

July 19, 2002

Foreperson
Marin County Civil Grand Jury
3501 Civic Center Dr., Room 303
San Rafael, CA 94903

Subject: Response to the 2001-2002, Marin County Grand Jury Report of May 24, 2002, Regarding Marin Civic Center: A Security Challenge.

Dear Foreperson:

The following reply is pursuant to the requirements of Penal Code Section 933.05, regarding the Marin County Grand Jury, May 24, 2002, Regarding Marin Civic Center: A Security Challenge.

FINDINGS

Grand Jury Finding #1: There are numerous non-secure entry portals to the Civic Center complex. The very number of these portals has historically been discouraging to the Sheriffs office and to others who have considered security enhancements. Reduction of the numbers of non-secure portals would make it easier to develop plans to make the remainder more secure. Yet there does not appear to have been a serious effort made to inventory the number of such portals and to undertake a needs and security assessment of each.

Sheriff's Department's Reply to Finding #1: An inventory of all entry points has been completed and an analysis of their relationship to overall security and public access needs is currently being conducted.

Grand Jury Finding #4: There are no doors located at the patio end of the second floor balconies. Those balconies serve numerous offices by way of sliding doors which open onto them, doors which are often left unlocked (and frequently open) during the day. There is no fire related reason why outward opening doors equipped with panic hardware could not be installed at the patio end of those balconies. Such doors would permit the balconies to continue to act as fire exits while at the same time enhancing security by closing off yet another group of non-secure entry portals.

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Sheriff's Department's Reply to Finding #4: Response/Finding #4 – The installation of balcony gates will be included as a component of the overall Civic Center Security Program recommendations.

Grand Jury Finding #5: There are a number of free standing exterior doors which are not secure and which lead directly into the building. Some are usually locked, but others are generally open to free and unmonitored entry. For example, there is a door located at the west end of the archway under the Administration wing. That door is almost always open to unmonitored entry from outside. It is equipped with panic hardware on the inside so that, if locked, it could be used as a means of emergency egress. It could be equipped with card reader equipment which would enable it to be used for entry by people with proper clearance. There is no known reason for it, or any other free-standing exterior doors, to be available for entry by unauthorized visitors.

Sheriff's Department's Reply to Finding #5: The installation of card readers and security door hardware is included in the Civic Center Security program for review and consideration by the Board of Supervisors.

Grand Jury Finding #6: Although parking of non-official vehicles is prohibited under the archways at the Hall of Justice, the enforcement of that ban is simply by red striping and the hope that people might be discouraged from parking there because of the possibility of an expensive parking ticket. That plan is not working — witness the numerous non-official cars that have been noted by members of the Grand Jury parked under those arches. Every car or truck which is left unattended in those areas represents a serious security threat.

See below for Sheriff's Department's Reply to Finding #6

Grand Jury Finding #7: Parking is, in fact, permitted under the archway at the Administration wing. There, parking and leaving cars unattended (as often occurs) not only pose a security threat, but those activities also create the possibility of smoke and/or carbon monoxide gases rising to the offices in the vicinity of the open three story atrium above.

Sheriff's Department's Reply to Findings #6 and 7: Response/Finding #6 & Finding # 7 – An analysis of options available to restrict or eliminate parking under the archways will be undertaken in conjunction with other county departments. The final recommendations from this analysis will be presented to the appropriate decision making body for review and implementation.

Grand Jury Finding #8: There is a loading dock under the archway adjacent to the main entry to the Administration wing. The existence of this loading dock provides a challenge to security because of the potential for unidentified trucks and other vehicles to be left unattended in that area. Currently the threat posed by this security issue is minimized by the presence of custodial personnel who keep close track of all vehicles which use that dock; however, such informal practice does not rise to the level of a security protocol.

Sheriff's Department's Reply to Finding #8: We agree that the current practice is less than optimum. A complete assessment of the security needs will be initiated and recommended options submitted to the county administration.

