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Inyo County

Inyo County Grand Jury
Post Office Box 401
Independence, CA 93526

Inyo County Grand Jury Report

"For the Money, for the glory and for the fun. Mostly for the money"
~Smokey and the Bandit~

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Inyo County

Inyo County Grand Jury
Post Office Box 401
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2018-2019 Inyo County Grand Jury

John Shepherd
Mustang Mesa

Robert Hoyle
Bishop

John Harris
Bishop

Vasie Tex
Bishop

Frank Loder
Independence

Ann Jewett
Independence

David Mazel
Bishop

Charles Tello
Lone Pine

Amy Weurdig
Mustang Mesa

Dylan Knadler
Lone Pine



Inyo County Grand Jury

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June 3rd, 2019

Hon. Brian J. Lamb
Judge of the Superior Court
For: Inyo County

Dear Judge Lamb,

It is our pleasure to present to you the Inyo County Grand Jury 2018-2019 report on the turn-over of deputies in the Inyo County Sheriff's Department.

It is our wish to issue this report before the end of our term so it will be timely to on-going discussions concerning salaries in the Sheriff's Department.

Very truly yours,

A handwritten signature in black ink, appearing to read "John R. Shepherd". The signature is written in a cursive style with a large initial "J".

John R Shepherd
Foreperson

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High Turnover at Inyo County Sheriff's Department to other Local Law Enforcement Agencies

SUMMARY

The salaries of the Inyo County Sheriff's department are out of line with neighboring departments and result in the loss of experienced deputies at great monetary expense and valuable experience to Inyo County.

Inyo County Deputy Sheriff deputies have frequently resigned from the Inyo Sheriff's Department to take higher paying jobs at the Bishop Police Department, Mammoth Lakes Police Department and Mono County Sheriff's Department (hereafter referred to as the 3 competing local law enforcement departments).

The expense of sending a recruit to police training academy and providing basic field training costs Inyo County a minimum of \$133,000.00 per person.

The Inyo County Sheriff's Department has put 15 deputies through recruit training in the last 3 years, while none of the 3 competing local law enforcement departments have put a recruit through the police academy in at least the last 6 years; None of the competing agencies have incurred the expense of training a new officer, that is required by California law.

Experience is a valuable asset in a law officer. The Inyo Sheriff's Department is losing experienced deputies to the three neighboring law enforcement agencies largely because its deputies are substantially underpaid in comparison to their neighboring competition.

BACKGROUND

It came to the attention of the Grand Jury that experienced deputies, trained at over \$133,000.00 each, were leaving the Inyo County Sheriff's Department to go to the three neighboring departments none left to go to departments out of the area.

Your Grand Jury wanted to know why, and to see if this was a problem, and if there was a solution to the problem.

METHODOLOGY

We interviewed former Inyo County deputy sheriffs to see why they left Inyo County to go to competing local law enforcement agencies.

We interviewed deputies who are still working at the Inyo County Sheriff's Department to get their insight on salaries in comparison to other departments and why they believed their former fellow deputies had taken jobs with other local law enforcement departments.



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We interviewed high ranking officials from multiple departments.

We obtained and reviewed County and City records from all four local law enforcement agencies to see the salaries of similarly positioned officers and deputies at each department.

We sought and obtained legal advice the legality of reimbursement contracts for law enforcement personnel who accept expensive training at one department and leave to go to another law enforcement agency.

We interviewed City and County Officials to get their input as to the turnover of Inyo Sheriff Deputies and ways to avoid it.

DISCUSSION

It costs Inyo County an average of \$133,729.25 to train a new deputy sheriff. See exhibit A for a breakdown of this expense.

The Inyo County Sheriff's department has trained 15 new deputies at this expense in the last 3 ½ years.

In the last 3 ½ years, 16 sheriffs have left the Inyo Sheriff's Department. Five retired. One resigned. Two were terminated. Two left law enforcement.

The largest loss of deputy sheriffs was the 6 deputies who went to neighboring law enforcement agencies. They all accepted positions with neighboring departments. This resulted in a loss of experienced deputies, that Inyo County had paid to train at great expense

In our interviews of former Inyo County Sheriff deputies who now work for the Bishop Police Department and for the Mammoth Lakes Police Department and for the Mono County Sheriff's Department, every deputy and officer cited the increase in salary as the primary factor or as a major factor in the decision to resign from Inyo County and take similar positions with the neighboring law enforcement departments.

Similarly, the deputies and officials still with the Inyo Sheriff's Department all thought that salary was either the main or a substantial factor in the decision of their former fellow deputies to leave for other local departments. All wished that their fellow deputies could be paid as well.

