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BETTER SAFE THAN SORRY

Plumas County School Safety Report

EXECUTIVE SUMMARY:

The 2012/2013, Plumas County Grand Jury was impressed with the due-diligence put forth in the area of student safety by personnel at each school within the Plumas Unified School District. The personal responsibility demonstrated by members of the school staff was found to be exemplary. These dedicated men and women entered into the field of education, looking to enrich the minds of our children, and now, in addition to their growing day-to-day responsibilities, they have to carry the heavy burden of the safety of every child and adult at those schools.

In addition to the general guidance provided by the District, school personnel have implemented Comprehensive Safe School Plans (CSSP), which contain systematic procedures, unique to each individual school site. School personnel take lead roles on Safe School Leadership Teams (SSLT) which are now in place to take charge in an emergency, respond effectively, protect the occupants of the facility and reduce the risk of physical injury, property damage and business interruption.

Collaboration between school personnel, law enforcement and other pertinent agencies is occurring. Law enforcement personnel are welcomed and encouraged to visit school sites on a regular basis. Schools are continuing to move in the right direction towards student safety.

BACKGROUND:

The Grand Jury decided to focus on issues concerning the Plumas Unified School District (PUSD) that were not directly in the spot light of the local media and concerned citizens. Although the issues of budget constraints and cuts throughout the District are a concern, the Grand Jury acknowledged the issues were receiving much needed attention by the School Board, Administration, media and the Public. Concerns of the Grand Jury began to form around the safety of the children within our community at our local school sites. Thus, safety of our children at the schools in our communities throughout Plumas County became the focus of the 2012/2013 Plumas County Grand Jury.

APPROACH:

The Grand Jury began its investigation by requesting PUSD's Emergency Action Plan, which indicated it was "Updated: September 2005." Following a review of the plan, the committee interviewed a variety of school personnel regarding the safety procedures at each Elementary and Jr/Sr High School location within the county. The focus was to ensure a system of procedures were in place and followed consistently at each location and modified as needed in order to ensure safety of personnel and students at each unique location.

The Grand Jury asked for and received the Emergency Action Plan from the School District. It was last updated in September 2005, nearly eight years ago. The plan was not site specific and appeared to be more of a guide rather than a plan. With such a vast amount of time since the last update and the plan appearing so general, the Grand Jury felt compelled to review school safety at each Elementary and Jr/Sr High School site.

Additionally, the Grand Jury reviewed the 2010/2011 Grand Jury Report related to School Safety Policy Reform. The report was in response to a situation, which occurred at the Quincy Elementary School. That Grand Jury found School Officials had acted in a responsible manner to correct that situation.

DISCUSSION:

Emergency Action Plan(s)

Members of the Grand Jury were quite surprised by the outdated Emergency Action Plan (EAP) that was received from the District. The date noted on the EAP as an update was September 2005. The plan included out of date Emergency Phone Numbers and radio stations and lack of detailed procedures.

The procedures of most concern included:

- Minimal Emergency Supplies Checklist. The list appears minimal and no suggested quantities are listed.
- Gun/Weapon on Campus procedure lacks substance. The procedure loosely gives directions to send students to the office to report an incident and does not allow for school personnel to lockdown campus without approval from the District.
- Armed Intruder/Shooting procedure lacks substance.
- List of radio stations to provide information to communities is incorrect.

The Grand Jury then received a newer version of the EAP, updated February 2013. Upon review of the newly updated version, the Grand Jury noted the following corrections:

- Emergency Phone Numbers
- Extensive Emergency Supplies Checklist, quantities listed.

Additionally, the Grand Jury was impressed with the revisions made to the:

- Armed Intruder/Shooting procedure revised to include -
 - Evacuate school, if possible, new to procedure.
 - If evacuation not possible, expanded instructions for lock down.
 - Additional instructions for teachers and students regarding safety and security of site.
 - Activate Incident Command instructions.
 - Items listed "In preparation for an Armed Intruder/Shooting incident," including Parents to be informed of -
 - 1) Report-in phone number
 - 2) Student release procedure
 - 3) Location of off-campus evacuation center(s)
 - 4) Law enforcement's protocol to immediately shoot without warning any armed adults on campus (no parent armed rescue attempts.)

- Pandemic procedure added.
- School closure procedure expanded to include direction to school administrators. (As related to weather, road, water and electric conditions.)
- Procedure regarding Alternate Evacuation Site new to Evacuation Procedures.

