KERN COUNTY SHERIFF'S OFFICE PROPERTY & EVIDENCE FACILITY

Due for an Upgrade

SUMMARY:

On February 2, 2021, the 2020-2021 Kern County Grand Jury (Grand Jury) visited the Kern County Sheriff's Property and Evidence Facility (Property Room). The investigation identified fire suppression concerns including: no fire inspection report, poor ventilation in the narcotics storage areas, lack of adequate security cameras throughout the facility, and an aging building that is near capacity that lacks stand-by power, has minimal air conditioning and an outdated elevator.

PURPOSE OF INQUIRY:

The Grand Jury visited the Kern County Sheriff's Property and Evidence Facility to inquire into the operation, condition and management of the facility pursuant to Cal. Penal Code § 925(a). Prior Grand Jury reports of 2009-2010, 2011-2012 and 2012-2013, on the Property Room identified areas for improvement.

METHODOLOGY:

The Grand Jury reviewed prior Grand Jury reports identifying areas for improvement in the Property Room located at 1501 L Street, Bakersfield, CA 93301, behind the Central Receiving Facility. The building was constructed in 1936, remodeled in 2002, and is maintained by Kern County General Services (General Services).

A. The tour included the elevator, refrigeration storage room, narcotics storage room, gun room, homicide evidence room, evidence receiving, and the general evidence areas.

B. Policies and Procedures for the Property and Evidence Room were reviewed.

C. Contact was made with the City of Bakersfield Fire Department, Kern County Fire Marshall, California State Fire Marshall, and General Services to locate the last building fire inspection report.

DISCUSSION OF FACTS:

The Property Room is responsible for receiving, securing, releasing, and storing a variety of evidence and property. In addition, safeguarding law enforcement evidence for the Kern County Sheriff's Office, District Attorney's Office, County Probation Department, Kern High School District Police Department, Bear Valley Police (for destruction of firearms only) and the Kern County Parks and Recreation Department related to various crimes. Many pieces of evidence are preserved and protected indefinitely in compliance with statutory mandates. Property Room

personnel are accountable for security and evidence retrieval ensuring proper chain-of-custody for potential court proceedings. Additionally, they are responsible for returning lost-and-found property surrendered to law enforcement agencies to the rightful owner.

A. All evidence is bar coded upon arrival and audited annually. Property Room Sheriff's Aides conduct more frequent audits on weapons, cash, and narcotics. There are approximately 150,000 pieces of evidence in the facility; the oldest dates back to the 1930s.

B. Many storage areas of the facility use security card access, however, coverage is not complete. Access to firearms, narcotics, and money require two authorized personnel at all times. The sergeant assigned to the facility audits the access records.

C. The first and second floors are not covered by a fire suppression system.

- The sprinkler system in the basement has visibly corroded pipes. It is unclear if the basement system is functioning.
- Staff expressed concern that a water-based system would likely damage or destroy evidence stored in the basement.
- The Sheriff's Office previously agreed to research the feasibility and cost of installing a fire suppression system in 2012. The Sheriff's FY 2020-2021 budget did not include funding for a fire suppression system.
- Fire inspection reports are not available for the building. However, the 2019 California Fire Code requires every sprinkler system be maintained in an operable condition in accordance with Cal. Code Regs. Title 24, Part 9, §901.6 per their intended use.

901.6 Inspection, testing and maintenance.

Fire detection and alarm systems, emergency alarm systems, gas detection systems, fire-extinguishing systems, mechanical smoke exhaust systems and smoke and heat vents shall be maintained in an operative condition at all times, and shall be replaced or repaired where defective. Nonrequired fire protection systems and equipment shall be inspected, tested and maintained or removed.

All fire alarm systems, fire detection systems, automatic sprinkler or extinguishing systems, communication systems, and all other equipment, material or systems required by these regulations shall be maintained in an operable condition at all times in accordance with this code and California Code of Regulations, Title 19, Division 1. Upon disruption or diminishment of the fire protective qualities of such equipment, material or systems, immediate action shall be instituted to effect a reestablishment of such equipment, material or systems to their original normal and operational condition.

https://codes.iccsafe.org/content/CFC2019P1/chapter-9-fire-protection-and-life-safety-systems

- In the event of a fire in the Property Room a sergeant, lieutenant or commander of the Property Room would have to access the facility before the fire department could enter without damaging the facility.
    - It might take 15 minutes or more for staff to arrive.
    - No emergency key system is currently available.

E. In 2017, General Services performed a project-specific building inspection only for the rolling shelves in the basement.

F. The evidence freezer contains biological evidence, e.g., swabs, blood, and spit samples.

- Refrigerated evidence destruction may occur in the event of a significant power loss.
- The majority of this evidence relates to old cases from homicides, deaths, and sexual assaults.
- In 2012, the Sheriff's Office agreed to contact General Services and a local contractor to determine the cost and feasibility of installing power connections for a generator for the evidence freezer. A backup generator is on the Sheriff's departments request for capital asset list and has been on this list since 12/15/2014.
- The loss of evidence can influence the outcome(s) of affected cases.

G. Evidence is rarely lost or misplaced, however:

- The Grand Jury learned of only one incident of evidence mishandling in 2020.
- A pest infestation in the basement compromised marijuana evidence.

H. The camera security system does not cover all areas of the facility. Additional cameras would add a higher level of security for evidence. A request has been submitted for an additional 72 waterproof, vandal proof cameras. The Sheriff's Office submitted the quote for budget consideration in the overall budget FY 2020-2021.

I. There are approximately three years of storage space remaining in this building. The staff adds approximately 20,000 pieces of new evidence to the Property Room annually. Management expects increasing amounts of evidence collection.

