

THOMAS D. ALLMAN
Sheriff-Coroner



Undersheriff Gary Hudson

Captain Kevin Broin
Field Services
Captain Tim Pearce
Corrections

County of Mendocino Office Of The Sheriff-Coroner

August 12, 2008

Honorable Cindee Mayfield, Presiding Judge
Superior Court of California
County of Mendocino
County Courthouse
Ukiah CA 95482

RE: Response to Report of the 2007-2008 Grand Jury

Dear Judge Mayfield:

Attached and enclosed please find my responses to the Grand Jury's report entitled:

**I'LL BE ABLE TO HEAR YOU PRETTY SOON
A Report on the Mendocino County Sheriff's Coast Sector
Substation and Holding Cells in Fort Bragg**

The Grand Jury requires me to respond to all of its findings and recommendations. My responses are as follows.

Findings

- 1. The Sheriff's substation, located in Fort Bragg, shares the building in which the Superior Court is located. The entrance has manned security surveillance including a metal detector and x-ray machine.***

I agree with this finding.

- 2. The present staff consists of one lieutenant, one sergeant, seven deputies, and one deputy trainee. One Sheriff's technical assistant manages the evidence room, does business and clerical duties, telephones, processes civil matters, concealed weapons permits, and acts as receptionist.***

I agree with this finding; however I want to clarify two points. First, there is no such position as deputy trainee. The employee referred to in this finding was a deputy sheriff who had graduated the basic law enforcement academy and was, at the time, completing his required field training program. Second, the correct title for the "technical assistant" is Sheriff's Services Technician. This classification was originally established to reflect the unique range of duties performed by our non-sworn substation staff. The classification is also utilized in our Investigative Services Bureau and more recently in our Corrections Division.

3. *One sergeant and two deputy positions are vacant.*

I agree with this finding.

4. *There was no detective at the time of the visit, so deputies shared detective work. Since then, one deputy has been promoted to detective.*

I agree with this finding.

5. *Deputies work a 10-hour shift.*

I agree with this finding.

6. *Deputies are encouraged to volunteer time to community activities. Police Activities League (PAL) recently sponsored a children's fishing tournament at MacKerricher State Park.*

I agree with this finding.

7. *Staff shortages make it difficult to provide effective law enforcement.*

I agree with this finding.

8. *Filling vacant officer positions is difficult due to the high cost of housing, remoteness and lack of cultural and shopping opportunities.*

I disagree in part with this finding. The high cost of housing is a deterrent to some applicants, but the limited employment opportunities for spouses is a much larger issue. And while the coast does not have the concentration of national chain stores found in Ukiah, it does offer many unique shopping opportunities. Culturally the coast offers as many if not more opportunities than other parts of the County. The relative remoteness of the coast can impose hardships on young families, but it also provides a law enforcement experience that is unique within the Sheriff's Office.

9. *Sheriff's deputies are on duty on the coast from 7 a.m. to 3 a.m.*

I agree with this finding.

10. ***The Sheriff's Office in Ukiah handles dispatch for the Fort Bragg substation.***

I agree with this finding.

11. ***There is an information-sharing (muster) teleconferencing call each morning at 7 a.m. among the Fort Bragg and Willits substations and the Mendocino County Sheriff's headquarters in Ukiah. The electronic muster allows officers in the three locations to see and hear each other in real time via a large screen video monitor. The system is up all the time, in case other communications are needed, such as a command staff meeting.***

I agree with this finding. The teleconference serves as a morning briefing and roll call.

12. ***Most arrests are due directly or indirectly to abuse of alcohol or other drugs. Often crimes such as theft are for money to purchase drugs.***

I agree with this finding.

13. ***Holding cells were observed to be clean and in proper working order. Prisoners must be physically observed at all times when they are in a holding cell.***

I disagree in part with this finding. There is no requirement to physically observe prisoners at all times when they are in a holding cell. Intermittent observations are permitted so long as prisoners have immediate access to staff by way of an intercom—which is the case at the Fort Bragg Sub-Station.

