICATION FOR EMERGENCY RELIEF

The applicant shall sign an application form and complete a Statement of Facts for Emergency Relief.

4.03 FREQUENCY OF EMERGENCY RELIEF

Emergency relief shall be granted only once in each six (6) month period.

4.04 DETERMINATION OF ELIGIBILITY

A. All eligibility requirements, except county residence, for General Relief shall apply to Emergency Relief.
B. When the applicant requests assistance with transportation, the Eligibility Worker will verify by telephone that the applicant has a legal residence to return to and that he will be accepted there. If the applicant is travelling to gain employment, it must be verified that there is a job waiting for him at his destination.
C. Any other request for transportation must be authorized by the Director of the Welfare Department.

4.05 STANDARD OF ASSISTANCE

A. Public Transportation

Arrangements for public transportation shall be by vendor payment to the place of residence. A member of the Social Service Staff shall escort the recipient to the point of departure and shall purchase the ticket for the person.

B. Private Transportation

When the applicant has his own means of transportation, a gasoline order may be authorized to draw from the Welfare Department account.
at the County Road Department Shop. In certain instances, it may be possible to allow a cash payment for additional gasoline and oil to complete the journey.

C. Food

A reasonable cash payment may also be authorized to allow for the purchase of food necessary to get the recipients to their destination.

4.05 REPAYMENT

Repayment of Emergency Relief allowances should be sought by the county, but it is not mandatory. The applicant must sign an agreement to repay.

4.07 TRANSPORTATION PAYMENTS FOR COUNTY RESIDENTS

A. Gasoline orders to Sutter County residents may be authorized in cases where there is no other alternative available. In such case, an Agreement to Repay must be signed by the applicant.

B. Purposes for which gasoline orders may be authorized are:

1. Trips for medical treatment
2. Trips to the Welfare Department
3. Trips necessary to register for work or to seek employment
4. Others as approved by the Director.
EXHIBIT B
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EXHIBIT C
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### Excluded Pardon/Parole Violations

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### Formed

- **Pardon/Parole Violations**
- **Violations of Employment**
- **Violations of Parole**
- **Violations of Pardon**
- **Violations of Parole**
- **Violations of Pardon**
- **Violations of Parole**
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(continued)

- Law enforcement cannot be effective if the individual has no knowledge of the evidence sufficient to prove that the violation is, in fact, provable.
- The individual must be subject to supervision of parole violators.
EXHIBIT D
<table>
<thead>
<tr>
<th></th>
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Side-by-Side: Felon/Probation/Parole Violators – Revised 2/18/09

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<td><strong>Probation/Parole Violators</strong></td>
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<td><strong>Convicted Drug Felon</strong></td>
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<td><strong>Excluded</strong></td>
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<tr>
<td>82-832.1 (h)</td>
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<tr>
<td>Fleeing Felon is fleeing to avoid prosecution, or custody or confinement after conviction for a crime or attempt to commit a crime that is a felony.</td>
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<td>The existence of a warrant for arrest shall be presumed to be evidence of fleeing, unless rebutted by other evidence sufficient to prove that the individual had no knowledge that he/she is being sought by law enforcement.</td>
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<td><strong>Excluded</strong></td>
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<td>82-832.1 (i)</td>
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<tr>
<td>Violation of Probation is in violation of a condition of probation or parole. The initial offense for which probation or parole was ordered need not have been a felony.</td>
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<td><strong>Excluded</strong></td>
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<td>82-832.1 (j)</td>
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<td>Convicted Drug Felon has been convicted in a state or federal court of a felony that has as an element, the possession, use or distribution of a controlled substance. The conviction must be after December 31, 1997. Controlled substance is defined in Section 102(6) of the Controlled Substances Act (21 U.S.C. Section 802(6)) or Division 10 (commencing with Section 11000) of the Health and Safety Code. The term 'convicted' also includes a plea of guilty or nolo contendere.</td>
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<td>Note: If felony committed 8/22/96 or after and convicted after 12/31/97.</td>
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<tr>
<td><strong>Eligible</strong></td>
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<td><strong>Medi-Cal</strong></td>
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<td><strong>Food Stamps</strong></td>
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<td>63-402.224 (a)</td>
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<td>Individuals who are fleeing felons as specified in Section 63-102f.(4) are excluded household members.</td>
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<td>63-102f (4)</td>
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<td>&quot;Fleeing felon&quot; means an individual who is fleeing from prosecution of a felony under the law of the place from which the individual is fleeing for a crime or attempt to commit a crime, that is a felony under the law of the place from which the individual is fleeing, or that, in the case of New Jersey, is a high misdemeanor under the law of New Jersey, is a high misdemeanor under the law of the place from which the individual is fleeing. The existence of a warrant for arrest shall be presumed to be evidence of fleeing, unless rebutted by other evidence sufficient to prove that the individual had no knowledge that he/she is being sought by law enforcement.</td>
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<tr>
<td><strong>Excluded Household Members</strong></td>
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<tr>
<td>63-402.224 (b)</td>
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<tr>
<td>Persons in violation of their probation of parole as specified in Section 63-102p.(2) are excluded household members. Regarding Violations of the Conditions of Parole: CDSS recommends that eligibility workers limit their verification of parole violations to those violations which have already been investigated and certified by parole authorities as parole violations. Limiting verification of parole violations to those already verified by parole authorities is recommended because it provides the best protection for food stamp applicants and recipients. Limiting verification to parole violations is cost effective and best insures that the civil rights of food stamp applicants and recipients are protected.</td>
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<tr>
<td><strong>Excluded Household Members</strong></td>
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<tr>
<td>63-402.229</td>
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<tr>
<td>Convicted Drug Felon: An individual who has been convicted in a state or federal court of a felony that has as an element, the distribution of a controlled substance or other disqualifying conviction consisting of any of the elements listed in Section 63-402.229(a) or (b). The conviction must be for conduct occurring after August 22, 1996. Controlled substance is defined in Section 102(6) of the Controlled Substances Act [21 U.S.C. Section 802(6)]. Unlawfully transporting, importing into this state, selling, furnishing, administering, giving away, possession for sale, purchasing for purposes of sale, manufacturing a controlled substance, possessing precursors with the intent to manufacture a controlled substance, or cultivating,</td>
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<tr>
<td><strong>Eligible</strong></td>
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<td><strong>CalWORKs</strong></td>
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<tr>
<td>82-832.1 (f)</td>
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<td>Violation of Probation is in violation of a condition of probation or parole. The initial offense for which probation or parole was ordered need not have been a felony. Evidence of fleeing is presumed to be a crime or attempt to commit a crime under the law of the place of conviction for a crime of which the individual was convicted, or when the individual was convicted of a crime of which the individual was found guilty or which the individual did not endeavor to avoid prosecution for.</td>
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<td>82-832.1 (h)</td>
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<tr>
<td>Decision Chart – Felon/Probation/Parole Violators</td>
<td>Revised 02-18-09</td>
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### Eligible