There was no change made to the Gun/Weapon on Campus procedure.

Comprehensive Safe School Plan

All school sites have a Comprehensive Safe School Plan (CSSP) in place and are submitted to the District annually. The plan indicates its purpose is to provide guidance and direction to Principals, faculty and staff who have Emergency Management Responsibilities (EMR). The Emergency Response Plan along with the School CSSP shall be used during an emergency incident involving a PUSD school facility.

Furthermore, the plan states: The school site Safe School Leadership Team (SSLT) carries out the Field Response level of crisis and emergency management, the District School Safety Team functions at the Local Government level in this system. By organizing our crisis response plans according to Standardized Emergency Management System (SEMS), both school sites and the District are positioned to integrate services when an incident occurs on an area, regional or state level. By standardizing key elements of the emergency management system, SEMS is intended to:

- Facilitate the flow of information within and between levels of the system.
- Facilitate coordination among all responding agencies.

Use of SEMS will improve the mobilization, deployment, utilization, tracking, and demobilization of needed mutual aid resources. Utilization of SEMS will reduce the incident of poor coordination and communications, and reduce resource-ordering duplication on multi-agency and multi-jurisdiction responses. SEMS is designed to be flexible and adaptable to varied disasters that occur in California, and to the needs of all emergency responders.

The Grand Jury Investigation Found the Following at School Sites

All school sites have Safe School Leadership Team (SSLT) flow chart in place, which includes names of staff persons and SSLT position titles. Phone trees are included to ensure communication with all staff personnel, if necessary. Teams of staff members are in place and trained in the areas of First Aid and CPR. Additionally, a team is established to coordinate Student Release, if needed.

The plans specify that the Incident Commander for the SSLT ensure that teachers are trained to carry out responsibilities during disaster and drill procedures and encourage teachers to work in teams through a buddy system. During interviews the Grand Jury found that this requirement was not being implemented at all sites. Personnel were not able to demonstrate and/or articulate that there is training to carry out their responsibilities assigned to them as a member of the SSLT, or that a buddy system was in place.

Although each school site has an Evacuation Plan in place, not all sites have secured an Off-Campus Evacuation Center. Without a location in place, items on the evacuation checklist cannot be completed.

The Grand Jury found the same system for warning signals to be in place at each school site. All staff very clearly articulated the system in place, which utilizes each site's bell system, to warn staff and students to an emergency. Personnel also brought up concerns with the manual bell systems and the amount of strength required sounding the bells. Members of the Grand Jury found this to be a great asset to the plans in place. For students and staff that may move throughout the District, having the same warning signals in place at each site is very valuable to each person's safety.

Events that may occur at school sites are categorized into Codes. Schools have demonstrated that code procedures are in place for different events that may occur, such as fire, chemical spill on campus, earthquake, fallen aircraft, possible explosion, tornado/severe storm, emergency medical care, armed intruder and hostage crisis. Personnel walked Grand Jury members through the procedures for each Code and the number of times drills for each Code were practiced at each school.

Onsite communication radios are provided to each school site. The radios may be used to communicate with the District, which is an asset to the communication system between school sites and the District. Additional radios at each site would enhance the communication throughout the District.

The District will find many of its greatest assets to be within. School personnel expressed many ideas to the Grand Jury to improve school safety unique to their individual school location. Round table discussions are occurring with personnel, law enforcement and pertinent agencies focusing on school safety. Unfortunately, these meetings are not occurring on a regular or frequent basis. However, this is a step in the right direction.

FINDINGS:

- F1. The School Administration does not update the Emergency Action Plan on a regular basis.
- F2. School's Emergency Supplies not inventoried on a regular schedule.
- F3. Members of the Safe School Leadership Team do not review their individual duties, at time of assignment.
- F4. Not all school locations have completed lockdown drills involving student participation.
- F5. Off-campus Evacuation Centers not secured for each school location.
- F6. Lockdown drills, which occur for armed intruder and hostage crisis events, have not occurred at all sites with school personnel and students.

RECOMMENDATIONS:

- R1. Each member of the Safe School Leadership Team is to review the responsibilities for the position they are assigned to ensure they fully understand and accept the responsibility of the position.
- R2. Provide training, if needed, to each member of the Safe School Leadership Team.
- R3. Schools establish regular system to inventory and restock Emergency Supplies.
- R4. Revise Gun/Weapon on Campus procedure to include more detail and ensure student and personnel safety.
- R5. Plan in place to secure funding for automated alert system at each Elementary and Jr/Sr High Schools.
- R6. The District requires a timeline for establishing an Off-campus Evacuation Center.
- R7. The District requires all drills occur, at least once with all school personnel and students, within the first 90 days of the start of school.
- R8. Provide additional onsite communication radios to school sites, particularly to classrooms located on the perimeter of each campus.
- R9. Establish regular schedule to collaborate with school personnel, law enforcement and pertinent agencies regarding school safety.