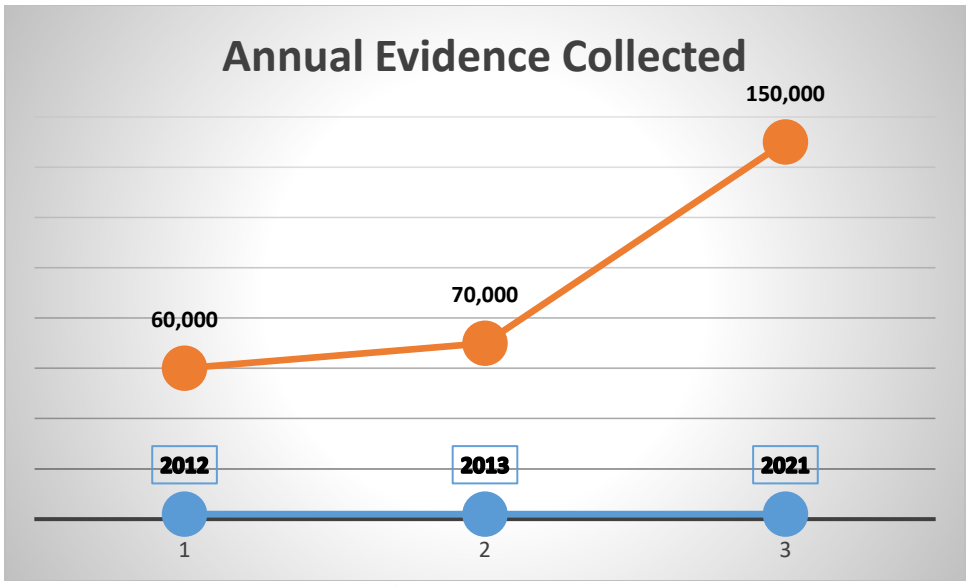

Chart created by the Grand Jury from prior Grand Jury reports and Property Room data

- The basement rack system for homicide evidence does have some remaining storage.
    - This rack system is in the basement due to its weight.
    - The column supports in the basement enhance the building structure.

- The sexual assault storage area is nearing capacity and is not adequately air conditioned.
    - Sexual assault evidence degrades over time.
    - Sexual assault evidence must be stored in excess of 20 years; however, the Property Room has never removed any from storage.

- The staff regularly destroys, returns or discards other evidence, as allowed by statute. The Sheriff's Office is considering the transfer of some evidence to an offsite location.
    - This frees up storage space.
    - The FY 2020-2021 budget allows $3,500 for miscellaneous property disposal.

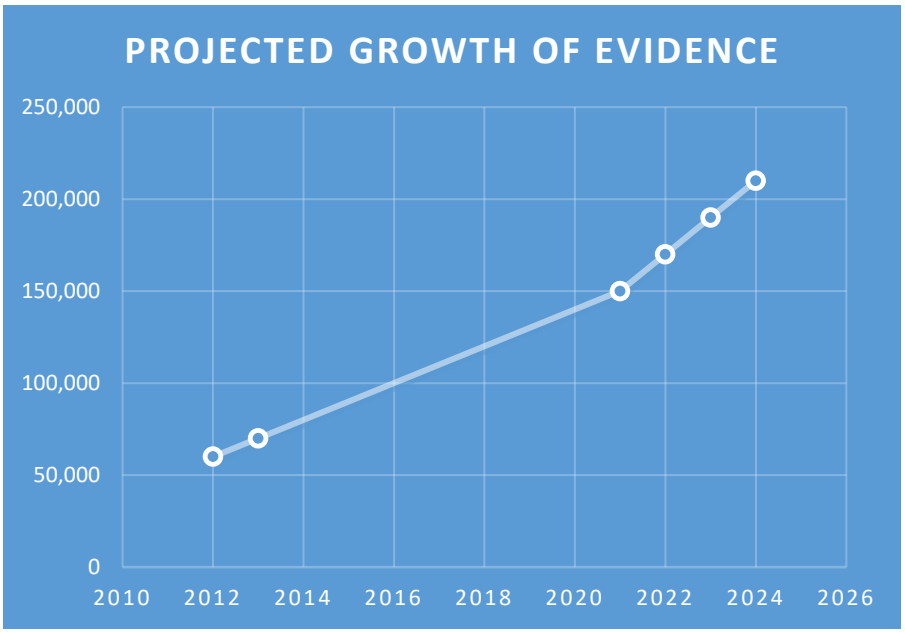

Chart created by the Grand Jury from prior Grand Jury reports and Property Room data

J. Marijuana and narcotic storage:

- The vapors emanating from the spaces are pungent and profuse. Property Room staff must restrict their duration of exposure time due to the vapors in the affected areas.
- Vapors are present in the hall outside and adjacent to storage rooms. According to Cal. Reg. Code §66261.4, the air in a room housing narcotics must have an exchange rate of seven to ten times per hour.
- The Marijuana Concentrate, a.k.a. Honey Oil, is stored in 5-gallon pails labeled ***Flammable***.

K. The elevator traverses from the basement to the second floor. Its use is important for transporting heavy or large pieces of evidence. It has a history of erratic operation and expensive service and repair.

- The elevator has a water based hydraulic system, an old technology.
- Water based hydraulic systems are prone to pressure loss and increased maintenance costs.
- The elevator was serviced eight times in 20 months; three service calls were due to elevator malfunction.
- Routine elevator maintenance is $98 per month. This does not include the cost of elevator repairs (that number was unavailable). These costs are borne by General Services.
- The replacement or upgrade of the elevator has been on the departments' capital asset request list since 10/7/2014.

L. The Property Room is currently at full staff, which includes:

- One Division Commander
- One Lieutenant
- One Sergeant
- Six Sheriff's Aides

FINDINGS:

F1. The first and second floors lack a fire suppression system. The basement system is outdated and appears inoperable.

F2. Annual fire inspections of the building are not done. The sensitivity of the evidence stored in the property building should dictate these inspections.

F3. Quick access by the Fire Department in the event of a fire needs improvement.

F4. There is a need for installation of electrical connections for an emergency power generator and the acquisition of a unit for the Property Room capable of providing power to the entire building.