- Violation of probation or parole imposed under Federal or State law.
- Violation of a condition of probation or parole imposed under Federal or State law.
- Fleeing Felons are ineligible for benefits under CMSP.
- Bribing, tampering with evidence, or otherwise obstructing the administration of justice.
- Harboring or concealing a fugitive from justice.
- Harrowing, or processing marijuana or any part thereof pursuant to Section 11358 of the Health and Safety Code.
- Unlawfully soliciting, inducing, encouraging, or intimidating a minor to participate in any activity in Section 63-402.229(a).
- The term "convicted" also includes a plea of guilty to a felony offense for which probation or parole was ordered under a Federal or State law.

### Ineligible

- CMSP
- Food Stamps
- Unlawfully soliciting, inducing, encouraging, or intimidating a minor to participate in any activity in Section 63-402.229(a).
- Harrowing, or processing marijuana or any part thereof pursuant to Section 11358 of the Health and Safety Code.
- Unlawfully soliciting, inducing, encouraging, or intimidating a minor to participate in any activity in Section 63-402.229(a).
- Violation of a condition of probation or parole imposed under Federal or State law.
- Fleeing Felons are ineligible for benefits under CMSP.
- Bribing, tampering with evidence, or otherwise obstructing the administration of justice.
- Harboring or concealing a fugitive from justice.
- Harrowing, or processing marijuana or any part thereof pursuant to Section 11358 of the Health and Safety Code.
- Unlawfully soliciting, inducing, encouraging, or intimidating a minor to participate in any activity in Section 63-402.229(a).
EXHIBIT F
EXHIBIT G
EXHIBIT H
DATE: March 17, 2009

TO: Teresa Castro PAS III, Robin Yerxa PAS III, Carrie Eakes PAS III
    Income Maintenance Supervisors

CC: Lori Harrah, Welfare & Social Services Director

SUBJECT: General Assistance SIU Referral Policy

This memo is to remind you that it continues to be our policy that SIU referrals for Early Fraud Investigation are required for all new General Assistance Applicants and Applicants with more than a 1 month break in assistance.

If you have any questions/concerns, please do not hesitate to contact me.

Thank You.
The Gang Task Force

Findings:

1. The Grand Jury finds the formation of the Sutter County Gang Task Force is a positive step in creating a proactive community. NET-5 assistance in the day to day operations provides guidance to the Gang Task Force.

2. The Grand Jury finds the Sutter County Gang Task Force proactive in educating the community in all aspects of gang activity.

3. The Grand Jury finds the Sutter County Gang Task Force embracing the challenges before them. They continue to be creative in their investigations despite the limited funding.

Recommendations:

1. The Grand Jury recommends continuing efforts into researching grants to further assist the Sutter County Gang Task Force.

2. The Grand Jury recommends continued training to qualify officers as expert witnesses.

3. The Grand Jury recommends the Sutter County Gang Task Force expand community awareness programs by sponsoring or offering additional public information forums.

Response from the Board of Supervisors:

The Board of Supervisors appreciates the Grand Jury’s ongoing dedication to this issue and their recognition of the County’s and the City of Yuba City’s efforts to invest scarce public resources in creating and supporting the work of the Sutter County Gang Task Force. The Board of Supervisors thanks the 2007-08 and the 2008-09 Grand Juries for championing this important community issue.

The Sheriff and the District Attorney are separately elected officials, and as such, respond directly to the Grand Jury’s findings and recommendations concerning their offices. Copies of Sheriff Parker’s and Mr. Adam’s response are included in this document as Attachments B and C, respectively.
Sutter County Jail

Findings:
1. The Grand Jury finds the Sutter County Jail is operating well, despite the financial difficulties all areas of the County are experiencing.

2. The Grand Jury finds the current air conditioner system still needs to be replaced, the control panel updated and completed, as well as other refurbishing.

3. The Grand Jury finds there are no open positions within the Sutter County Sheriff’s Department, and no staff shortage was noted. However, Sheriff Parker stated he constantly recruits new personnel.

4. The Grand Jury finds the Sheriff’s office was following the Rules and Regulations of the Work Release/Work Furlough program, discovered flaws, developed ways to improve it and immediately implemented the new changes.

5. The Grand Jury also finds and supports the minimum-security area status change to a medium-security area, freeing up more usable medium-security bed space.

Recommendations:
1. The Grand Jury recommends the current cooling system be replaced. There are certain times of the year the current equipment inadequately cools the facility.

2. The Grand Jury recommends the Board of Supervisors place the rearranging and upgrading of the minimum-security area and the medium-security area in the Sutter County Jail as a high priority item on the next budget agenda.

3. The Grand Jury recommends the Work Release/Work Furlough program continue to be assessed and revised as needed.

4. The Grand Jury recommends the Sheriff and the BOS continue seeking a qualified company to replace the control panel and complete the project as soon as possible.

