



San Diego County Sheriff's Department

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William D. Gore, Sheriff

July 25, 2016

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Honorable Jeffrey B. Barton
Presiding Judge of the Superior Court
County Courthouse
220 West Broadway
San Diego, CA 92101

Dear Judge Barton:

Response to the San Diego County Grand Jury Report: "Inmate Welfare Fund Report"
Dated May 23, 2016.

Pursuant to California Penal Code Section 933(c), the following is my response to the Grand Jury's Findings and Recommendations 16-05 through 16-11.

SAN DIEGO COUNTY SHERIFF'S DEPARTMENT

Grand Jury Finding 01:

The absence of a strategic plan reduces economy, efficiency, and effectiveness.

Response:

The Sheriff's Department disagrees in part with the finding. While the department recognizes that the absence of a strategic plan could reduce economy, efficiency and effectiveness, the department doesn't agree that is always the case.

RECOMMENDATION 16-05:

Create a three year Strategic Plan.

Response:

The recommendation requires more analysis to examine the feasibility and necessity of implementing a 3 year strategic plan. The analysis will be completed by November 23rd 2016.

Grand Jury Finding 02:

The IWF Committee has weak internal controls.

Response:

The Sheriff's Department disagrees with the finding. The Inmate Welfare Fund must comply with the following internal controls:

- Sheriff's Department Policy & Procedures
- The Inmate Welfare Operating Procedures
- Inmate Welfare Fund Bylaws
- The Department of Purchasing & Contracting Procurement Policy & Procedures
- The Auditor & Controller Revolving Fund Procedures

RECOMMENDATION 16-06:

Strengthen internal controls:

- Establish and document the minimum expenditure requiring a Committee vote
- Define and document policies and procedures for allowable expenditures
- Produce annual operating budgets
- Audit the IWF regularly

Response:

The recommendation will not be implemented because it is not warranted. The current Inmate Welfare Bylaws (L.) require the Committee's approval on contracts in excess of \$10,000. The Inmate Welfare allowable expenditures are in accordance with California Penal Code 4025 as stated in the Declaration of Policy (I.) of the Inmate Welfare Operating Procedures. The annual budget is discussed and approved by the Inmate Welfare Committee.

The recommendation for regular audits will be implemented immediately and conducted on an annual basis, either by the San Diego County Office of Audits and Advisory Services (OAAS), or internally by the Sheriff's Department.

Grand Jury Finding 03:

The Sheriff's Department spent IWF funds that should have come from the Department's General Fund, subverting the IWF's purpose.

Response:

The Sheriff's Department disagrees with the finding. The expenditure for the Las Colinas Detention and Reentry Facility (LCDRF) electric cart was not brought before nor approved by the Inmate Welfare Committee. The cart was purchased for religious service needs, which does qualify as an appropriate Inmate Welfare expense. The audit did not find that the funds should have come from the general fund.

The Inmate Welfare funded construction at the George Bailey Detention Facility (GBDF) was an augmentation of the preexisting recreation yard. California Penal Code 4025 provides that a department may use Inmate Welfare funds to augment county expenses of confining inmates where determined by the Sheriff to be in the best interest of inmates.

RECOMMENDATION 16-07:

Reimburse the IWF for audit-identified inappropriate expenditures.

Response:

The recommendation that the Inmate Welfare Fund be reimbursed for the LCDRF electric cart will not be implemented because it is not warranted. The cart was purchased for religious service needs, which does qualify as an appropriate Inmate Welfare expense.

The reimbursement to the Inmate Welfare fund for the expansion of the GBDF Recreation Yard will not be implemented because it is not warranted. The expansion was approved by the Inmate Welfare Committee as an appropriate use of Inmate Welfare funds according to California Penal Code 4025.

Grand Jury Finding 04:

The IWF Committee is putting future programs at risk by not setting priorities for the IWF reserve in the face of potential revenue loss. If revenue remains near current levels, the lack of priorities stifles creative application of more of the reserve to inmate welfare.

Response:

The Sheriff's Department disagrees with the finding. The department maintains more than adequate reserves to support programs within the jails. The Reentry Services Division program priorities are to enhance the welfare of county jail inmates through a number of programs established to meet the inmates' needs in five key areas; psycho-social programs, educational services, vocational training, religious services, and wellness programs. The department considers programs in these areas as priorities for rehabilitating inmates.

RECOMMENDATION 16-08:

Create a plan for use of the IWF reserve.

Response:

The recommendation will not be implemented because it is not warranted. The department believes the current fund reserve is appropriate to ensure the continued survival of the inmate welfare funded programs.

Grand Jury Finding 05:

The IWF Committee suffers from a lack of public input, expertise, advocacy and transparency.

Response:

The Sheriff's Department disagrees with the finding. The Sheriff appoints one public member and minutes of the Inmate Welfare Committee meetings are available at the public's request. For over 20 years the public member has been a former Grand Jury member.

RECOMMENDATION 16-09:

Expand the number of public members of the IWF Committee, providing them the training and orientation they need to serve effectively, with staggered terms and term limits.

Response:

The recommendation will not be implemented because it is not warranted. The Inmate Welfare Committee currently meets the established requirements of one civilian volunteer that is appointed by the Sheriff. The appointed volunteer has the added expertise of being a previous Grand Jury member.

Grand Jury Finding 06:

The IWF Operations manual is not adequate to its purpose.

Response:

The Sheriff's Department disagrees with the finding. The current IWF Operations manual is adequate to its purpose when used in conjunction with the following governing documents.

- Sheriff's Department Policy & Procedures
- Inmate Welfare Fund Bylaws
- The Department of Purchasing & Contracting Procurement Policy & Procedures
- The Auditor & Controller Revolving Fund Procedures

RECOMMENDATION 16-10:

Rewrite the Operations manual to document policies and procedures necessary to support the IWF Committee's fundamental responsibility to county jail inmates.

Response:

The recommendation has not yet been implemented but will be implemented in the future. A review of the operations manual will be completed by November 23rd 2016. If needed, revisions will be completed at that time.

Grand Jury Finding 07:

The IWF Committee's work lacks transparency.

Response:

The Sheriff's Department disagrees with the finding. All expenditures of the Inmate Welfare Fund are reported to the Board of Supervisors annually and minutes are available at the public's request.

RECOMMENDATION 16-11:

Post the IWF Committee's roster and minutes on the Sheriff's Department website.

Response:

The recommendation will be implemented by November 23rd 2016. Roster and minutes are also available to the public upon request.

In closing, I would like to thank the Grand Jury for their efforts in working with the Sheriff's Department through this investigation.

If further clarification or additional discussion is needed, please feel free to contact Christine Brown of the Reentry Services Division at (858)974-5824.

Sincerely,



William D. Gore, Sheriff

WDG:cb

cc: Members, Board of Supervisors
Helen Robbins-Meyer, CAO
David Hall, Director, Clerk of the Board
Melinda J. Richards, Foreman, San Diego County Grand Jury