REQUEST FOR RESPONSES:

Pursuant to Penal code section 933.05, the grand jury requests responses as follows:

From the following governing bodies:

- The Plumas County Grand Jury requests a response, within 90 days from issuance of this report, from **the Board of Education**
- The Plumas County Grand Jury requests a response, within 90 days from issuance of this report, from **the Superintendent of Schools**

The governing bodies indicated above should be aware that the comment or response of the governing body must be conducted subject to the notice, agenda and open meeting requirements of the Brown Act.

Reports issued by the Civil Grand Jury do not identify individuals interviewed. Penal Code Section 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 Civil Grand Jury.

Why the Big Difference?

Plumas County Legal Salary Report

EXECUTIVE SUMMARY:

The District Attorney and County Counsel are two valuable resources to Plumas County. While both departments operate in the legal arena, they are unique in the services they provide the County and its citizens.

County Counsel

The County Counsel is the attorney for the County. County Counsel represents the Board of Supervisors and provides civil legal counsel and advice to the Departments of Plumas County.

District Attorney

The District Attorney is the chief law enforcement officer in the County. While a District Attorney's duties are not limited to criminal prosecution, California law provides that the District Attorney's most essential duty is investigating and prosecuting criminal offenses on behalf of the citizens of the County.

These two important positions, along with the Sheriff's Department are responsible in great part for the security and safety of all County employees and the residents of Plumas County.

Did the Board of Supervisors make decisions regarding salary for these two critical positions after executing a formal project management process? Does the Board of Supervisors place more value on protecting themselves against litigation than it does ensuring the safety and security of the average citizen?

The Grand Jury decided to investigate this issue and report on the disparity between the administrative salaries of these two important Departments and is therefore the subject of this report.

BACKGROUND:

In August of 2010, the Board of Supervisors (BoS) elected to hire a County Counsel and discontinue utilizing contracted counsel. The County had utilized the services of a contract counsel (Cota Duncan & Cole and Jones & Mayer) for approximately eight (8) months, after which attorney James Reichle contracted to perform County Counsel duties until he was appointed County Counsel in August of 2009. Brian Morris, Deputy County Counsel assisted as County Counsel between March of 2010 and August of 2010.

Contract counsel cost the county approximately \$300,000 for the period August 26, 2008 through June 23, 2009. The BoS, in an effort to cut costs and find counsel which would be more accessible, decided to hire a County Counsel hoping to pay much less for the valuable service.

The BoS and the County Administrative Officer (CAO) determined the salary range required to attract quality candidates, hired the recruiting firm Ralph Andersen & Associates and “flew” the position at the \$168,000 top salary range. The BoS did not use benchmarks to determine a salary range but instead used their best guess determining a number which would attract the interest of a potential applicant. Five candidates were interviewed for the position, including the current County Counsel.

The Plumas County job descriptions of March 2010 indicated that the District Attorney was to be compensated at \$95,724 per year and County Counsel was to be compensated at \$82,008 per year. In fact, County Counsel started his service at \$150,000 per year; received a raise of \$10,000 after the first year (\$5,000 after six months and \$5,000 after the first year) and then, subject to a satisfactory performance evaluation, a 5% raise after the second year; bringing his salary up to \$168,000 per year after two years of service. In comparison, the District Attorney has received a standard longevity increase and after nine (9) years of service is currently being compensated \$103,000 per year.

APPROACH:

The Grand Jury compared Plumas County data with data of other counties of similar size in California and additionally, with the four counties in our immediate vicinity. The Grand Jury made some assumptions in order to make salary comparisons. We assumed that in general, county population would be the most significant factor determining the salaries and work loads of the CC and DA in each county. The statistical frequency of DA cases prosecuted would be based upon population and, to some extent upon other demographic factors which we assumed to be similar for most of the counties surveyed. Likewise, the number of county business transactions, employee issues and frequency of litigation cases were assumed to be based upon the size of the county. Of course, the size of the staff in each department (CC and DA) would have an effect on the work load. It is assumed that the population of the county would also generally determine the revenue for the county, and therefore would influence the possible salary range for the CC and DA.