5. The Grand Jury commends Sheriff Parker and his staff for a job well done.

Response from the Board of Supervisors:

The Board of Supervisors agrees with the Grand Jury’s findings and recommendations, and supports the Sheriff’s response (referenced below). For FY 2009-10, the Board of Supervisors has approved funding of $90,000 to upgrade and refurbish the existing chiller system, and $350,000 to upgrade the exercise yard of the minimum-security facility so that it can be used for medium-security inmates.
The Sheriff is a separately elected official, and as such, responds directly to the Grand Jury’s findings and recommendations concerning his office. A copy of Sheriff Parker’s response is included in this document as Attachment B.
Yuba-Sutter Juvenile Hall

Findings:

1. The Grand Jury finds the roof at Yuba-Sutter Juvenile Hall is in need of repair. The contract is planned to go out for bid in March 2009.

2. The Grand Jury finds the worn floors discussed in the 2007-08 Grand Jury report at the Yuba-Sutter Juvenile Hall have been replaced.

3. The Grand Jury finds the security doors have not been replaced; however, reinforcement was added and reported to provide adequate security.

4. The Grand Jury finds the cafeteria has a modern kitchen providing the daily nutritional needs for the wards.

5. The Grand Jury finds Camp Singer has a focus on self improvement for all wards housed at this facility. There are opportunities to attend a basic building class and learn a trade, as well as general education classes. The goal is to help each person be an asset to the community upon release.

6. The Grand Jury finds several areas at the Yuba-Sutter Juvenile Hall in need of repair, paint, and remodel. The visitors’ area needs to be refurbished, with updated security. The control room needs to be updated and modernized. The cell windows have been compromised with the insertion of paper and are in need of replacement.

7. The Grand Jury finds the Secure Housing Unit (SHU) has not been used in the last two or three years. In a recent update, Mr. Sorgea advised the Grand Jury he is in the process of hiring qualified staff to reopen the SHU.

Recommendations:

1. The Grand Jury recommends updating the control room equipment, visitors’ center, and cell windows. The Grand Jury further recommends a general refurbishing specific to the Juvenile Hall building.

2. The Grand Jury recommends continuing current educational and self-improvement classes.

3. The Grand Jury also recommends utilization of the SHU.

Response from the Board of Supervisors:

While it is not listed as a respondent, the Board of Supervisors has included Superintendent of Institutions Frank Sorgea’s response for completeness as Attachment D. The Board of Supervisors concurs with Mr. Sorgea’s response. Sutter County staff have confirmed that Yuba County has indeed completed the re-roofing of the Juvenile Hall building, as scheduled. The
Board commends the Bi-County Juvenile Hall staff, the Yuba and Sutter County Probation Officers, and the other agencies which provide services to the Juvenile Hall wards – notably the Bi-County Mental Health Division. We also commend the Yuba County Board of Supervisors for allocating scarce public resources to reopen the SHU and provide as many facilities improvements as possible. We will continue to support Yuba County’s efforts.
Fire and Emergency Services

Findings:

1. The Grand Jury finds the emergency service contract process complex.

2. The Grand Jury finds Bi-County Ambulance, Inc., performs and meets the time response criteria and their contract requirements.

3. The Grand Jury finds S-SV is an integral part of the emergency services operation.

Recommendations:

1. The Grand Jury recommends Sutter County contract with S-SV for the ordinance contract currently in place with Placer, Nevada, Yolo, and Yuba Counties.

Departmental Clarifications Regarding Fire and Emergency Services Report:

We have reviewed the comments, findings and recommendations of the 2008-09 Grand Jury as it relates to the Fire and Emergency Services section of their report. We wish to thank the members of the Grand Jury for the time and effort they put into understanding the county’s role in the provision of ambulance and emergency services.

In the “Discussion” section of this report, second paragraph, we wish to clarify that Sutter County is a member of the S-SV EMS joint powers agreement (JPA). The JPA Agreement and bylaws are reviewed and approved annually. There is no contract per se. S-SV EMS is a regional EMS agency. Its regulatory authority is under Health and Safety Code Title 22, Chapter 9, section 1798.200 et. seq.

In paragraph three, S-SV regulates areas related to emergency medical services such as ambulance inventory and writing treatment policies and procedures. They hold an “EMS Day” annually to honor their providers and to offer education. S-SV directly receives funding from the state in their capacity as a regional EMS agency.

In paragraph four, S-SV regulates and enforces ordinances (not contracts) that have been enacted in each county. Same correction in paragraph five, the county writes the ordinance which is then enforced by S-SV.

Response from the Board of Supervisors and the Department of Human Services’ Health Division:

The Board of Supervisors and the Department of Human Services agree with the Grand Jury’s findings and with the intent of the recommendation. The Department is working with County Counsel’s Office to draft a change in the county’s ordinance language so that S-SV would review and approve requests for special requests involving ambulance stand-by services for community
events rather than requiring the County to perform this function, as the ordinance now requires. S-SV would be paid an additional $5,000 per year to enforce this proposed county ordinance.

The Department intends to develop the ordinance and present it to the Board of Supervisors for their consideration no later than January 1, 2010. The Board of Supervisors cannot comment on an ordinance or contract amendment that has not yet come before it, but looks forward to reviewing the Department’s recommendations.
StormReady

Findings:

1. The Grand Jury finds the emergency services departments work diligently to be prepared for all emergencies.

2. The Grand Jury finds Sutter County Office of Emergency Services (OES) and emergency services departments have effective communications.

3. The Grand Jury finds OES and emergency services departments share exercises and training programs.

Recommendations:

1. The Grand Jury commends John E. DeBeaux, Jr., Sutter County OES Manager on receiving the “StormReady” rating.

2. The Grand Jury recommends OES maintain their “StormReady” rating.

3. The Grand Jury recommends OES and emergency services departments continue communicating and sharing exercises and training programs.

