

**FINAL REPORT
CASE #1600 NON-UNIFORM EMPLOYEE OVERTIME
SAN JOAQUIN COUNTY SHERIFF'S DEPARTMENT**

REASON FOR INVESTIGATION

The 2000-2001 San Joaquin County Civil Grand Jury received an unsigned complaint alleging, "possible continuing incident of embezzlement (through) utilization of overtime not earned.

METHOD OF INVESTIGATION

Members of the SJCCGJ interviewed two of the eight "witnesses" named in the complaint.

The Grand Jury interviewed the Assistant Sheriff and the Sheriff's Director of Administrative Services.

FINDINGS AND CONCLUSIONS

There was no indication of embezzlement.

Assistant Sheriff and Sheriff's Director of Administrative Services informed us that the Assistant Sheriff personally maintained time sheets and authorized overtime for the employee in question.

The Assistant Sheriff's statement precluded any charge of embezzlement.

The SJCCGJ will take no further action since the original complaint was unsigned.

RECOMMENDATION

A written policy regarding overtime for non-uniform staff should be implemented.

Overtime should be permitted only with on-site supervision, or at a minimum a designated supervisory personnel should be observing check in/out times.

Non-uniform employees should have additional training and/or staff to avoid overuse of any one particular staff member.

Non-uniform employees should have an avenue to voice complaints in-house, outside of the normal chain of command in the Sheriff's Department, perhaps through the Internal Affairs unit.

RESPONSE

Pursuant to Sections 933.05 of the Penal Code:

The Sheriff of San Joaquin County shall comment, in writing, to the Presiding Judge of the Superior Court - within (90) days of the publication of this report.

As to each finding in the report, a response indicating one of the following:

- a. The respondent agrees with the finding.
- b. The respondent disagrees with the finding, with an explanation of the reasons therefore.

As to each recommendation, a response indicating one of the following:

- a. The recommendation has been implemented, with a summary of the action taken.
- b. The recommendation has not yet been implemented, but will be with a timeframe for implementation.
- c. The recommendation requires further analysis, with an explanation of the scope of the analysis and a timeframe not to exceed 6 months.
- d. The recommendation will not be implemented, with an explanation therefore.