

FINAL REPORT

CASE # 0699: San Joaquin County Sheriff=s Department

Reason For Investigation

A citizen=s complaint was received by the Grand Jury alleging improper use of inmate labor by the Sheriff=s Department.

Background

The complaint stated that Athe jail crew@ cleaned up a ditch in front of a business belonging to a friend and political supporter of the Sheriff. ♦ The location was a Bull Fighting Ring on Escalon - Bellota Road. ♦ The complaint further stated that this was the only area on the entire road that was cleaned up. ♦ This cleaning work was done just before a bullfight in September of 1999.

Method of Investigation

Members of the Grand Jury traveled to the Campo Bravo Bull-fighting Arena located on the Escalon - Bellota Road, South of Farmington, CA. ♦ It was observed that a portion of the drainage ditch that

fronted the Bull-fighting property had been cleaned of weeds, leaving only small piles of debris. No other area of the road appeared to have been cleared in the same manner.

A letter was sent to the Sheriff on October 19, 1999 requesting that a copy of the Sheriff's Department Policies and Procedure for the use of inmate labor, outside the confines of the Jail and the Honor Farm, be sent to the Grand Jury along with any criteria for when fees are or are not charged.

The letter resulted in a telephone conversation with an Assistant Sheriff who stated that there was no written Policy for the use of Prisoner/inmate Labor. He stated that the use of inmate labor for various projects had been approved by the San Joaquin County Board of Supervisors. He also stated that a written set of Policies and Procedures was being drafted and would be sent to the Grand Jury along with other documentation including the fee schedules relative to the use of inmate labor.

Findings and Conclusions

After receiving and reviewing all documentation, including a written Policy and Procedure for the use of Inmate Labor within the County, the Grand Jury concluded the following:

1. The San Joaquin County Board of Supervisors approved the use of inmate labor known as AThe San Joaquin County Community Corps @ or ACommunity Corps. @ This decision, made in August of 1996, allowed the use of inmate labor outside of the confines of custodial facilities and was to be completely funded by the Inmate Welfare Fund.
2. The use of the Community Corps to help clean up for community events and assist non-profit organizations which benefit the general public has been ongoing.
3. The Annual Community Corps work detail reports (July 1998 through June 1999), which document the Acontract work @ and the Auncharged work @ was provided. This document consisted of 12 pages detailing contract work (or Asales @) and 33 pages of Anon-charged work. @
4. Contract work is billed at \$150.00 per day. The parties who paid for the services consisted mainly of public agencies.

5. The clean up work done in front of the Campo Bravo Bullfight Arena was started on September 1, 1999 and completed on September 2, 1999. ♦ This was done prior to bullfight, scheduled for later in the month, as part of a church fundraiser and community event. ♦ This fell within the definition of >special projects= allowing the Community Corps to be used to help a non-profit organization even though more detailed work was done on the ditch than was done on other portions of the roadway.
6. A detailed, written Policy and Procedure for the use of the Community Corps Program, dated November 5, 1999, is now in place and has been implemented.

In conclusion , The Grand Jury has determined that the cleanup in front of the Campo Bravo Bullfight Arena, using the Community Corps falls within the criteria approved by the San Joaquin County Board of Supervisors and was not specifically a political favor approved by the Sheriff.

The absence of a written ♦Policy and Procedure♦ document was an error which has now been corrected.

A letter was sent advising the complainant of the Grand Jury=s findings.

Recommendations

The Grand Jury recommends that all Policies and Procedures involving the use of the Community Corps be reviewed and evaluated annually and the document be upgraded or amended as needed .

Response Required

None