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Gary R. Stanton
Sheriff/Coroner

July 7, 2011

Honorable D. Scott Daniels
Presiding Judge of the Superior Court
Solano Superior Court
600 Union Avenue
Fairfield, CA 94533

Re: Sheriff's Response to FY2010/2011 Solano County Grand Jury Annual Inspection of Jail Facilities; Findings and Recommendations.

Finding 1 – The Victim Notification Program (VINE) notifies victims of crime when an inmate charged with or involved in the crime is released or transferred to another agency. The Victim Notification Program is funded by the Inmate Welfare Fund, which is authorized by statute to provide spiritual, recreational, educational, and indigent benefits for those in the custody of the Solano County Sheriff. Thus, the Victim Notification Program does not fall within the intention of Penal Code Section 4025 for programs funded by inmate welfare funds.

Response to Finding 1 – The Sheriff disagrees with the finding of the Grand Jury.

Recommendation 1 – The Sheriff's Office should stop funding the Victim Notification Program with funds derived from the Inmate Welfare Fund.

Response to Recommendation 1 - The Sheriff disagrees with the recommendation of the Grand Jury. California Penal Code Section 4025(e) does stipulate that any funds that are not needed for the welfare of the inmates may be expended to provide other programs deemed appropriate by the Sheriff. The criminal behavior of certain inmates, primarily sex offenders, created the need to establish a system for victim notification when these offenders are moved or released. Victim notification was at first conducted manually and became a very labor intensive process prone to mistakes. In response to a state-wide need to improve the process of notifying victims of crime, the VINE automated notification system was established. We now have a reliable automated system that has been in place for 17 years and meets the needs of crime victims. The VINE system has been funded by the Inmate Welfare Fund for many years. The Inmate Welfare Fund Committee has approved the expenditure each year and pursuant

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to statute, an itemized report of program expenditures is submitted annually to the Board of Supervisors for their review.

Although the Sheriff is permitted by law to use the Inmate Welfare Fund to pay for the VINE contract, as a means of resolving the concerns of the Solano County Grand Jury, the Sheriff has no objection to including the cost of the VINE contract in his operating budget request beginning with Fiscal Year 2012/2013.

Finding 2 – The County cannot independently verify the dollar amount of items purchased from the iCare Commissary Program by an inmate’s family or friends.

Response to Finding 2 – The Sheriff agrees with the finding of the Grand Jury.

Recommendation 2 – The Sheriff’s Office should amend the iCare contract to require the payment for iCare commissary services to be made to the inmate’s existing account used for telephone and detention facility commissary services by the use of a third party Internet collection service such as PayPal or a similar type of Internet collection service.

Response to recommendation 2 - The Sheriff disagrees with the recommendation of the Grand Jury. However, the Sheriff does believe it is desirable to reconcile commission income with gross sales. Our vendor, Aramark, has agreed to provide the Sheriff’s Office with account and identification access to raw sales information, including the dollar amount of items purchased from the iCare program. This information comes directly from an independent payment processing company utilized by Aramark. This will provide the Sheriff’s Office with independent verification of gross iCare sales. The Sheriff’s Office thanks the Grand Jury for their suggestion.

Finding 3 - The Sheriff’s Office is not using the competitive bidding process when renewing contracts identified in Table I.

Response to finding 3 - The Sheriff agrees with the finding of the Grand Jury.

Recommendation 3 – Although the *County of Solano Purchasing & Contracting Policy Manual – Issued July 2004* can be interpreted to allow the present contracting practices used by the Sheriff’s Office, the Grand Jury recommends that the Sheriff provide written justification for the use of non-competitive contract renewal. The Sheriff’s justification should include how the benefits of competitive bidding are being considered in his decision-making process.

Response to Recommendation 3 - The Sheriff disagrees with the recommendation of the Grand Jury. As acknowledged by the Grand Jury in the recommendation, the Sheriff is following the County’s contracting policy with reference to competitive bidding and renewal of contracts. The County policy does not require written justification for the use of non-competitive contract renewal. Limitations on number and length of renewal periods are the control mechanism that the County employs to ensure the best value for goods and services. Contract renewals are presented to the Board of Supervisors in public session for examination and approval. As the Grand Jury report indicates, the Sheriff’s Office employs

criteria by which to make decisions regarding the renewal of existing contracts that are consistent with the County's contracting policy.

As an independently elected official, it is questionable as to whom the Sheriff would provide written justification for contract renewals, above and beyond that which he includes in the presentation of these items to the Board of Supervisors for public discussion and approval.

I would like to thank the Solano County Grand Jury for their time invested in the annual review of my facilities and their report of findings and recommendations. As always, the findings, recommendations and positive comments of the Solano County Grand Jury are greatly appreciated.

Sincerely,



Gary R. Stanton
Sheriff-Coroner

cc: ✓ Solano County Grand Jury
County Administrator's Office