

**HUMBOLDT COUNTY SHERIFF'S OFFICE
ADMINISTRATION**

- INTEROFFICE MEMORANDUM -

DATE: AUGUST 2, 2007
TO: THE HONORABLE JUDGE FEENEY
PRESIDING JUDGE OF THE SUPERIOR COURT
FROM: GARY PHILP, SHERIFF
RE: RESPONSE TO 2006-2007 GRAND JURY REPORT

2007-JL-13 GARBERVILLE SUBSTATION AND HOLDING FACILITY

FINDING NO. 1:

The Grand Jury finds there is no testing or inspection of fire alarm and suppression system.

SHERIFF'S RESPONSE TO 2007-JL-13 FINDING NO. 1:

Agree.

RECOMMENDATION NO. 1:

The Grand Jury recommends the Sheriff have the local fire department inspect the fire alarm and suppression system and post a record of each inspection at the facility.

SHERIFF'S RESPONSE TO 2007-JL-13 RECOMMENDATION NO. 1:

The recommendation has not yet been implemented, but will hopefully be implemented within the next 60 to 90 days. I am unaware as to whether or not the local fire department is capable of inspecting and testing the alarm system.

The Sheriff's Garberville Station is a county building, and maintenance of the structure and its systems is primarily a Public Works-Building Maintenance responsibility. We will work with Public Works to have the system tested and inspected by the appropriate persons to ensure it is in proper working order and to ensure that regular documented inspections and maintenance are done.

FINDING NO. 2:

The Grand Jury finds there is inadequate security at the facility for evidence storing.

SHERIFF'S RESPONSE TO 2007-JL-13 FINDING NO. 2:

Partially disagree. We have a policy not to store items such as sexual assault kits, firearms, narcotics or money, etc., at the station, but to instead have them transported to our main property storage facility in Eureka prior to the end of shift. Sometimes items of found property or small items of evidence, not involving an immediate arrest, are briefly secured in a locked storage area to be transported later. This allows deputies to remain in their beat area instead of immediately transporting these items to Eureka and helps to reduce deputy overtime.

RECOMMENDATION NO. 2:

The Grand Jury recommends that the Sheriff's stated policy to "not hold evidence at the Garberville Substation" be enforced.

SHERIFF'S RESPONSE TO 2007-JL-13 RECOMMENDATION NO. 2:

The recommendation will be implemented immediately. I do not believe, however, that our policy not to hold evidence at the station was not being enforced as in that general critical items of evidence were being sent to our main facility in a timely manner. In order to ensure that items of evidence are being sent to our main storage facility in Eureka and not held in Garberville, we will have a station deputy or our soon to be established station Legal Office Assistant, under the supervision of the station Sergeant, designated as the station evidence/ property control officer to ensure evidence is not being stored at our Garberville Station.

2007-JL-06 HUMBOLDT COUNTY CORRECTIONAL FACILITY

FINDING NO. 1:

East building HVAC vent openings are not working.

SHERIFF'S RESPONSE TO 2007-JL-06 FINDING NO. 1:

Agree.

RECOMMENDATION NO. 1:

Evaluate the priority of the HVAC repairs to assure that repairs are at least commenced by January 1, 2008.

SHERIFF'S RESPONSE TO 2007-JL-06 RECOMMENDATION NO. 1:

The recommendation has not yet been implemented but will be implemented in the future. This matter has been discussed with Public Works over the past two years, and identified as an item that needs to be repaired and made operational. The repairs are on the Public Works list of capital projects for FY 2007/08.

FINDING NO. 2:

Some inmates were not given the "Indoctrination Booklet" upon arrival at the facility.

SHERIFF'S RESPONSE TO 2007-JL-06 FINDING NO. 2:

Agree.

RECOMMENDATION NO. 2:

Set up a procedure to assure that each inmate is given the "Indoctrination Booklet" immediately upon arriving.

SHERIFF'S RESPONSE TO 2007-JL-06 RECOMMENDATION NO. 2:

The recommendation has been implemented. The Sheriff's Office has had a policy in place for several years to give inmates that are being housed, an "Inmate Orientation Handbook". At one point in time our inventory ran out, and Xerox copies were being made to hand out to new inmates pending printing of a new supply. Because of this, a small number of inmates may have not received the orientation material. The problem was identified, and a large order, which has already arrived, was placed. Better inventory control of the publication has been implemented as well.

2007-LJ-02 POLICE USE OF FORCE

FINDING NO. 1:

The Grand Jury finds that training in the use of less than lethal force is inadequate, ineffective and secondary to required training in the use of force and defensive tactics.