F5. Securing and retaining evidence is the primary focus of the Property Room and is of vital interest to Kern County's justice system.

F6. The Sheriff's Office needs additional security cameras covering all areas.

F7. The facility needs additional space to accommodate the increasing evidence. The Property Room has never removed any sexual assault evidence from storage. The current location may be full in three years.

F8. This building has inadequate ventilation and air conditioning, offering a sub-par work environment. The fans in the narcotic storage do not adequately remove the vapors adversely affecting staff that may lead to Workers' Compensation claims resulting in additional cost to the County.

F9. The Marijuana Concentrate pails should be isolated in a flammable storage cabinet.

F10. The elevator offers poor service reliability leading to repeated repairs. Elevator repairs are costly and time consuming. The Grand Jury found that employees are concerned about being trapped in the elevator. The anxiety caused by service disruption is stressful. Higher insurance or Workers' Compensation claims might occur after employees carry heavier items to storage locations when the elevator malfunctions.

F11. Property Room staffing currently appears adequate. It is likely additional staff will be needed to handle the projected workload as evidence volume increases.

F12. The current Property Room rack system offers some improvement in evidence storage and retrieval. The manual labeling and shelf system are outdated.

F13. Modernization, technology and/or robotics could improve evidence storage and retrieval of anticipated increased evidence.

COMMENTS:

This Grand Jury would like to thank the commander, lieutenant, sergeant, and staff for the professional tour and information provided supporting our investigation. The Property Room is clean, organized and efforts to optimize the space is obvious. The Grand Jury recognized the staff is doing their best to maintain irreplaceable evidence but only so much can be done in a building that is past its usefulness.

RECOMMENDATIONS:

R1. Install a fire suppression system on all floors. Apply for funding in next year's capital expenditure budget. (Finding 1)

R2. Request an annual fire inspection by the appropriate agency. General Services should schedule periodic inspections of the fire suppression system. (Finding 2)

R3. Develop an emergency key system. Apply for funding in next year's capital expenditure budget. (Finding 3)

R4. The Sheriff's Office should develop a policy allowing after-hours access to the Property Room in the event of a fire. The Central Receiving Facility on-duty shift supervisor should issue the key(s). The key(s) should be designated as emergency access response only and on a restricted basis. (Finding 3)

R5. Install an emergency power generator system and its connections. Apply for funding in next year's capital expenditure budget. (Finding 4)

R6. Identify and acquire a larger facility to accommodate all current and anticipated evidence for the next five years with the option for future expansion. Accelerate the process of the return or destruction of evidence to free up space. Apply for funding in next year's capital expenditure budget. (Finding 7)

R7. Install an enhanced ventilation system in the marijuana and narcotics storage areas. Apply for funding in next year's capital expenditure budget. (Finding 8)

R8. Acquire a flammable storage cabinet to contain all flammable items. (Finding 9)

R9. Due to the elevator requiring significant repair or replacement, consider relocating to a new building. (Finding 10)

R10. Estimate the increase workload and personnel needed for annual increases in evidence storage. (Finding 11)

R11. Seek funding to relocate the Property Room to a larger, more modern building that addresses all of our concerns. In addition, consider the possibility of working with General Services and the Sheriff's Office to repurpose the current building. (Findings 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 and 13)

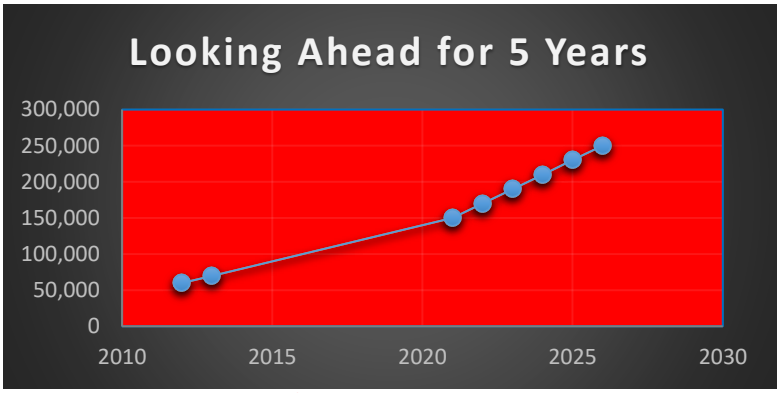

Chart created by the Grand Jury from prior Grand Jury reports and Property Room data

R12. Investigate the application of robotics, technology, or automated rack systems to expedite the labeling, storage, handling, and retrieval of evidence. Investigate Infrastructure Grants or grants for technology that might be available to accomplish this improvement. (Findings 12 and 13)

NOTES:

- The Kern County Sheriff's Office should post a copy of this report where it will be available for public review.

- Persons wishing to receive an email notification of newly released reports may sign up at: www.kerncounty.com/grandjury.

- Present and past Kern County Grand Jury Final Reports and Responses can be accessed on the Kern County Grand Jury website: www.kerncounty.com/grandjury.

REQUIRED RESPONSES WITHIN 60 DAYS TO:

- **PRESIDING JUDGE**
  KERN COUNTY SUPERIOR COURT
  1415 TRUXTUN AVENUE, SUITE 212
  BAKERSFIELD, CA 93301

- **FOREPERSON**
  KERN COUNTY GRAND JURY
  1415 TRUXTUN AVENUE, SUITE 600
  BAKERSFIELD, CA 93301

Reports issued by the Grand Jury do not identify individuals interviewed. Cal. Penal Code § 929 requires that reports of the Grand Jury not contain the name of any person or facts leading to the identity of any person who provides information to the Grand Jury.