Response from the Board of Supervisors and the Community Services Department:

The Board of Supervisors and the Community Services Department agree with the Grand Jury’s findings and recommendations. The County will continue to pursue training, public awareness, and necessary equipment maintenance and equipment upgrades to remain “Storm Ready” compliant. OES and the emergency services departments continuously strive to maintain a strong rapport with each other and share knowledge and experience through open communications, training and exercise.
Animal Control Services

Findings:

1. The Grand Jury finds Sutter County Animal Control Services employees provide quality services to Sutter County.

2. The Grand Jury finds Animal Control facilities are outdated but well maintained by Sutter County staff.

3. The Grand Jury finds Sutter County employees conducted extensive research to provide Sutter County citizens with a quality Animal Control Facility to meet current and future needs.

Recommendations:

1. The Grand Jury recommends Sutter County continue with plans to construct a new Animal Control Facility. The new facility should be planned and constructed so expansion will be made as population growth increases.

Response from the Board of Supervisors and the Community Services Department:

The Board of Supervisors and the Community Services Department agree with the Grand Jury’s findings and recommendations. The recommendation is being implemented. Sutter County and elected officials and staffs from the Cities of Yuba City and Live Oak are currently working with George Miers Architects to develop the plans for a new Animal Control Facility. The draft floor plan being reviewed is designed to allow for expansion as growth requires.
The City of Yuba City Development Impact Fees

Findings:

1. The Grand Jury finds the City of Yuba City implemented an acceptable system to collect Development Impact Fees.

2. The Grand Jury finds there are uncollected Development Impact Fees owed to Sutter County by the City of Yuba City and these outstanding fees will eventually be collected and paid.

Recommendations:

1. The Grand Jury recommends the City of Yuba City continue to follow the new procedures when collecting Development Impact Fees and ensure timely payment to Sutter County.

Response from the Board of Supervisors:

The Board of Supervisors concurs with the Grand Jury’s findings and recommendation.
The Honorable Christopher R. Chandler  
Presiding Judge of the Superior Court of California  
County of Sutter  
446 Second Street  
Yuba City, California 95993  

Dear Judge Chandler:  

Submitted herewith is the Auditor-Controller’s Office response to the 2008-2009 Grand Jury Final Report. Penal Code §933(c) and §933.05 require elected officers to respond within 60 days to the findings and recommendations of the Grand Jury. This response is submitted directly to you pursuant to Penal Code §933.05.  

I commend the individual members of the Grand Jury for their public service.  

I share the Grand Jury’s concerns in making Sutter County government work better. I am looking forward to working constructively and positively with the Board of Supervisors and the County Administrator’s Office to implement improvements with the objective of increasing the County’s efficiency and effectiveness.  

By law I am also required to send a copy of this report to the Sutter County Board of Supervisors, after which they will have another 30 days to write their response. I am complying with that requirement. I trust that my response will likewise be distributed to all recipients of the Grand Jury’s report and all recipients of the Board of Supervisor’s response.  

Sincerely,  

Robert E. Stark, CPA  
Auditor-Controller  

Cc: Information copy to Sutter County Board of Supervisors per Penal Code §933(c)
Sutter County Auditor-Controller’s Response to 2008-2009 Grand Jury Report

Department Purchasing and Financial

Page 2, Finding One (in order presented)

“The Grand Jury finds the Auditor-Controller’s office does not have standardized guidelines and procedures to aid departments to reconcile purchases to financial reports.”

The Auditor-Controller responds—We agree. Standardized guidelines and procedures to aid departments to reconcile purchases to financial reports do not exist. However, the finding is not clear as to what is meant by “standardized guidelines and procedures.” If the Grand Jury’s intent is for the Auditor-Controller’s office to provide individualized guidelines tailored to the varied needs of each department this would be outside the scope of the duties of Auditor-Controller.

Finding Two

“The Grand Jury finds there are no formal written procedures to reconcile purchases to financial reports at the department level.”

The Auditor-Controller responds—We agree. Department level management should implement individual department policies and procedures to maintain accountability over the programs department managers are responsible for, including departmental procedures specific to departmental purchasing in order to reconcile with the official general ledger maintained by the Auditor-Controller’s Office.

Finding Three

“The Grand Jury finds the Sutter County Fleet Department, Sheriff’s Department, and Library Services have systems to reconcile purchases to financial reports and have a good rapport with the Auditor-Controller’s office.

The Auditor-Controller responds—We agree. Based on the Grand Jury findings, apparently these departments have proactively established departmental policies and procedures to reconcile departmental purchases with the official general ledger maintained by the Auditor-Controller’s Office. Managers from other departments should review these procedures as a good basis on which to develop their own systems.

Recommendation One

“The Grand Jury recommends the Sutter County Auditor-Controller create standardized guidelines and procedures for processing and reconciling department purchases.”
The Auditor-Controller responds—We disagree. This recommendation will not be implemented because it “is not reasonable”, within the meaning of Penal Code §933.05(b)(4). Reconciling accounts is a basic accounting skill which is taught in the first year of an accounting curriculum. Sutter County only employs two accountants outside the Auditor-Controller’s Office. The problems the Grand Jury are seeing in most departments are symptomatic of assigning accounting work to positions that are misclassified and therefore the individuals are ill-equipped to handle the basic accounting tasks assigned to them. Reclassifying these positions and hiring employees with the necessary accounting education (Bachelor degree), experience and skills to perform the job is the only practical way to correct this deficiency.

Recommendation Two

“The Grand Jury recommends the Sutter County Auditor-Controller provide training to departments to aid in account reconciliation.”

The Auditor-Controller responds—We disagree because the recommendation is not reasonable. Although it is apparent from the Grand Jury’s findings that the departments are having trouble with account reconciliation, the underlying problem will not be solved by training provided by the Auditor-Controller. As noted above, reconciling accounts is a basic accounting skill. Sutter County only employs accountants in one other department outside the Auditor-Controller’s Office. The problems the Grand Jury are seeing in most departments are symptomatic of assigning accounting work to positions that are misclassified and therefore the individuals are ill-equipped to handle the basic accounting tasks assigned to them. Reclassifying these positions and hiring employees with the necessary accounting education and skills to perform the job is the only practical way to correct this deficiency.