Work load for the District Attorney’s office was determined by the total number of cases prosecuted by the DA’s office divided by the number of prosecutors handling those cases (See Appendix A). Work load for the County Counsel’s office, for lack of specific data to the contrary, is assumed to be the same for each county based upon the CC’s job description.

The Grand Jury looked at job descriptions, budgeting, work load, longevity and salary ranges for both of the Plumas County positions. We compared work load, job description and compensation for the CC and DA to those of the CC and DA in other California counties of similar population and to those counties immediately adjacent to Plumas County.

DISCUSSION:

The pay disparity between Plumas County's County Counsel (CC) and District Attorney (DA) is 163%, and is the greatest among the twelve counties we looked at. No other county in the study pays their DA less than Plumas County and only Mono and Butte counties pay their CC more than Plumas County.

The County Counsel in Plumas County serves as legal counsel for the County, advising the Board of Supervisors and all County Departments as their needs dictate. The CC basically protects the County from needless and excessive litigation costs. Additionally, the County Counsel serves as the Chief Negotiations Officer for the County, negotiating employee labor and salary issues.

The Plumas County District Attorney (DA) is responsible for helping to ensure the safety of all Plumas County residents. This requires prosecuting crime, representing the County in cases against criminals, authorizing search warrants, maintaining the felony calendar, juvenile and drug court calendars and in-custody charging; in essence maintaining public safety.

The District Attorney's salary is \$34,005 **below** the average salary of District Attorneys in the counties we looked at (See Appendix B). The County Counsel's salary is \$22,141 **above** the average salary of County Counsels in the counties we looked at.

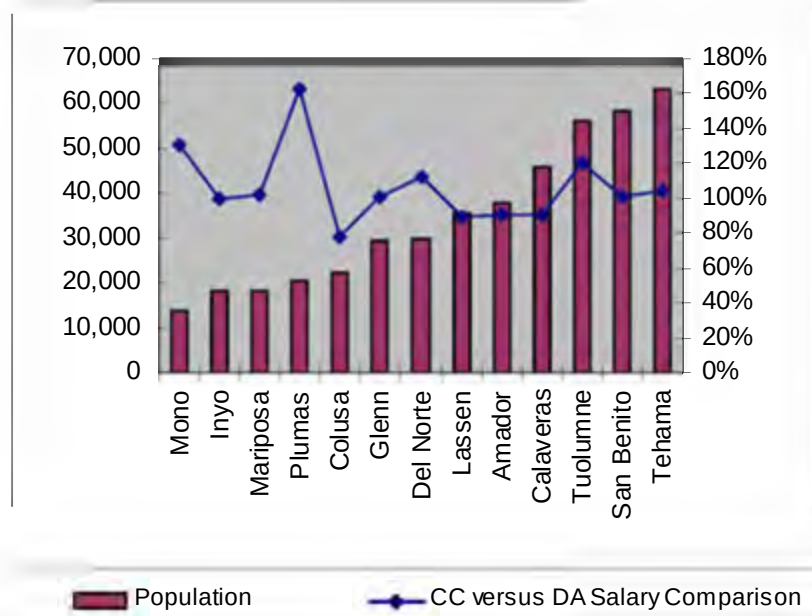
While the Grand Jury does not wish to diminish the role of either of these positions, we are concerned about the pay disparity and the fact that budget cuts were apparently heavy in the DA's office while funds were increased for the CC's office. The budgeted salaries and benefits for the County Counsel's office for the fiscal year 2011 – 2012 were up 30% from the previous year. The salaries and benefits for the District Attorney's office were down 16% from the previous year. The fiscal year 2011 – 2012 budget reduced the DA's office by 0.25 positions while the CC's office was allowed to keep their 3 positions.

This Grand Jury understands that the budgeting process is complex and that utilizing simplified comparisons could appear irresponsible. The simple fact is that the District Attorney's office appears to have been asked to do more with less while the County Counsel's office appears to be receiving more resources.

In 2012 the DA's office handled approximately 800 misdemeanors and 200 felonies, relying on two prosecutors to manage the entire work load; the DA and the Assistant DA. Counties of similar size and workload have more prosecutors handling the case load. Further monetary cuts have left the District Attorney's office with \$5,100 to prosecute cases for the rest of the fiscal year. This \$5,100 must cover all outside expenses such as expert witnesses, outside investigations, etc.