APPENDIX: Reference Website links:

https://kernsheriff.org/

https://www.kernsheriff.org/Property_Evidence

https://www.kerncountyfire.org/en/

https://www.bakersfieldcity.us/233/Fire

https://osfm.fire.ca.gov/

https://www.kerncounty.com/government/county-administrative-office/general-services

https://www.justice.gov/grants

https://govt.westlaw.com/calregs/Document/IA1C01820D4BA11DE8879F88E8B0DAAAE?contextData=%28sc.Default%29&transitionType=Default

https://www.justthinktwice.gov/facts-about-marijuana-concentrates

https://post.ca.gov/Portals/0/post_docs/publications/Evidence_and_Property_Management.pdf

https://leginfo.legislature.ca.gov/faces/home.xhtml

https://leginfo.legislature.ca.gov/faces/home.xhtml

https://www.osha.gov/laws-regs/standardinterpretations/2010-07-14

https://www.fireandburn.org/prevention/honey-oil-danger

https://codes.iccsafe.org/content/CFC2019P1/chapter-9-fire-protection-and-life-safety-systems

https://www.kerncountyfire.org/en/fire-prevention/inspections.html

https://www.globalindustrial.com/c/storage/flammable-osha-cabinets/flammable

DONNY YOUNGBLOOD
Sheriff-Coroner
Public Administrator

SHERIFF'S OFFICE
COUNTY OF KERN

Telephone (661) 391-7500

1350 Norris Road
Bakersfield, California 93308-2231

June 29, 2021

The Honorable Collette M. Humphrey, Presiding Judge
Kern County Superior Court
1415 Truxtun Avenue
Bakersfield, CA 93301

On February 2, 2021, the 2020–2021 Kern County Grand Jury visited the Kern County Sheriff's Office Property Room. Based on their findings, the Grand Jury published a report that was made public on May 10, 2021. Below is the Sheriff's Office response to the 2020–2021 Grand Jury Final Report concerning the Kern County Sheriff's Office Property Room Facility.

I would like to express my appreciation to the Grand Jury for its efforts in reviewing the operations of the Property Room Facility. The objective review of the Property Room provided by the Grand Jury helps to strengthen the foundation of trust between the community and the Sheriff's Office. As always, the Sheriff's Office appreciates the valuable insight the Grand Jury has provided.

GRAND JURY FINDINGS:

F1. The first and second floors lack a fire suppression system. The basement system is outdated and appears inoperable.

F2. Annual fire inspections of the building are not done. The sensitivity of the evidence stored in the property building should dictate these inspections.

F3. Quick access by the Fire Department in the event of a fire needs improvement.

F4. There is a need for installation of electrical connections for an emergency power generator and the acquisition of a unit for the Property Room capable of providing power to the entire building.

F5. Securing and retaining evidence is the primary focus of the Property Room and is of vital interest to Kern County's justice system.

F6. The Sheriff's Office needs additional security cameras covering all areas.

F7. The facility needs additional space to accommodate the increasing evidence. The Property Room has never removed any sexual assault evidence from storage. The current location may be full in three years.

F8. This building has inadequate ventilation and air conditioning, offering a sub-par work environment. The fans in the narcotic storage do not adequately remove the vapors adversely affecting staff that may lead to Workers' Compensation claims resulting in additional cost to the County.

F9. The Marijuana Concentrate pails should be isolated in a flammable storage cabinet.

F10. The elevator offers poor service reliability leading to repeated repairs. Elevator repairs are costly and time consuming. The Grand Jury found that employees are concerned about being trapped in the elevator. The anxiety caused by the service disruption is stressful. Higher insurance or Workers' Compensation claims might occur after employees carry heavier items to storage locations when the elevator malfunctions.

F11. Property Room staffing currently appears adequate. It is likely additional staff will be needed to handle the projected workload as evidence volume increases.

F12. The current Property Room rack system offers some improvement in evidence storage and retrieval. The manual labeling and shelf system are outdated.

F13. Modernization, technology and/or robotics could improve evidence storage and retrieval of anticipated increased evidence.

KERN COUNTY SHERIFF'S OFFICE RESPONSE TO FINDINGS:

The Kern County Sheriff's Office concurs with most of the findings provided by the Grand Jury. The Sheriff's Office agrees the findings were accurate at the time of the site visit. However, the Sheriff's Office has continued to make adjustments and improvements in the areas described in the findings.

F1. The Kern County Sheriff's Office is working with companies to perform the needed maintenance on the current system and reviewing the scope of work to expand the system to all three floors. Estimates to develop the plan for all three floors is $357,000.

F2. The Kern County Sheriff's Office agrees with the finding. The Sheriff's Office is working with General Services and the Kern County Fire Department to perform annual fire inspections.

F3. The Kern County Sheriff's Office agrees with the finding. The Sheriff's Office is currently researching a key system that will allow emergency access to the Property Room after hours, in case of an emergency. The key system will allow the on-duty supervisor at the Central Receiving Facility to have access to the building, while still maintaining the safety, security, and custody of the evidence.

F4. The Kern County Sheriff's Office agrees in part with the finding. On 12/15/2014, the Sheriff's Office requested funding from the County for an emergency power generator. The request is still listed on the Capital Asset list. Some of the critical systems within the Property Room currently have a battery backup system installed.

F5. The Kern County Sheriff's Office agrees with the finding. Securing and retaining evidence is the primary focus of the Property Room and is of vital interest to Kern County's justice system.

F6. The Kern County Sheriff's Office agrees in part with the finding. Security cameras cover critical areas of the Property Room, and the Sheriff's Office was in the process of adding 80% additional cameras prior to the Grand Jury Report. The completion of the cameras is expected before 08/31/2021.

F7. The Kern County Sheriff's Office agrees in part with the finding. Due to state laws, sexual assault evidence has never been removed from storage. While space is limited, we can remove some built-in countertops to add more storage racks in our current facility. The Sheriff's Office has committed to moving the Property Room, as funding becomes available, to the new Coroner Facility. The new Coroner Facility is expected to open in 2022.

F8. The Kern County Sheriff's Office agrees with the finding. The Sheriff's Office is in the beginning stages of researching a ventilation system for the narcotic storage rooms. Once the type, size, and cost are determined, we will request the funding in next year's capital expenditure budget.