Recommendation Three

“The Grand Jury recommends individual departments create written policies and procedures to reconcile purchases to budget.”

The Auditor-Controller responds—We agree. However, this recommendation is directed at individual departments and therefore is not within the purview of the Auditor-Controller’s Office to implement. It would be appropriate for the Auditor-Controller’s Office to perform an internal audit of the adequacy of each department’s policies and procedures but we are unable to do so unless an internal audit position is approved.

Submitted by,

Robert E. Stark, CPA
Auditor-Controller

August 17, 2009
June 18, 2009

Dear Department Head:

Enclosed is a copy of the 2008-2009 Grand Jury Final Report section(s) that pertains to your department. Pursuant to Penal Code §933.05(f) the section(s) are provided to you on behalf of the Grand Jury.

Provide your response to the Presiding Judge of the Superior Court within the time period specified in Penal Code §933(c) and include the details required by Penal Code §933.05. Please provide an original and two sets of copies. Your response will be filed with the Court and a copy will be posted on the Court's web site, www.suttercourts.com.

Please acknowledge the receipt of these documents by signing below on the copy and returning the copy of this letter in the enclosed self-addressed envelope as soon as possible. Please retain one copy for your records.

Very truly yours,

JENNIFER LAMBERT
Court Clerk/Jury Services

JL
Enc.
c:file

Receipt Date: 6/24/09 Signed: Robert E. Stark
Respondent

Department: Auditor-Controller Robert E. Stark
Please Print Name
June 18, 2009

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Very truly yours,

JENNIFER LAMBERT
Court Clerk/Jury Services

JL
Enc.
c:file

Receipt Date: ___________________________ Signed: ___________________________
Respondent

Department: ___________________________ Please Print Name
933. (c) No later than 90 days after the grand jury submits a final report on the operations of any public agency subject to its reviewing authority, the governing body of the public agency shall comment to the presiding judge of the superior court on the findings and recommendations pertaining to matters under the control of the governing body, and every elected county officer or agency head for which the grand jury has responsibility pursuant to Section 914.1 shall comment within 60 days to the presiding judge of the superior court, with an information copy sent to the board of supervisors, on the findings and recommendations pertaining to matters under the control of that county officer or agency head and any agency or agencies which that officer or agency head supervises or controls. In any city and county, the mayor shall also comment on the findings and recommendations. All of these comments and reports shall forthwith be submitted to the presiding judge of the superior court who impaneled the grand jury. A copy of all responses to grand jury reports shall be placed on file with the clerk of the public agency and the office of the county clerk, or the mayor when applicable, and shall remain on file in those offices. One copy shall be placed on file with the applicable grand jury final report by, and in the control of the currently impaneled grand jury, where it shall be maintained for a minimum of five years.

933.05. (a) For purposes of subdivision (b) of Section 933, as to each grand jury finding, the responding person or entity shall indicate one of the following:
   (1) The respondent agrees with the finding.
   (2) The respondent disagrees wholly or partially with the finding, in which case the response shall specify the portion of the finding that is disputed and shall include an explanation of the reasons therefore.

   (b) For purposes of subdivision (b) of Section 933, as to each grand jury recommendation, the responding person or entity shall report one of the following actions:
   (1) The recommendation has been implemented, with a summary regarding the implemented action.
   (2) The recommendation has not yet been implemented, but will be implemented in the future, with a timeframe for implementation.
   (3) The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or head of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six months from the date of publication of the grand jury report.
   (4) The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefore.

   (c) However, if a finding or recommendation of the grand jury addresses budgetary or personnel matters of a county agency or department headed by an elected officer, both the agency or department head and the board of supervisors shall respond if requested by the grand jury, but the response of the board of supervisors shall address only those budgetary or personnel matters over which it has some decision-making authority. The response of the elected agency or department head shall address all aspects of the findings or recommendations affecting his or her agency or department.

   (d) A grand jury may request a subject person or entity to come before the grand jury for the purpose of reading and discussing the findings of the grand jury report that relates to that person or entity in order to verify the accuracy of the findings prior to their release.

   (e) During an investigation, the grand jury shall meet with the subject of that investigation regarding the investigation, unless the court, either on its own determination or upon request of the foreperson of the grand jury, determines that such a meeting would be detrimental.

   (f) A grand jury shall provide to the affected agency a copy of the portion of the grand jury report relating to that person or entity two working days prior to its public release and after the approval of the presiding judge. No officer, agency, department, or governing body of a public agency shall disclose any contents of the report prior to the public release of the final report.
Final Report
of the
2008-2009
Sutter County
Grand Jury

Kevin Bermingham,
Foreperson

Christopher R. Chandler,
Presiding Judge
Department Purchasing and Financial Reconciliation

Introduction

The 2008-2009 Sutter County Grand Jury investigated the process and procedures for Sutter County purchase processing at the department level.

This investigation was conducted by the Audit Committee comprised of the following Jurors: Thea Brooke, Anne Deis, Doug Heacock, and Marchell Nelson.

Discussion

The Audit Committee conducted interviews with the Sutter County Sheriff's Office, Sutter County Fleet Department, and Sutter County Library Services. Departments were chosen randomly. The purpose of the interviews was to determine the timeliness of invoice processing and reconciliation relating to department financial statements.

Purchasing for each department is conducted at the department level. Each department has different authorization criteria. Authorization is required and budget money must be available in order for purchases to be made. Goods and services are received directly at the department level. Packing slips are reviewed and reconciled to ensure all items are received. All vendor invoices and statements are sent to individual departments. It is the responsibility of each department to reconcile vendor statements.