All law enforcement personnel interviewed said that years of experience, particularly local experience, is very valuable for numerous reasons. Experience is necessary to know the people, to learn how to deal with the people, to know the roads and buildings, particularly in a county of ten thousand square miles, to learn how to avoid dangerous confrontations, to know when to seek backup or advice from the more experienced deputies and superiors and to avoid situations creating liability.



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Two of the Inyo deputies who left Inyo were hired by the Bishop Police Department. The starting salary for an Inyo deputy is \$4,317.00 per month or \$51,804.00 per year. The starting salary for a Bishop police officer is \$5,247.00 per month or \$62,964.00 per year. Hence, the starting salary at the Bishop Police Department for a police officer is \$930.00 more per month or \$11,160.00 more per year than the starting salary of an Inyo Sheriff deputy.

The difference in salaries is even more substantial when compared with the Mono Sheriff's Department or the Mammoth Lakes Police Department.

The starting salary for a Mono County Sheriff deputy is \$5,355.00 per month. That is \$1,038.00 per month or \$12,546.00 per year more than an Inyo County Sheriff Deputy of the same rank, experience and education. One of the 6 deputies who left Inyo County went to the Mono County Sheriff's Department.

Three of the Inyo deputies who left went to the Mammoth Lakes Police Department. The starting salary for a Mammoth Lakes Police officer is \$6,153.00 per month or \$1,836.00 more per month or \$22,032 more per year than an Inyo County deputy sheriff is paid.

These salary discrepancies continue across the board as the officers and deputies increase in experience and salary stages. The numbers cited above are basic salary only and do not include overtime pay.

Lateral hiring by Inyo County is not the solution. Lateral hiring is an obvious solution for Bishop PD and Mammoth Lakes PD and Mono Sheriff, due to getting already trained and experienced deputies that are known to the neighboring departments and know the area and many of the people, fellow officers and deputies.

On the other hand, it is unlikely that any experienced deputy or officer will want to transfer to the Inyo County Sheriff's Department at a salary cut of between \$11,160.00 and \$22,032 per year. Most deputies who left have growing families where the increased salary means a great deal.

Our many interviews with deputies who left Inyo County and with those who remained, indicates that some deputies had other motivation to leave than just salary. Some wanted to move to Mammoth or even Nevada. Some felt that the other departments offered more promotional opportunity. Some wanted the opportunity to learn from more experienced officers with whom they would be working. Some, but not all, cited morale problems at the Inyo Sheriff's Department.

However, every interviewee cited salary as either the primary or a major reason for leaving Inyo County for jobs with neighboring agencies.

The loss of the experienced deputies creates the need for yet more expensive training of unproven recruits. It is not just the money. The loss of experience is a significant issue universally cited by our interviewees. Law enforcement experience in general and especially local knowledge improves the officers' ability to exercise good judgement, make decisions quickly, enables better resolution of confrontational situations, reduces potential liability to Inyo County and contributes to officer safety and the general public.



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The present experience level of Inyo County Sheriff patrol deputies is as follows. There are 20 patrol deputies. Three are sergeants. Including the sergeants, the average length of patrol experience is 4.75 years. If you subtract the sergeants, the experience level averages 3.47 years. Even that figure is somewhat misleading. Six people have 10 or more years of experience. If you take out those, the deputies average only 2.4 years of experience.

Senior law enforcement people we interviewed said they consider about 5 years patrol experience desirable for deputies to reach a satisfactory level of competence.

One partial solution to the problem of incurring expensive academy and training experience which ends up too often, in our judgment, in saving the expense and providing the local experience for other departments, is to have a recruit sign a whole or partial reimbursement agreement before Inyo County spends the \$133,000.00 plus, to train them.

Such training reimbursement agreements are used by other police departments in other counties and have been legally tested and approved in the appellate courts of California. Such agreements must be limited in time and scope. For instance, an agreement (contract) to reimburse Inyo County a pro rata portion of the training expense if they take jobs with one of the neighboring law enforcement departments within 5 years would be a valid contract.

At least one Inyo County department uses pro rata reimbursement contracts before that department pays for the college or advanced education of its employees.

However, this grand jury believes that such reimbursement contracts should only be required if and when the Inyo County Sheriff Department salaries have been put in parity with the neighboring law enforcement departments.

In summary, the salaries of the Inyo County Sheriff's department are disproportionate with neighboring departments and result in the loss of experienced deputies at the expense and valuable experience to Inyo County.