F9. The Kern County Sheriff's Office agrees with the finding. The Sheriff's Office is working with companies to determine the size of the containers needed to house all the combustible items. The funding for the project will be requested in next year's capital expenditure budget.

F10. The Kern County Sheriff's Office agrees with the finding. The Sheriff's Office is working with General Services to upgrade the existing elevator to make it more reliable and safer for all employees to use. The Sheriff's Office submitted a request to the County for an upgrade to the elevator system on 10/07/2014.

F11. The Kern County Sheriff's Office agrees in part with the finding. The Sheriff's Office is currently evaluating the increased workload and personnel needs for the Property Room now and into the future. This includes the intake and destruction of evidence, number of employees, and the ranks needed to properly secure, store and maintain the integrity of the evidence.

F12. The Kern County Sheriff's Office agrees in part with the finding. The Property Room rack system currently works for the current building, design, and space. There are some minor improvements that we are evaluating to improve the system we have in place.

F13. The Kern County Sheriff's Office agrees with the finding. The Sheriff's Office will continue to evaluate new technology for storing and handling evidence. We will apply the technology where feasible within the budget allowed.

GRAND JURY RECOMMENDATIONS:

R1. Install a fire suppression system on all floors. Apply for funding in next year's capital expenditure budget. (Finding 1)

R2 Request an annual fire inspection by the appropriate agency. General Services should schedule periodic inspections of the fire suppression system. (Finding 2)

R3 Develop an emergency key system. Apply for funding in next year's capital expenditure budget. (Finding 2)

R4 *The Sheriff's Office should develop a policy allowing after-hours access to the Property Room in the event of a fire. The Central Receiving Facility on-duty shift supervisor should issue the key(s). The key(s) should be designated as an emergency access response only and on a restricted basis. (Finding 3)*

R5 *Install an emergency power generator system and its connections. Apply for funding in next year's capital expenditure budget. (Finding 4)*

R6 *Identify and acquire a larger facility to accommodate all current and anticipated evidence for the next five years with the option for future expansion. Accelerate the process of return or destruction of evidence to free up space. Apply for funding in next year's capital expenditure budget. (Finding 7)*

R7 *Install an enhanced ventilation system in the marijuana and narcotics storage areas. Apply for funding in next year's capital expenditure budget. (Finding 8)*

R8 *Acquire a flammable storage cabinet to contain all flammable items. (Finding 9)*

R9 *Due to the elevator requiring significant repair or replacement, consider relocating to a new building. (Finding 10)*

R10 *Estimate the increase workload and personnel needed for annual increases in evidence storage. (Finding 11)*

R11 *Seek funding to relocate the Property Room to a larger, more modern building that addresses all of our concerns. In addition, consider the possibility of working with General Services and the Sheriff's Office to repurpose the current building. (Findings 1,2,3,4,5,6,7,8,9,10,11,12, and 13)*

R12 *Investigate the application of robotics, technology, or automated rack systems to expedite the labeling, storage, handling, and retrieval of evidence. Investigate Infrastructure Grants or grants for technology that might be available to accomplish this improvement. (Findings 12 and 13)*

KERN COUNTY SHERIFF'S OFFICE RESPONSE TO RECOMMENDATIONS:

The Kern County Sheriff's Office concurs with the majority of the recommendations provided by the Grand Jury. The Sheriff's Office will continue to explore additional avenues of funding in order to complete several of the Grand Jury's recommendations.

R1. The Sheriff's Office has requested a quote to upgrade the fire suppression system on all three floors. The Sheriff's Office will be requesting the $357,000 to complete the project in next year's capital expenditure budget.

R2. The Sheriff's Office will work with General Services to ensure annual fire inspections are completed with the appropriate agency.

R3. The Sheriff's Office is currently looking at a key system that will allow emergency access to the Property Room after hours, in case of an emergency. The key system will allow the on-duty supervisor at the Central Receiving Facility to have access to the building, while still maintaining the safety, security, and custody of the evidence.

R4. The Sheriff's Office is currently looking into electronic systems that will allow us to give emergency access to the Property Room after hours in case of an emergency. This will allow the on-duty supervisor at Central Receiving Facility access to the building while still maintaining the safety, security, and custody of the evidence.

R5. On 12/15/2014, the Sheriff's Office requested funding from the County for an emergency power generator. The request is currently listed on the Capital Asset list.

R6. The Sheriff's Office is working with the County to relocate the Property Room to the new Coroner Facility. The new Coroner Facility is currently in the design phase and is expected to open in 2022. Space has been allocated for a more modern and spacious Property Room but the request for funding required to outfit space in the facility will be placed in next year's capital expenditure budget. Current estimates to build out the new Property Room space are between 2.5 to 3.5 million dollars.

R7. The Sheriff's Office is in the beginning stages of researching a ventilation system for the narcotic storage rooms. Once the type, size, and cost are determined, we will request the funding in next year's capital expenditure budget.

R8. The Sheriff's Office is working with companies to determine the size of the containers needed to house all the flammable items. The funding for the project will be added to next year's capital expenditure budget.

R9. The Sheriff's Office is working with the County to relocate the Property Room to the new Coroner Facility that is expected to open in 2022. Space has been allocated, but the request for funding the outfitting of the facility will be placed in next year's capital expenditure budget. Current estimates are between 2.5 to 3.5 million dollars.

R10. The Sheriff's Office is currently evaluating the increased workload and personnel needs for the Property Room now, and into the future. This includes the intake and destruction of evidence, number of employees, and the ranks needed to properly secure, store and maintain the integrity of the evidence.

R11. The Sheriff's Office is working with the County to relocate the Property Room to the new Coroner Facility. We will also continue to work with General Services to make the needed repairs to the existing building. The funding request will be placed in next year's capital expenditure budget.