14. ***Persons who are arrested and held in Fort Bragg are usually transported to the County Jail in Ukiah within two hours. Deputies may transport prisoners two or more times a shift.***

I agree with this finding.

15. ***The south coast has one resident sergeant and one resident deputy. There is one vacant deputy position. Persons arrested on the south coast are taken directly to the County Jail in Ukiah.***

I agree with this finding.

16. ***Due to remoteness and lack of other forms of communication on the coast, communication between officers and/or their office has always been difficult. Patrol car radios work intermittently and there is limited cell phone reception. Officer safety is compromised when deputies cannot call for back-up; citizen safety is also a concern when an officer cannot receive a call for service.***

I generally agree with this finding. There are many remote areas of the county where radio coverage is either nonexistent or intermittent. Cell phone coverage along the coast tends to be much worse than in inland area. Deputies must always consider radio reception and adjust their tactics accordingly.

- 17. *The aging microwave system, which provided communication only intermittently, is being replaced.***

I disagree in part with this finding. The current microwave system performed dependably for many years. The intermittent communication described by this finding is not so much a problem with the microwave system as with the number of VHF radio repeaters connected to the microwave. The new microwave system will offer significantly improved capacity, security, dependability and redundancy. Installation of additional VHF radio repeaters (connected to the microwave system) will improve coverage for deputies in the field.

- 18. *Emergencies requiring mutual aid may include the California Highway Patrol, the U.S. Coast Guard, local fire departments, Fort Bragg Police Department, State Park rangers and State Fish and Game officers.***

I agree with this finding.

- 19. *The evidence room was observed. Records of evidence are kept by hand.***

I generally agree with this finding. Deputies enter property and evidence information into our records management software, but evidence room records are kept by hand.

- 20. *Evidence must be held until a case is final.***

I generally agree with this finding, although there are exceptions.

- 21. *Purging of evidence requires time consuming investigation into the disposition of the case.***

I agree with this finding.

- 22. *An electronic fingerprinting machine is available for persons applying for certain licenses/permits, those seeking concealed weapons permits, and volunteer positions or jobs, such as those dealing with children.***

I agree with this finding. The system is referred to as LiveScan.

- 23. *There is now an electronic security system to prevent break-ins. The system also covers the rear of the substation.***

I agree with this finding.

24. *The security gate to the rear of the substation has been repaired. It required a new motor and a new lock system that operates with a remote control.*

I agree with this finding.

25. *The barbed wire atop the fencing around the perimeter of the rear of the substation, that was cited in last year's Grand Jury report, has now been repaired.*

I agree with this finding.

Recommendations

1. *Mendocino County Sheriff fill the vacant positions for one sergeant and two deputies.*

This recommendation has not yet been implemented, but will be implemented in the future. The promotional recruitment for Sheriff's Sergeant opened on August 12th and will close on August 26th. Testing is tentatively scheduled for mid-September with a final selection on or about the first week of October. One of the vacant Deputy Sheriff positions was filled on August 11th. Recruitment efforts continue to fill the remaining vacancies.

2. *Mendocino County Sheriff explore the use of Asset Forfeiture Funds to secure a bar-coding system for the evidence room.*

This recommendation has not yet been implemented, but will be implemented in the future. The timing is subject to the availability of asset forfeiture funds.

3. *Mendocino County District Attorney notify the main evidence depository in Ukiah when a case reaches final disposition.*

This recommendation is directed to the District Attorney. I agree with her response.

Should you or the Grand Jury have questions about any of my responses, please do not hesitate to contact me or my Undersheriff, Gary Hudson.

Sincerely,



THOMAS D. ALLMAN
Sheriff-Coroner

Cc: Dennis Scoles, Grand Jury Foreman
Jim Wattenburger, Chair – Board of Supervisors
Tom Mitchell, County CEO
Jeanine Nadel, County Counsel
Meredith Lintott, District Attorney