Packing slips remain in a pending file until an invoice is received from the vendor. Packing slips are matched to invoices and a claim is completed by department personnel. Claims are coded by department personnel to affect proper account categories and funds. The invoice is attached to the claim with appropriate signatures and forwarded to the Auditor-Controller's office for payment.

After month end, Department Payment Record reports are forwarded to each department for reconciliation. Each department ensures invoices were processed with correct accounts and dollar amounts. Payment or coding discrepancies are resolved between departments and the Auditor-Controller's office.

Each department is responsible for reconciling their own accounts. The Auditor-Controller's office submits monthly financial reports to each department. Financial review can also be conducted on-line. Departments review financial informational reports noting variances between yearly expenditures and remaining budget. Department personnel have varying accounting experience and knowledge; however, each department has a system to ensure claims are forwarded to the Auditor-Controller's office and reconciled to financial reports.

Departments have different accounting systems to track expenditures to financial statements. The Sheriff's Department and Fleet have stand-alone accounting systems. Stand-alone accounting systems are purchased by each department to aid in maintaining financial information for each department. Stand-alone accounting systems do not link to the Auditor-Controller's accounting systems and must be reconciled to the Auditor-Controller's reports in order to accurately track current expenditures to budget status.

Departments with stand-alone accounting systems track expenditures and budgets by entering invoices into the stand-alone system. As invoices are received and coded in the stand-alone accounting system, a claim is issued and attached to the invoice. The stand-alone accounting system automatically reduces the available budget for the affected account and budget. Each month, the Auditor-Controller generated financial reports are reconciled to the stand-alone accounting system. Adjustments such as sales tax are entered into the stand-alone accounting
system to ensure financial information is in sync with the Auditor-Controller reports. Discrepancies between the Auditor-Controller’s financial reports and stand-alone accounting systems are resolved between the department and the Auditor-Controller’s office.

Library Services reconciles financial information by a stand-alone spreadsheet. Program expenditures are reconciled to the Auditor-Controller’s reports.

Some department procedures are in writing. Some department procedures are unwritten but are understood procedures within a department. No department has approved written procedures. In addition, no department has written procedures from the Auditor-Controller’s office to aid in account reconciliation and financial statement interpretation.

Findings

The Grand Jury finds the Auditor-Controller’s office does not have standardized guidelines and procedures to aid departments to reconcile purchases to financial reports.

The Grand Jury finds there are no formal written procedures to reconcile purchases to financial reports at the department level.

The Grand Jury finds the Sutter County Fleet Department, Sheriff’s Department, and Library Services have systems to reconcile purchases to financial reports and have a good rapport with the Auditor-Controller’s office.

Recommendations

The Grand Jury recommends the Sutter County Auditor-Controller create standardized guidelines and procedures for processing and reconciling department purchases.

The Grand Jury recommends the Sutter County Auditor-Controller provide training to departments to aid in account reconciliation.

The Grand Jury recommends individual departments create written policies and procedures to reconcile purchases to budget.

Respondents

Sutter County Board of Supervisors

Robert Stark, Sutter County Auditor-Controller

J. Paul Parker, Sutter County Sheriff

Robert Starr, Deputy Director Sutter County General Services

Roxanne Parker, Director of Library Service
Attachment B
July 20, 2009

To: Chris Chandler, Presiding Judge, Superior Court of California, County of Sutter

From: J. Paul Parker, Sheriff-Coroner/Public Administrator

Subject: Response to the 2008-2009 Grand Jury Final Report

The following are the responses of the Sheriff-Coroner/Public Administrator to the findings and recommendations of the 2008-2009 Sutter County Grand Jury Final Report.

CONTINUITY COMMITTEE (pages 41-44)
The Gang Task Force

Findings: The Grand Jury finds the formation of the Sutter County Gang Task Force is a positive step in creating a proactive community. NET-5 assistance in the day to day operations provides guidance to the Gang Task Force.

The Grand Jury finds the Sutter County Gang Task Force proactive in educating the community in all aspects of gang activity.

The Grand Jury finds the Sutter County Gang Task Force embracing the challenges before them. They continue to be creative in their investigations despite the limited funding.

Recommendations: The recommendations include continuing our efforts into researching grants to further assist the Sutter County Gang Task Force, continue training to qualify officers as expert witnesses and expand community awareness programs by sponsoring or offering additional public information forums.

Response: The Sheriff’s Department concurs with the findings of the Grand Jury. Recommendations have been implemented and we are continuing our efforts in researching for additional grants on the State and Federal levels to expand our Gang Task Force mission. We have, and are continually training our staff to become experts in the area of gangs. We will continue our efforts in providing in house training and sending our deputies to gang training courses whenever there is an opportunity and funding available. Our sheriff’s department continues to educate the public by holding public forums throughout the County. We have been reaching out to our local schools through our gang experts and School Resource Officers to educate the public in gang awareness. We are strongly committed in suppressing gang violence.
CRIMINAL JUSTICE COMMITTEE (pages 47-54)
Sutter County Jail

Findings: The Grand Jury finds the Jail is operating well, despite the financial difficulties all areas of the county are experiencing.

The Grand Jury finds the current air conditioner system still needs to be replaced, the control panel updated and completed, as well as other refurbishing.

The Grand Jury finds there are no open positions within the Sutter County Sheriff's Department and no staff shortage was noted. However, Sheriff Parker stated he constantly recruits new personnel.

The Grand Jury finds the Sheriff's office was following the Rules and Regulations of the Work Release/Work Furlough program, discovered flaws, developed ways to improve it and immediately implemented the new changes.

The Grand Jury also finds and supports the minimum-security area status change to a medium-security area, freeing up more usable medium-security bed space.

Recommendations:

1. The Grand Jury recommends the current cooling system be replaced. There are certain times of the year the current equipment inadequately cools the facility.

2. The Grand Jury recommends The Board of Supervisors place the rearranging and upgrading of the minimum-security area and medium-security area in the Sutter County Jail as a high priority item on the next budget agenda.