County Population vs. Salary Differences

<u>County</u>	<u>Approximated Population</u>	<u>DA Salary</u>	<u>CC Salary</u>	<u>CC vs DA (%)</u>
Mono	14,000	151,621	177,314	117%
Mariposa	18,000	115,183	117,356	102%
Inyo	19,000	144,392	147,095	102%
Plumas	20,000	103,000	168,000	163%
Colusa	22,000	179,509	154,015	86%
Glenn	28,000	112,158	114,594	102%
Lassen	34,000	112,885	134,732	119%
Calaveras	45,000	115,698	108,915	94%
San Benito	56,000	153,354	160,235	104%
Tehama	64,000	118,207	126,760	107%
Shasta	178,000	143,087	140,875	98%
Butte	220,000	194,963	200,422	103%



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FINDINGS:

- F1. It is apparent to this Grand Jury that there is, indeed, a significant compensation disparity between the Plumas County Counsel and the Plumas County District Attorney.
- F2. Not only is there a significant difference between the salaries of the DA and the CC, the DA salary is woefully below the average for a county of our size and the CC is considerably higher than the average for a county of our size.
- F3. The size of the staff in the District Attorney's Office, specifically the number of prosecutors available to prosecute crime is inadequate.

RECOMMENDATIONS:

- R1. The 2012-2013 Plumas County Civil Grand Jury recommends that the Board of Supervisors collaborates with the DA's office to determine the extent of the need for added staff.
- R2. Understanding that county budget constraints prohibit pay hikes at a time other county employees are taking pay cuts, the 2012-2013 Plumas County Grand Jury recommends that the Board of Supervisors takes every opportunity to adjust the salary of the District Attorney to a level commensurate with that of other counties of our size. As a minimum, the next budget year should allow for a 10% (approximately \$10,300) raise for the District Attorney, which would put him still below the average, but would make a significant step to resolve the disparity.
- R3. The 2012-2013 Plumas County Civil Grand Jury recommends that, before the next contract period, the Board of Supervisors considers adjusting the salary of the County Counsel down 10% (approximately \$16,800), which would continue to put him above the local counties average.

REQUEST FOR RESPONSES:

Pursuant to Penal code section 933.05, the grand jury requests responses as follows:

From the following governing bodies:

- Plumas County Board of Supervisors

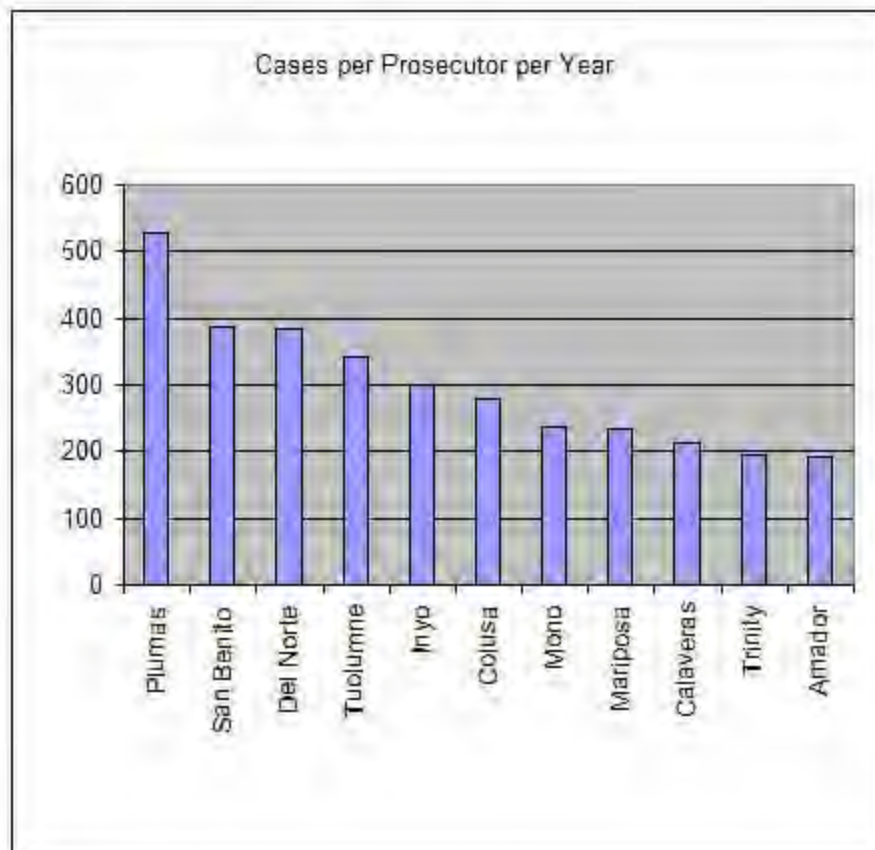
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APPENDICES:

