

2006-2007 Shasta County Grand Jury Report
Report submitted to the agency on: July 9, 2007

OFFICE OF THE SHERIFF

Inmate Welfare Fund

Shasta County - Office of the Sheriff 1525 Court Street Redding, CA 96001 530-245-6165

Reason for Inquiry:

The Grand Jury is charged with the responsibility to inquire into the operations of local governments and the conduct of those officials who oversee the expenditure of funds held in public trust. Penal Code Section 921 provides that the Grand Jury is entitled to examine all public records within the county.

The Grand Jury received a complaint concerning the proper accounting of the Shasta County Jail Inmate Welfare Fund.

Background:

California State Penal Code, Section 4025 states the Shasta County Sheriff's Office may establish, maintain and operate a store (commissary) in connection with the county jail to sell certain supplies to inmates of the jail. Sale prices for articles offered are determined by the Sheriff and profits from those sales must be deposited in an inmate welfare fund in the county treasury. In addition, Title 15, Section 1043, California Code of Regulations, establishes accounting procedures for the expenditure of inmate welfare fund revenues.

The monies deposited into the Shasta County Inmate Welfare Fund are generated by:

- Inmate commissary purchases
 - Refunds, rebates, and commissions attributable to inmate use of pay telephones
 - Recyclable materials sales
 - Interest or dividends earned by the fund

Commissary items available for purchase by inmates include confectionary, postage and writing materials, toilet articles, and sundry supplies. Monies which are not immediately utilized are held in trust by the Shasta County Treasurer, and earn interest or dividends, which are then deposited into the Inmate Welfare Fund.

The Shasta County Sheriff may expend money from the Inmate Welfare Fund, as per Penal Code Section 4025 (e), "solely for the benefit, education, and welfare of the inmates confined within the jail." The expenditures include, but are not limited to:

- Salary and benefits of personnel used in programs to benefit the inmates, including the Jail Commissary officer's salary
- Education, drug and alcohol programs, and General Education Diploma testing

- Maintaining the jail's law library
- Books for recreational reading
- Chaplain services and religious supplies for inmates
- Indigent inmate supplies, such as toiletries and stationary
- Hair cutting supplies, portable toilets, work release program equipment, televisions, and other miscellaneous items
- Jail facility maintenance
- Home electronic monitoring rental fees
- Inmate Work Release Program costs

Expenditures from the inmate welfare fund cannot be used to pay required expenses of confining inmates such as meals, clothing, housing, or medical services.

Findings and Recommendations	Agency Response (Unedited)
<p>Findings #1: Penal Code 4025 provides relatively broad discretion to the sheriff to expend the profits realized from the jail commissary and other sources of revenue.</p>	<p>No response required</p>
<p>Finding #2: The Sheriff has furnished to the County Board of Supervisors a detailed list of revenue and expenditures for the Inmate Welfare Fund annually, as required by Title 15, Section 1043, Subdivision (a) 3. While some descriptions of the expenditure items were not specific, Grand Jury inquiries into those items were clarified by the Sheriff's Office.</p>	<p>No response required</p>
<p>Finding #3: An audit of the Inmate Welfare Fund by the Shasta County Auditor-Controller's Office was completed on April 30, 2007. The audit did find deficient internal control procedures for the fund; however, the Grand Jury found there were no improprieties in the administration of the fund. The previous audit was conducted in 2002.</p>	<p>No response required</p>
<p>Finding #4: The Sheriff's Department has agreed to implement all the recommendations noted in the audit.</p>	<p>No response required</p>
<p>Recommendation #1: It is recommended that the Shasta County Sheriff's Office request that the Audit Committee conduct biennial audits of the Inmate Welfare Fund.</p>	<p>Response from Shasta County Sheriff: (SC Office of the Sheriff Documentation) The Sheriff partially agrees with the recommendation and recognizes the importance of audits of the Inmate Welfare Fund. As the new Sheriff-Coroner, I requested an audit be</p>

	<p>conducted by the Shasta County Auditor's Office after being sworn in as Sheriff. The April 30, 2007, audit did find areas for improvement but there were no improprieties in the administration of the fund. The last prior audit was conducted in 2002. I would recommend that audits for the account be conducted on an as-needed basis or every four years.</p>
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Response Required:

Shasta County Sheriff as to Recommendation 1

Method of Inquiry:

The Grand Jury reviewed the following documents:

- California State Penal Code, Section 4025
- Title 15, California Code of Regulations
- County of Shasta Report on Financial Transactions Audit, Sheriff's-Inmate Welfare Fund for the calendar years 2006, 2005, 2004 and 2003, dated April 30, 2007
- Shasta County Main Jail Policy and Procedures Manual, Chapter 3, 2007 Edition
- 2005 Inmate Welfare Fund Expenditures Report
- Internal Inmate Welfare Fund Financial Statement, fiscal year-to-date through December 31, 2006

The Grand Jury interviewed:

- Captain, Shasta County Custody Division
- Shasta County Auditor-Controller