3. The Grand Jury recommends the Work Release/Work Furlough program continue to be assessed and revised as needed.

4. The Grand Jury recommends The Sheriff and Board of Supervisors continue seeking a qualified company to replace the control panel and complete the project as soon as possible.

5. The Grand Jury commends Sheriff Parker and his staff for a job well done.

Response: The Sheriff's Department concurs with the findings of the Grand Jury.

1. Recommendation is not being implemented. This recommendation was scheduled to be completed with $150,000 budgeted in the 2008/09 budget. However, a study was conducted and Public Works Department has determined the cost to replace the current cooling system with a new Heating Ventilation Air Conditioning
(HVAC) system at an unanticipated cost of approximately $1,000,000, is too costly. The sheriff’s department staff met with the County Administrative Office and the Public Works Department. It was determined that due to the economical challenges the State and County are facing, the cost to replace the HVAC system should be delayed until other alternatives can be studied. It was decided that the funds budgeted for a new system would be used to upgrade the current system at an approximate cost of $90,000. The upgrade will give the current system three to five more years of service and increase its cooling capacity to what we hope is a tolerable level.

2. *Recommendation is being implemented* during this next fiscal year. Sutter County has budgeted $512,000 for this project. Our Support Services Commander has already been in contact with California Correction Standards Authority, (CSA) who oversees any jail construction project for their review and approval.

3. *Recommendation has been implemented.* The Work Release/Work Furlough programs and the Electronic/Home Detention programs are effectively being used to manage inmate population. There has been an increase in participation in the Work Release program due to the cancellation of the jail weekender program. Because of the increase in the participation in the Work Release program a second Work Release Coordinator has been assigned to the program to ensure seven day coverage. The Electronic Monitoring/Home Detention Programs have been very effective in managing inmates with severe medical conditions keeping them out of custody, thereby saving the county thousands of dollars. The Work Release/Work Furlough and Electronic Monitoring/Home Detention programs are constantly being re-evaluated and we are prepared for the anticipated increase in inmate population in the event the state applies some or all of their proposals for reducing state inmates.

4. *Recommendation has been implemented.* The Support Services Commander has been working with the Public Works Department and a contract has been awarded to REM Construction, Paradise, California. Construction is expected to begin in September 2009 and completed in October 2009.

**AUDIT COMMITTEE (pages 1-2)**
**Department Purchasing and Financial Reconciliation**

**Findings:** *The Grand Jury finds the Sheriff’s Department have systems to reconcile purchases to financial reports and have a good rapport with the Auditor-Controller’s office.*

**Recommendations:** *The Grand Jury recommends individual departments create written polices and procedures to reconcile purchases to budget.*
Response: The Sheriff's Department concurs with the findings of the Grand Jury. The recommendations will be implemented and I look forward to meeting with and giving a progress report to next year's Grand Jury as to job performance.

Respectfully submitted,

J. PAUL PARKER
SHERIFF-CORONER

cc: Sutter County Board of Supervisors
    Larry T. Combs, County Administrative Officer
The Honorable Christopher R. Chandler  
Presiding Judge of the Sutter County Superior Court  
446 Second Street  
Yuba City, California 95991

Re: Response to the 2008-2009 Grand Jury Final Report

Dear Judge Chandler,

The District Attorney responds as follows to each of the recommendations of the 2008-2009 Grand Jury pertaining to the Office of the District Attorney of Sutter County:

The Gang Task Force

Recommendation One: The Grand Jury recommends continuing efforts into researching grants to further assist the Sutter County Gang Task Force.  
(Grand Jury Report, page 43)

Response: The District Attorney concurs that grant funding to enhance the operations of the Sutter County Gang Task Force would be beneficial. The review of Federal and State criminal justice grants is a continuing process. If any private funding is discovered that source would also be investigated and pursued if the conditions of funding met the needs of the Gang Task Force.

Comment to Recommendation One: The current state of the California budget and the national economy have greatly reduced Federal and State grant funding in all areas including criminal justice generally and gang investigation specifically. At this time the operation of the Sutter County Gang Task Force is supported entirely from general fund contribution and non-designated criminal justice funds. The State of California contributes to the Gang Task Force through the assignment of the Task Force Commander as well as the provision of office space and equipment.

No private funding in this area is known but should such money become available it would be applied for so long as the funding could finance the or enhance
Response to the 2008-2009 Grand Jury Final Report, page two

operations that are in place. It would not be wise to change the focus of the Gang Task Force merely because there was funding for a different direction. The existing operation as it is in place is very beneficial to the community.

**Recommendation Two:** The Grand Jury recommends continued training to qualify officers as expert witnesses.  (Grand Jury Report, page 43)

**Response:** The District Attorney concurs that continued training of officers assigned to the Gang Task Force is an important element of operations. There are many areas where training will be helpful. One of the more important areas is helping Task Force officers to qualify to testify as experts in court.

**Comment to Recommendation Two:** Continued training of the Gang Task Force supervisors and members is important to the operation of the Task Force. From the point of view of the District Attorney, one of the more important elements of training is to help Task Force officers qualify to testify as experts who can give their opinions on local gangs and activities in Court.

It is, nevertheless, recognized that there is a lot of Gang Task Force work that takes place before a case goes to trial and training in all areas is important. The District Attorney supports the recommendation of the Grand Jury for training Task Force officers as expert witnesses as a part of the total training program for the Sutter County Gang Task Force.

**Recommendation Three:** The Grand Jury recommends the Sutter County Gang Task Force expand community awareness programs by sponsoring or offering additional public information forums.  (Grand Jury Report, page 43)

**Response:** The District Attorney concurs that the relationship with the community is extremely important to the functioning of the Sutter County Gang Task Force. There needs to be awareness in the community of the presence, identification and impact of gangs. The community's support needs to be enlisted to assist the Gang Task Force. Community awareness programs of all types should be pursued.