R12. The Sheriff's Office will continue to evaluate new technology for storing and handling evidence. We will apply the technology where feasible within the budget allowed.

The Kern County Sheriff's Office sincerely thanks the Grand Jury for taking the time to visit the Property Room Facility and providing their valuable insight and recommendations. I hope this information will assist the Grand Jury in its service to the citizens of Kern County.

Sincerely,

Sheriff Donny Youngblood
County of Kern

cc: Undersheriff Doug Jauch
Chief Deputy Larry McCurtain
Chief Deputy Damian Nord
Chief Deputy James Morrison
Chief Deputy Adam Plugge
Clerk of the Board of Supervisors
Kern County Grand Jury Foreman
CAO Chief Operations Officer James Zervis
CAO Compliance and Accountability Officer Katrina Balbuena

BOARD OF SUPERVISORS
COUNTY OF KERN

TRACKING PAGE

AUGUST 10, 2021

TUESDAY - 2:00 P.M.

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COUNTY ADMINISTRATIVE OFFICE

CA-25) Proposed response to Grand Jury report titled Kern County Sheriff's Office Property and Evidence Facility (Fiscal Impact: None) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN CORRESPONDENCE

Maggard-Couch: All Ayes

BOARD OF SUPERVISORS

SUPERVISORS

Phillip Peters ..... District 1
Zack Scrivner..... District 2
Mike Maggard ..... District 3
David R. Couch ..... District 4
Leticia Perez..... District 5

KATHLEEN KRAUSE
CLERK OF BOARD OF SUPERVISORS
Kern County Administrative Center
1115 Truxtun Avenue, 5th Floor
Bakersfield, California 93301
Telephone (661) 868-3585
TTY Relay 800-735-2929

August 10, 2021

The Honorable Colette M. Humphrey, Presiding Judge
Kern County Superior Court
1415 Truxtun Avenue
Bakersfield, CA 93301

Dear Judge Humphrey:

Transmitted herewith is the Board of Supervisors' response to the 2020-2021 Grand Jury's Final Report titled Kern County Sheriff's Office Property & Evidence Facility.

The Board of Supervisors appreciates the Grand Jury's review and input.

Sincerely,

Phillip Peters, Chair
Kern County Board of Supervisors

PP/EM/COMPL_GJ Sheriff Property and Evidency Facility

Attachment

cc: Grand Jury

Kern County Board of Supervisors
Response to Grand Jury Final Report
Kern County Sheriff's Office

Response to Findings:

The Board of Supervisors notes that the Grand Jury's findings are substantially correct.

Response to Recommendations:

R1: *Install a fire suppression system on all floors. Apply for funding in next year's capital expenditure budget.*

We concur with the Grand Jury's recommendation for the need to upgrade the fire suppression system on all floors. The County will review and prioritize this need with the backlog of capital and infrastructure maintenance needs across the entire County.

R2: *Request an annual fire inspection by the appropriate agency. General Services should schedule periodic inspections of the fire suppression system.*

We concur with the Grand Jury's recommendation for an annual fire inspection by the appropriate agency. General Services will work with the Sheriff's Office to ensure fire inspections are completed when required.

R3: *Develop an emergency key system. Apply for funding in next year's capital expenditure budget.*

We concur with the Grand Jury's recommendation for an emergency key system. The County will review and prioritize this need with the backlog of capital and infrastructure maintenance needs across the entire County.

R4: *The Sheriff's Office should develop a policy allowing after-hours access to the Property Room in the event of a fire. The Central Receiving Facility on-duty shift supervisor should issue the key(s). The key(s) should be designated as an emergency access response only and on a restricted basis.*

We concur with the Sheriff's response.

R5: *Install an emergency power generator system and its connections. Apply for funding in next year's capital expenditure budget.*

We concur with the Grand Jury's recommendation for an emergency power generator system and its connections. The County will review and prioritize this need with the backlog of capital and infrastructure maintenance needs across the entire County.

R6: *Identify and acquire a larger facility to accommodate all current and anticipated evidence for the next five years with the option for future expansion. Accelerate the process of the return of destruction of evidence to free up space. Apply for funding in next year's capital expenditure budget.*

We concur with the Grand Jury's recommendation for the need to relocate the property room. The County has long seen the need for a new property room. The existing condition and capacity of the current building are limited to serve the current needs; however, because of limited resources the County has been unable to relocate the property room. The County will continue to review and prioritize this need with the backlog of capital and infrastructure maintenance needs across the entire County.

R7: *Install an enhanced ventilation system in the marijuana and narcotics storage areas. Apply for funding in next year's capital expenditure budget.*

We concur with the Grand Jury's recommendation for an enhanced ventilation system. The County will review and prioritize this need with the backlog of capital and infrastructure maintenance needs across the entire County.

R8: *Acquire a flammable storage cabinet to contain all flammable items.*

We concur with the Grand Jury's recommendation for the need to acquire a flammable storage cabinet to contain all flammable items. The County will prioritize this need with the backlog of capital and infrastructure maintenance needs across the entire County.

R9: *Due to the elevator requiring significant repair or replacement, consider relocating to a new building.*

We concur with the Grand Jury's recommendation for the need to relocate the property room. See response to recommendation 6.

R10: *Estimate the increase workload and personnel need for annual increases in evidence storage.*

We concur with the Sheriff's response. The Sheriff's Office is currently evaluating the increased workload and personnel needs for the property room.

R11: *Seek funding to relocate the Property Room to a larger, more modern building that addresses all of our concerns. In addition, consider the possibility of working with General Services and the Sheriff's Office to repurpose the current building.*

We concur with the Grand Jury's recommendation for the need to relocate the property room. See response to recommendation 6. General Services evaluates all unused facilities for repurposing or disposal in accordance with County policies and government code.