SHERIFF'S RESPONSE TO 2007-LJ-02 FINDING NO. 1:

Disagree. The use of less than lethal force is part of the entire use of force training continuum and does not stand alone. There are various less than lethal force options such as chemical agents like O.C., and tasers, just to identify a couple that

our deputies may use. Deputies are trained and receive updated training in the use of those options available to them. Officers using any type of less than lethal force option receive initial and updated training in their use, our policy and aspects of when to deploy those options.

RECOMMENDATION NO. 1:

The Grand Jury recommends that police department and Sheriff's Office training sessions in the Ethical Use of Force, and other training dealing with less than lethal force, be done with training facilitators and made interactive. This training should include trainee evaluation and be included in the trained officer's personnel record.

SHERIFF'S RESPONSE TO 2007-LJ-02 RECOMMENDATION NO. 1:

This practice is implemented. Sheriff's Office staff utilizing less than lethal force options made available to them by this Office receive initial and updated training in those methods of less than lethal force by qualified trainers. All training is documented. Where available, utilizing POST approved training simulators, interactive training is periodically conducted on those less than lethal options included in the training simulators programming. Additionally, POST has now implemented a new course focusing on the use of electronic weapons, which our training staff will be attending, in order to provide our deputies with the latest POST approved training.

FINDING NO. 2:

The Grand Jury finds that Tasers are not adequately deployed.

SHERIFF'S RESPONSE TO 2007-LJ-02 FINDING NO. 2:

Agree

RECOMMENDATION NO. 2:

The Grand Jury recommends that all law enforcement agencies adopt the policy that all patrol personnel officer be trained in the use of Tasers and required to carry them on patrol.

SHERIFF'S RESPONSE TO 2007-LJ-02 RECOMMENDATION NO. 2:

The recommendation has not yet been fully implemented, but should be implemented over the next twelve to eighteen months. Although the recommendation is for patrol officers, and all our patrol deputies do receive initial and updated Taser training, the Sheriff's Office has many officers other than in

our patrol division such as certain correctional officers and court security bailiffs who can, and do, benefit from the deployment of Tasers. We have already been deploying Tasers in all divisions of Sheriff's Office to those staff members for whom the Taser is a useful tool as a less than lethal force option. With in excess of 100 officers for whom Tasers could be a useful tool, purchase of Tasers is being programmed and based on available funding and other necessary budgetary demands.

FINDING NO. 3:

The Grand Jury finds that Tasers are expensive tools costing approximately \$1000.00 each.

SHERIFF'S RESPONSE TO 2007-LJ-02 FINDING NO. 3:

Agree

RECOMMENDATION NO. 3:

The Grand Jury recommends that all county police agencies, except Rio Dell, explore the funding for acquiring Tasers for patrol officers.

SHERIFF'S RESPONSE TO 2007-LJ-02 RECOMMENDATION NO. 3:

The recommendation has already been implemented. We are already utilizing a plan to fund the purchase of more Tasers over the next twelve to eighteen months to allow us to completely equip all of our patrol deputies with Tasers.

2007-LJ-04 SHERIFF'S OFFICE REPEATER SITES

FINDING NO. 5:

Chain-of-Command requirements hamper the efforts to inform the Office of Risk Management when service is needed.

SHERIFF'S RESPONSE TO 2007-LJ-04 FINDING NO. 5:

Disagree. The county repeater sites operate a variety of county government and public safety communications systems including the Sheriff's Office system. The County Communications Division, who contracts with service vendors, handles routine inspections and service of the repeater sites.

Our agency role, since we operate the only 24/7 county dispatch center, is generally reporting to County Communications when it appears there is a repeater problem so that they can contact the appropriate service agency. If there is a

repeater issue, our emergency communications staff make direct and immediate communication with the Office of Risk Management representative. Our staff assists County Communications and the Office of Risk Management to our fullest capability.

RECOMMENDATION NO. 5:

The Office of Risk Management, the Sheriff's Office, and the Office of Emergency Services create a liaison committee to establish a method where the system users can communicate their routine needs directly to the Office of Risk Management.

SHERIFF'S RESPONSE TO 2007-LJ-04 RECOMMENDATION NO. 5:

The recommendation has been implemented. There is an established procedure for communicating with the Office of Risk Management for problems occurring with the system. We are in regular communication with the Communications Divisions, which has been a division of the Office of Risk Management, who is our liaison to service providers, regarding routine communications matters involving the communications system as it effects public safety.

Respectfully submitted,



GARY PHILP, Sheriff
Humboldt County

GP:crm