**Comment to Recommendation Three:** The effectiveness of the Sutter County Gang Task Force can be enhanced in two related areas. First, as the recommendation suggests, it is useful and helpful to educate the local community about the presence of gangs, their identification and their impact. The Gang Task Force officers currently are conducting public information presentations for community groups. These programs help members of the community to be safe and also enlist their aid in reporting unusual circumstances to law enforcement.

At the same time the Gang Task Force increases it's effectiveness by becoming known within the gang sub-culture itself. In order to collect intelligence and have a chance for proactive law enforcement operations the members of the Gang Task Force need to know and be known among gang members.

Both of these approaches are important and both involve significant investment of time. The effort on community awareness must be kept in balance with all the other priorities that press upon the Sutter County Gang Task Force every day.
General Relief Program

Recommendation Three: The Grand Jury recommends continuing to work collaboratively with the Sutter County District Attorney's Fraud Investigation Unit to help improve the fraud pre-screening and investigation process. (Grand Jury Report, page 5)

Response: The District Attorney's Office has two Senior Criminal Investigators assigned to investigate welfare fraud of all types who work cooperatively with the Human Services Department. Successful investigation and prosecution requires a collaborative approach. The knowledge and professional skills of both departments are necessary. This will continue and the assigned District Attorney's Investigators will be available to assist in any way that their own skills make possible.

Comment to Recommendation Three: This recommendation was actually directed to the Human Services Department and involved the District Attorney's Office only peripherally. The District Attorney was involved in the Grand Jury's investigation as an advisor and contact as reflected in the fifth paragraph, page 4. The District Attorney, however, does agree with the recommendation and will continue to cooperate with the Human Services Department to improve the fraud investigation process as both departments have done in the past.

Sincerely,

Carl V. Adams
District Attorney of Sutter County

cc: Kevin Bermingham
    Grand Jury Foreperson

    Larry Combs
    County Administrator

CVA:hs
August 14, 2009

The Honorable Christopher R, Chandler
Sutter County Superior Court
446 Second Street
Yuba City, CA 95991

RE: Response to 2008/2009 Grand Jury Findings and Recommendations

Dear Judge Chandler:

This letter, provided pursuant to California Penal Code Section 933, is the Yuba-Sutter Juvenile Hall response to the 2008/2009 Grand Jury Final Report – Findings and Recommendations concerning the annual investigation into the operation of the Bi-County Juvenile Hall and Maxine Singer Youth Guidance Center.

I would first of all wish to express my gratitude to the Criminal Justice Committee for their time and their commitment to conducting a thorough investigation. I met with committee member on several occasions and found that they were very interested in both our facilities and programs. I am pleased with the report of their investigation and offer the following in response to their findings and recommendations:

Finding 1
The Grand Jury finds the roof at Yuba – Sutter Juvenile Hall is in need of repair. The contract is planned to go out for bid in March 2009.

We agree with this finding. The roof of the Juvenile Hall is currently being replaced with work expected to be completed August 24, 2009

Finding 2
The Grand Jury finds the worn floors discussed in the 2007/08 grand jury report have been replaced.

We agree with this finding. The area noted included the entrance area as well as central control and the booking areas. These areas have had carpet removed and ceramic tile installed. It should be noted that the Carpet in the boys’ day room area has also recently been replaced.

Finding 3
The Grand Jury finds the security doors have not been replaced; however, reinforcement was added and reported to provide adequate security.
We agree with this finding. Replacing the cell doors is a project which will require a substantial amount of work. All doors within the facility are functional and are provided maintenance as required.

**Finding 4**
The Grand Jury finds the cafeteria has a modern kitchen providing the daily nutritional needs for the wards.

We agree with this finding. Our kitchen staff works very hard to provide a high quality food service program to the minors in our care.

**Finding 5**
The Grand Jury finds Camp Singer has a focus on self improvement for all wards housed at this facility. There are opportunities to attend a basic building class and learn a trade, as well as general education classes. The goal is to help each person be an asset to the community upon release.

We agree with this finding. The Camp Singer program provides a range of opportunity for minors who wish to redirect themselves. Camp staff are dedicated to the proposition that behavior can be changed and that we can be instrumental in that change.

**Finding 6**
The Grand Jury finds several areas at the Yuba - Sutter Juvenile Hall in need of repair, paint, and remodel. The visitors' area needs to be refurbished, with updated security. The control room needs to be updated and modernized. The cell windows have been compromised with the insertion of paper and are in need of replacement.

We agree with this finding.

**Recommendation 1**
The Grand Jury recommends updating the control room equipment, visitors' center, and cell windows. The Grand Jury recommends a general refurbishment relative to the Juvenile Hall building.

The recommendation has partially been implemented. Building maintenance is an ongoing concern at this aging facility. We have begun a process of upgrading the facilities as funds become available. The replacement of the roof and floor surfaces were projects we could accommodate with available funds. An architectural plan to modify the visiting areas has been completed. This plan will be completed incrementally until such time as funding for the full project can be obtained. We are working to clear the paper debris from the window areas, a project which has been frustrated by frozen window locking mechanisms. The windows while unsightly; are secure.

**Finding 7**
The Grand Jury finds the Secure Housing Unit (SHU) has not been used in the last two or three years. In a recent update Mr. Sorgea advised the Grand Jury he is in the process of hiring qualified staff to reopen the SHU.
We agree with this finding.

**Recommendation**

*The Grand Jury also recommends utilization of the Secure Housing Unit (SHU).*

The recommendation has been implemented. The SHU was opened on May 10, 2009. The unit is currently occupied with eight minors who are being prosecuted in the adult court system.

**Recommendation**

*The Grand Jury recommends continuing current educational and self-improvement classes.*

The recommendation has been implemented. We are committed to the principal that our mission is to improve the lives of the children in our care. New programs are evaluated and implemented as a need arises.

Respectfully Submitted

Frank D. Sorgea
Superintendent