



CITY OF ESCALON

August 7, 2017

Honorable Jose L. Alva
Presiding Judge San Joaquin County Superior Court
180 West Weber Avenue Suite 1306
Stockton CA 95201

RE: Grand Jury Request for Response

Honorable Jose L. Alva,

The following is in response to the Grand Jury's request regarding request for responses for 2016-2017 Case No. 0316 San Joaquin County Civil Grand Jury review of the San Joaquin County Property Rooms.

Findings:

- **Escalon F1.1**– Escalon does not conduct monthly inspections of evidence storage facilities, as outline in Escalon Police Department Policy Manual 804.8 (a).

The City agrees that with the reduction of staffing in prior years inspections have not occurred as outlined according to the Policy Manual.

- **Escalon F1.2** Escalon does not conduct annual audits of the evidence room, as outlined in Escalon Police Department Policy Manual 804.8(c).

The City agrees that with the reduction of staffing in prior years annual audits have not occurred as outlined in the Policy Manual.

- **Escalon F1.3** Escalon does not have a secured vault or safe for the storage of currency and valuables.

The City respectively disagrees with the finding. The City does currently utilize a separate small safe for currency and valuables.

Recommendations:

- **Escalon R1.1** By December 31, 2017, the supervisor of the evidence custodian conduct an inspection of the evidence storage facilities as outlined in the Escalon Police Department Policy Manual 804.8 (a).

Response by the City:

Escalon Police Department Policy Manual section 804.8(c) states that on a monthly basis, the supervisor of the evidence custodian shall make an inspection of the evidence storage facilities and practices, to ensure adherence to appropriate policies and procedures. The City has set in place the following steps to ensure monthly inspections;

Police Services Manager will assign the Police Community Service Officer to perform the following on a monthly basis;

1. On a date randomly scheduled, conduct an inspection of the evidence facility. The inspection will address safety issues, cleanliness, functionality, and efficiency related to the agencies evidence/ property facilities.
 2. Provide written documentation of the inspection results to the Office of the Chief of police.
 3. When specific issues are identified, a proposed resolution designed to ensure compliance with agency policy should be developed. Within 90 days following the inspection, the proposed written resolution will need to be submitted to the Office of the Chief of police for approval and implementation.
 4. Inspection records will be kept according to the agency records retention schedules.
- **Escalon R1.2** By December 31, 2017, a sergeant, as appointed by the chief, conduct an audit of the property and evidence room, as outlined in the Escalon Police Department Policy Manual 804.8 (c).

Response by the City:

Escalon Policy Manual 804.8 c. states that an annual audit of evidence held by the department shall be conducted by a sergeant (as appointed by the Chief of police) not routinely or directly connected with evidence control.

Chief of police will annually appoint a sergeant to conduct an annual audit of the evidence held by the department. The audits not only verify compliance, but identify areas that may require review, and can facilitate appropriate processes for identifying and correcting procedural deficiencies. The following will be items will be part of the annual audit procedure;

One of the following auditing methods should be utilized:

- Select and review a single case, reviewing the file from collection through disposition
- Randomly select an item of evidence / property for review, and backtrack the storage process and documentation of the item from its shelved location through its submission to the evidence / property storage area
- Randomly select an inactive case file for review. If purged, documentation should be reviewed to ensure compliance from collection through disposition

Evidence/property facility audits should ensure the following:

- Standards and policies are routinely followed
 - Evidence/property is protected from damage or deterioration
 - Appropriate chain of custody processes are utilized
 - Written documentation (e.g., property reports and logs) are appropriately maintained
 - Notification and release authorizations have been obtained
 - Evidence / property location and status are validated
- Evidence / property having no evidentiary value is being disposed of according to policy

In addition, evidence / property facility audits should identify the following:

- Who seized the item
- What was the date and time of the evidence / property seizure
- Who documented it
- Who packaged it
- Who placed it in the temporary storage locker
- Who retrieved it from a temporary locker and processed it into the system
- Who stored the evidence/ property and at what time and date
- Who signed the property out for court use, when and what was the disposition
- Who signed it out for analysis, who transported it, who analyzed it and when and with what results, and who transported it back to the evidence room
- Who authorized release of the property
- Who notified the owner to retrieve the property and what date was the owner notified
- Who released the property and the date and time of release
- What identification was obtained from the owner prior to release
- Does the release paperwork show final release information of destruction information

Annual audits as with inspections, will be thoroughly documented to demonstrate compliance and rectification of non-compliance issues, and the results forwarded to the Office of the Chief of Police. When validating items, focused attention will be paid to narcotics | controlled substances, currency | high value items and firearms. After random items from these areas are selected and validated, the audit can focus on general items of evidence | property attention

Normal intake procedures conducted by the Police Service Manager, will provide immediate

feedback to officers regarding any deficiencies in the evidence I property booking process. In the event corrections are required, the Police Service Manger should forward an Evidence Correction Notice to the Officer of record. This notice will provide the following:

- Date of request
- The name of the officer
- The name of the person directing the correction notice
- The crime report number
- Evidence I property submitted requires the following corrections
- Comments
- The date by which the correction are to be made

In the event that the Notice of Correction has not been completed by the designated date, a Notice to the appropriate platoon supervisor will be forward and correction must be made within three days from the date of this notice.

The Notice to Supervisor Memorandum will include the following information:

- Date
- The name of the supervisor responsible to address the issue
- The author of the memorandum
- The date, the responsible officer's name and the crime report number associated with the request.
- The deficiency which needs to be corrected
- Any comments associated with this request

Notice to the Supervisor Memorandums will be retained for evaluation purposes and will be purge accordingly.

Escalon R1.3 By December 31, 2018, install a safe or vault for the storage of currency and valuables booked into evidence.

Response by the City:

On or before December 31, 2018, the City will install a larger safe for the storage of currency and valuables booked into evidence.

Respectfully submitted,



Mike Borges, Chief of Police
City of Escalon

cc: Mayor Jeff Laugero