What would it cost the County of Inyo or the Inyo County Sheriff's Department to raise the salaries of our deputies to a level of parity with the competing law enforcement agencies with whom our Sheriff's department must compete? We do not purport to know all the answers to determine the true cost.

We do believe that the Board of Supervisors and the Sheriff's office need to do a thorough cost benefit analysis of bringing deputies up to a parity with local competing agencies.

Here are some calculations to take into consideration as a part of such an analysis.

Start with the fact that Inyo has spent an average of \$133,729.25 to train 15 recruits in the last 3 ½ years. That is \$2,005,939 in 3 ½ years or an average of \$573,125 per year to train new deputies.

As mentioned above, there are 20 patrol deputies. If they were each increased by \$1038.00 per month that would be \$12,456.00 per year per deputy.



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Multiplied by 20 deputies that is \$249,120.00 per year of increased salaries. That raise for 20 deputies is only 43% of what Inyo spends annually training recruits.

If we assume that by raising Inyo County Deputy Sheriff deputies up to the level of at least 2 of the 3 competing law enforcement agencies, it would cut the attrition rate by 50%, Inyo County and the Sheriff's Department would still be money ahead.

The Board of Supervisors and the Sheriff will, we are sure, keep in mind that there is more to be considered than pure dollars. Raising salaries to be on a parity with competing agencies will almost undoubtedly raise morale, reduce motivation to resign and result in keeping deputies for additional years giving the deputies and the citizens the inestimable value of increased experience.

FINDINGS

F1. Inyo County Sheriff Deputies work for \$11,160.00 to \$22,032.00 per year less than the officers and deputies in the neighboring law enforcement departments of Bishop, Mono County and Mammoth Lakes.

F2. Inyo spends an average of \$133,729.25 per recruit to train a new deputy sheriff.

F3. In the last 3 ½ years, 6 Inyo deputy sheriffs have left Inyo to work for the 3 neighboring law enforcement departments.

F4. Salary was the primary or at least a major factor in the decision of each and all of the 6 deputies to leave Inyo to go to the other departments.

F5. Experience of law enforcement officers is valuable to the officers and the citizens they serve. Inyo is losing experienced deputies to neighboring departments.

F6. By our preliminary computations, raising the salaries of all 20 patrol deputies by \$1,038.00 per month would cost less than half of what is now being spent in an average year for training new recruits.

F7. Pro rata reimbursement contracts would be legally valid if signed by recruits before they accept expensive training at the expense of the Inyo County Sheriff's Department.



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RECOMMENDATIONS

R1. Prepare a comprehensive analysis of the total compensation package currently offered to starting Inyo County deputies without a Police Officers Standards and Training (POST) certificate as compared to the package offered to officers/deputies being hired with a POST certificate by local law enforcement agencies.

R2. The Inyo County Sheriff's Department should give salary raises to all of its deputies to bring their salary at least on a parity with neighboring law enforcement departments.

R3. If an Inyo County Deputy, for whom the county has funded a POST certificate, is hired by Mammoth Lakes Police Department, Bishop Police Department, or Mono County Sheriff's department within the first 4 years of service, there should be a requirement of a pro rata reimbursement to Inyo County by either the deputy or the agency hiring the deputy.



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REQUIRED RESPONSES

Pursuant to Penal Code sections 933 and 933.05, the grand jury requests responses as follows:

From the following elected county officials within 60 days:

- Inyo County Sheriff
- Inyo County Board of Supervisors.

INVITED RESPONSES

- Inyo County Administrative Officer
- Inyo County: Deputy Sheriff's Association

Reports issued by the 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 Grand Jury.

ATTACHMENTS:

- 1.) EXHIBIT A: SALARY MATRIX FROM COMPETING AGENCIES

EXHIBIT A

New Hire Deputy/Academy Costs

Academy Salary (6 months)	\$58,153.00
Clothing Allowance	\$500.00
Background Investigation	\$1,200.00
Physical	\$835.00
Psychiatric Exam	\$400.00
Academy Overtime	\$11,806.00
Academy Per Diem	\$7,775.00
Gear Bag	\$399.00
Academy Tuition	\$1,794.00
Academy Housing	\$3,910.00
Academy Ammo	\$1,155.00
FTO (trainee salary 3.5 months)	\$32,808.00
FTO (5% of yearly salary)	<u>\$7,569.00</u>
Hire/Academy Costs	\$128,304.00
Gear Costs	<u>\$5,425.25</u>
Total Costs	<u>\$133,729.25</u>

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