R12: *Investigate the applications of robotics, technology, or automated racks systems to expedite the labeling, storage, handling, and retrieval of evidence. Investigate Infrastructure Grants or grants for technology that might be available to accomplish this improvement.*

We concur with the Grand Jury's recommendation to investigate the application of robotics, technology, or automated racks systems and the available grant opportunities. The County will continue to seek grant funding opportunities to help expedite the labeling, storage, handling, and retrieval of evidence.

DONNY YOUNGBLOOD
Sheriff-Coroner
Public Administrator

SHERIFF'S OFFICE
COUNTY OF KERN

Telephone (661) 391-7500

1350 Norris Road
Bakersfield, California 93308-2231

June 29, 2021

The Honorable Collette M. Humphrey, Presiding Judge
Kern County Superior Court
1415 Truxtun Avenue
Bakersfield, CA 93301

On February 2, 2021, the 2020–2021 Kern County Grand Jury visited the Kern County Sheriff's Office Property Room. Based on their findings, the Grand Jury published a report that was made public on May 10, 2021. Below is the Sheriff's Office response to the 2020–2021 Grand Jury Final Report concerning the Kern County Sheriff's Office Property Room Facility.

I would like to express my appreciation to the Grand Jury for its efforts in reviewing the operations of the Property Room Facility. The objective review of the Property Room provided by the Grand Jury helps to strengthen the foundation of trust between the community and the Sheriff's Office. As always, the Sheriff's Office appreciates the valuable insight the Grand Jury has provided.

GRAND JURY FINDINGS:

F1. The first and second floors lack a fire suppression system. The basement system is outdated and appears inoperable.

F2. Annual fire inspections of the building are not done. The sensitivity of the evidence stored in the property building should dictate these inspections.

F3. Quick access by the Fire Department in the event of a fire needs improvement.

F4. There is a need for installation of electrical connections for an emergency power generator and the acquisition of a unit for the Property Room capable of providing power to the entire building.

F5. Securing and retaining evidence is the primary focus of the Property Room and is of vital interest to Kern County's justice system.

F6. The Sheriff's Office needs additional security cameras covering all areas.

F7. The facility needs additional space to accommodate the increasing evidence. The Property Room has never removed any sexual assault evidence from storage. The current location may be full in three years.

F8. This building has inadequate ventilation and air conditioning, offering a sub-par work environment. The fans in the narcotic storage do not adequately remove the vapors adversely affecting staff that may lead to Workers' Compensation claims resulting in additional cost to the County.

F9. The Marijuana Concentrate pails should be isolated in a flammable storage cabinet.

F10. The elevator offers poor service reliability leading to repeated repairs. Elevator repairs are costly and time consuming. The Grand Jury found that employees are concerned about being trapped in the elevator. The anxiety caused by the service disruption is stressful. Higher insurance or Workers' Compensation claims might occur after employees carry heavier items to storage locations when the elevator malfunctions.

F11. Property Room staffing currently appears adequate. It is likely additional staff will be needed to handle the projected workload as evidence volume increases.

F12. The current Property Room rack system offers some improvement in evidence storage and retrieval. The manual labeling and shelf system are outdated.

F13. Modernization, technology and/or robotics could improve evidence storage and retrieval of anticipated increased evidence.

KERN COUNTY SHERIFF'S OFFICE RESPONSE TO FINDINGS:

The Kern County Sheriff's Office concurs with most of the findings provided by the Grand Jury. The Sheriff's Office agrees the findings were accurate at the time of the site visit. However, the Sheriff's Office has continued to make adjustments and improvements in the areas described in the findings.

F1. The Kern County Sheriff's Office is working with companies to perform the needed maintenance on the current system and reviewing the scope of work to expand the system to all three floors. Estimates to develop the plan for all three floors is $357,000.

F2. The Kern County Sheriff's Office agrees with the finding. The Sheriff's Office is working with General Services and the Kern County Fire Department to perform annual fire inspections.

F3. The Kern County Sheriff's Office agrees with the finding. The Sheriff's Office is currently researching a key system that will allow emergency access to the Property Room after hours, in case of an emergency. The key system will allow the on-duty supervisor at the Central Receiving Facility to have access to the building, while still maintaining the safety, security, and custody of the evidence.

F4. The Kern County Sheriff's Office agrees in part with the finding. On 12/15/2014, the Sheriff's Office requested funding from the County for an emergency power generator. The request is still listed on the Capital Asset list. Some of the critical systems within the Property Room currently have a battery backup system installed.

F5. The Kern County Sheriff's Office agrees with the finding. Securing and retaining evidence is the primary focus of the Property Room and is of vital interest to Kern County's justice system.

F6. The Kern County Sheriff's Office agrees in part with the finding. Security cameras cover critical areas of the Property Room, and the Sheriff's Office was in the process of adding 80% additional cameras prior to the Grand Jury Report. The completion of the cameras is expected before 08/31/2021.

F7. The Kern County Sheriff's Office agrees in part with the finding. Due to state laws, sexual assault evidence has never been removed from storage. While space is limited, we can remove some built-in countertops to add more storage racks in our current facility. The Sheriff's Office has committed to moving the Property Room, as funding becomes available, to the new Coroner Facility. The new Coroner Facility is expected to open in 2022.

F8. The Kern County Sheriff's Office agrees with the finding. The Sheriff's Office is in the beginning stages of researching a ventilation system for the narcotic storage rooms. Once the type, size, and cost are determined, we will request the funding in next year's capital expenditure budget.

F9. The Kern County Sheriff's Office agrees with the finding. The Sheriff's Office is working with companies to determine the size of the containers needed to house all the combustible items. The funding for the project will be requested in next year's capital expenditure budget.

F10. The Kern County Sheriff's Office agrees with the finding. The Sheriff's Office is working with General Services to upgrade the existing elevator to make it more reliable and safer for all employees to use. The Sheriff's Office submitted a request to the County for an upgrade to the elevator system on 10/07/2014.

F11. The Kern County Sheriff's Office agrees in part with the finding. The Sheriff's Office is currently evaluating the increased workload and personnel needs for the Property Room now and into the future. This includes the intake and destruction of evidence, number of employees, and the ranks needed to properly secure, store and maintain the integrity of the evidence.