Appendix A

District Attorney Cases per Prosecutor per Year

County	Cases per Prosecutor per Year
Plumas	529
San Benito	387
Del Norte	383
Tuolumne	342
Inyo	301
Colusa	280
Mono	236
Mariposa	234
Calaveras	214
Trinity	196
Amador	192

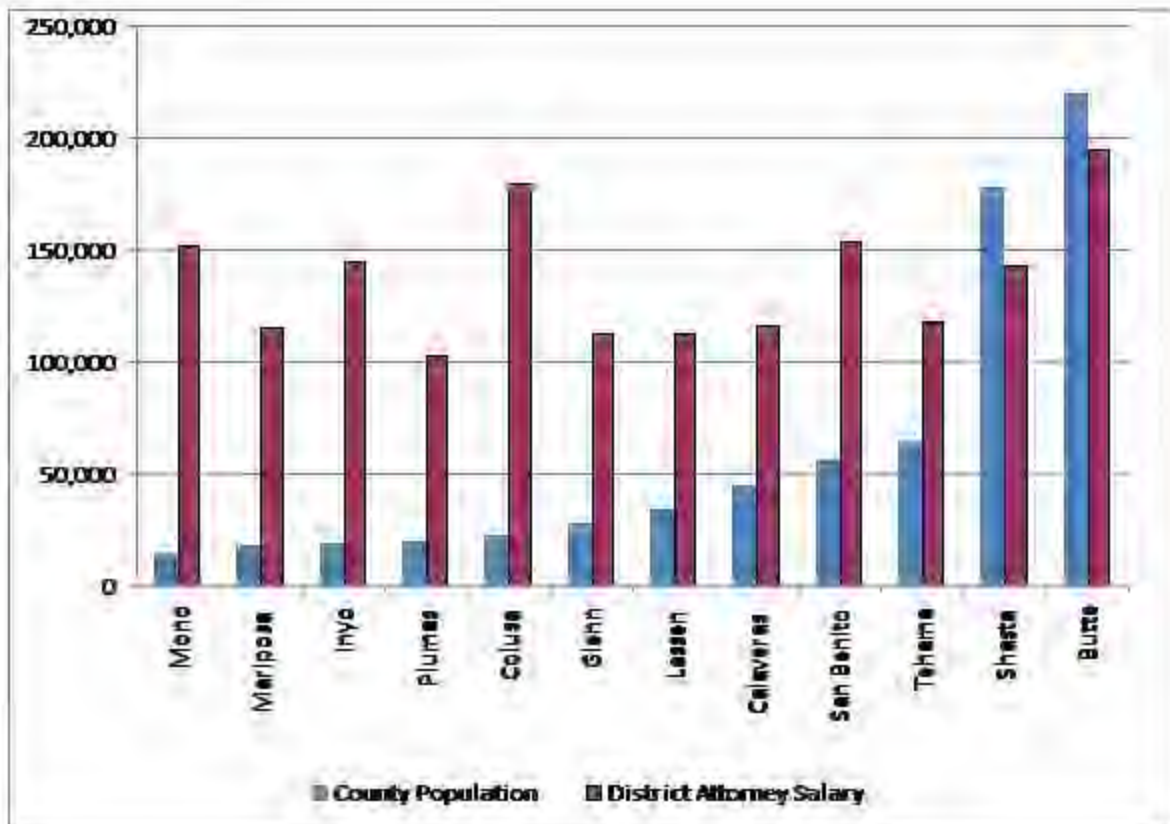


Appendix B

Population and Salary Comparisons

District Attorney vs. County Counsel

<u>County</u>	<u>Approximated Population</u>	<u>DA Salary</u>	<u>CC Salary</u>	<u>CC vs DA (%)</u>
Mono	14,000	151,621	177,314	117%
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Inyo	19,000	144,392	147,095	102%
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Colusa	22,000	179,509	154,015	86%
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Fiscal Year 2010 – 2011 Plumas County Budget Worksheet Department Detail

Fiscal Year 2011 – 2012 Plumas County Budget Worksheet Department Detail

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