F12. The Kern County Sheriff's Office agrees in part with the finding. The Property Room rack system currently works for the current building, design, and space. There are some minor improvements that we are evaluating to improve the system we have in place.

F13. The Kern County Sheriff's Office agrees with the finding. The Sheriff's Office will continue to evaluate new technology for storing and handling evidence. We will apply the technology where feasible within the budget allowed.

GRAND JURY RECOMMENDATIONS:

R1. Install a fire suppression system on all floors. Apply for funding in next year's capital expenditure budget. (Finding 1)

R2 Request an annual fire inspection by the appropriate agency. General Services should schedule periodic inspections of the fire suppression system. (Finding 2)

R3 Develop an emergency key system. Apply for funding in next year's capital expenditure budget. (Finding 2)

R4 *The Sheriff's Office should develop a policy allowing after-hours access to the Property Room in the event of a fire. The Central Receiving Facility on-duty shift supervisor should issue the key(s). The key(s) should be designated as an emergency access response only and on a restricted basis. (Finding 3)*

R5 *Install an emergency power generator system and its connections. Apply for funding in next year's capital expenditure budget. (Finding 4)*

R6 *Identify and acquire a larger facility to accommodate all current and anticipated evidence for the next five years with the option for future expansion. Accelerate the process of return or destruction of evidence to free up space. Apply for funding in next year's capital expenditure budget. (Finding 7)*

R7 *Install an enhanced ventilation system in the marijuana and narcotics storage areas. Apply for funding in next year's capital expenditure budget. (Finding 8)*

R8 *Acquire a flammable storage cabinet to contain all flammable items. (Finding 9)*

R9 *Due to the elevator requiring significant repair or replacement, consider relocating to a new building. (Finding 10)*

R10 *Estimate the increase workload and personnel needed for annual increases in evidence storage. (Finding 11)*

R11 *Seek funding to relocate the Property Room to a larger, more modern building that addresses all of our concerns. In addition, consider the possibility of working with General Services and the Sheriff's Office to repurpose the current building. (Findings 1,2,3,4,5,6,7,8,9,10,11,12, and 13)*

R12 *Investigate the application of robotics, technology, or automated rack systems to expedite the labeling, storage, handling, and retrieval of evidence. Investigate Infrastructure Grants or grants for technology that might be available to accomplish this improvement. (Findings 12 and 13)*

KERN COUNTY SHERIFF'S OFFICE RESPONSE TO RECOMMENDATIONS:

The Kern County Sheriff's Office concurs with the majority of the recommendations provided by the Grand Jury. The Sheriff's Office will continue to explore additional avenues of funding in order to complete several of the Grand Jury's recommendations.

R1. The Sheriff's Office has requested a quote to upgrade the fire suppression system on all three floors. The Sheriff's Office will be requesting the $357,000 to complete the project in next year's capital expenditure budget.

R2. The Sheriff's Office will work with General Services to ensure annual fire inspections are completed with the appropriate agency.

R3. The Sheriff's Office is currently looking at a key system that will allow emergency access to the Property Room after hours, in case of an emergency. The key system will allow the on-duty supervisor at the Central Receiving Facility to have access to the building, while still maintaining the safety, security, and custody of the evidence.

R4. The Sheriff's Office is currently looking into electronic systems that will allow us to give emergency access to the Property Room after hours in case of an emergency. This will allow the on-duty supervisor at Central Receiving Facility access to the building while still maintaining the safety, security, and custody of the evidence.

R5. On 12/15/2014, the Sheriff's Office requested funding from the County for an emergency power generator. The request is currently listed on the Capital Asset list.

R6. The Sheriff's Office is working with the County to relocate the Property Room to the new Coroner Facility. The new Coroner Facility is currently in the design phase and is expected to open in 2022. Space has been allocated for a more modern and spacious Property Room but the request for funding required to outfit space in the facility will be placed in next year's capital expenditure budget. Current estimates to build out the new Property Room space are between 2.5 to 3.5 million dollars.

R7. The Sheriff's Office is in the beginning stages of researching a ventilation system for the narcotic storage rooms. Once the type, size, and cost are determined, we will request the funding in next year's capital expenditure budget.

R8. The Sheriff's Office is working with companies to determine the size of the containers needed to house all the flammable items. The funding for the project will be added to next year's capital expenditure budget.

R9. The Sheriff's Office is working with the County to relocate the Property Room to the new Coroner Facility that is expected to open in 2022. Space has been allocated, but the request for funding the outfitting of the facility will be placed in next year's capital expenditure budget. Current estimates are between 2.5 to 3.5 million dollars.

R10. The Sheriff's Office is currently evaluating the increased workload and personnel needs for the Property Room now, and into the future. This includes the intake and destruction of evidence, number of employees, and the ranks needed to properly secure, store and maintain the integrity of the evidence.

R11. The Sheriff's Office is working with the County to relocate the Property Room to the new Coroner Facility. We will also continue to work with General Services to make the needed repairs to the existing building. The funding request will be placed in next year's capital expenditure budget.

R12. The Sheriff's Office will continue to evaluate new technology for storing and handling evidence. We will apply the technology where feasible within the budget allowed.

The Kern County Sheriff's Office sincerely thanks the Grand Jury for taking the time to visit the Property Room Facility and providing their valuable insight and recommendations. I hope this information will assist the Grand Jury in its service to the citizens of Kern County.

Sincerely,

Sheriff Donny Youngblood
County of Kern

cc: Undersheriff Doug Jauch
Chief Deputy Larry McCurtain
Chief Deputy Damian Nord
Chief Deputy James Morrison
Chief Deputy Adam Plugge
Clerk of the Board of Supervisors
Kern County Grand Jury Foreman
CAO Chief Operations Officer James Zervis
CAO Compliance and Accountability Officer Katrina Balbuena