Grand Jury Finding #9: The Civic Center branch of the Marin County Free Library is located on the fourth floor of the Administration wing of the building. Its hours of operation include Tuesday and Thursday evenings and all day Saturday. These are times when the building is otherwise closed. Once a person is inside the Administration wing, that person has essentially free access to the entire Administration wing during times when there are generally no other county employees or members of the public around to monitor what the individual might be doing.

Sheriff's Department's Reply to Finding #9: Currently the Sheriff's Office is finalizing recommendations for security enhancements to the Administration wing. The openness of the Administration wing has been a topic of this analysis. Alternatives are being examined with the goal of controlling unfettered access to the wing and all floors.

Grand Jury Finding #10: The Cafeteria and certain other portions of the Civic Center complex are occasionally open for weddings and other events during non business hours. Such permitted activity heightens security risks. Those risks could be alleviated through the establishment of a fee for service program whereby fees are charged to cover the cost of the extra security needed. This is currently done when courtrooms are used by outside groups.

Sheriff's Department's Reply to Finding #10: We agree with this finding and will work with the County Administrator's Office to determine what cost recovery fees are allowable under law and make recommendations to the Board of Supervisors for creation of these fees.

Grand Jury Finding #11: Recycling containers and trash (including empty boxes, surplus desks, filing cabinets, and other furniture) are present in corridors at all levels of the Civic Center and are often left in place for days or weeks on end. These conditions not only tend to block or narrow exit corridors, but, more ominously, make for ideal sites for an incendiary or explosive device to be placed.

Sheriff's Department's Reply to Finding #11: This issue is being addressed by the Board of Supervisors and County Administrator.

Grand Jury Finding #12: The present card reader system, which has been installed on nearly all non public access doors in the Hall of Justice, is a significant advance in security enhancement. The doors that are controlled by this system are expensive; however, the people with whom we have spoken have all expressed appreciation for the significant improvement to security that they provide.

Sheriff's Department's Reply to Finding #12: We have recommended expansion of this system to other locations throughout the Civic Center complex that currently are not on the system.

Grand Jury Finding #13: the card reader system can be expanded simply and inexpensively to become a badge identification system. Essentially all that would be necessary is a regulation mandating that the cards (which have already been issued to virtually all workers at the Civic Center) be worn visibly by them at all times when they are present on the premises. The use of such a system would heighten awareness among workers as well as ease the job of the Sheriff's Department by reducing the numbers of people (those without badges) who they have to keep track of in high security areas of the building, and particularly on the Court floor.

Sheriff's Department's Reply to Finding #13: This has been implemented in some departments on a limited basis. We will recommend to the County Administrator that the Management Council (Department Heads) review this recommendation, as it is a change in the operation of their departments. Every employee should have available for presentation during business hours his or her county issued identification card.

Grand Jury Finding #14: The Federally trained canine unit is an extremely valuable security asset.

Sheriff's Department's Reply to Finding #14: We are in agreement with this finding.

Grand Jury Finding #15: The State of California, which has assumed control of and responsibility for the courts, has taken steps to identify security needs and to fund a significant portion of their associated costs. This increased level of funding, as well as a newly implemented system of deploying bailiffs, has enabled the Sheriff's department to provide additional roving deputy patrols of the Court floor and, to a lesser extent, the rest of the building complex as well.

Sheriff's Department's Reply to Finding #15: The Sheriff's Office working with the Courts will continue to support these efforts.

Grand Jury Finding #16: There are currently two state of the art x-ray machines and four metal detectors at the Hall of Justice. Even if those were considered adequate in number (which they are probably not), they often sit unused because of a lack of manpower to operate them properly.

Sheriff's Department's Reply to Finding #16: The Courts have submitted a budget request through the Administrative Office of the Courts to enhance the security to a level that x-ray and metal detectors are better utilized.

Grand Jury Finding #17: Searches are not often used as a deterrent to entry. They are conducted when a particular threat is identified and also, when manpower is available, on a random basis.

Sheriff's Department's Reply to Finding #17: Current manpower allocations are not sufficient to conduct routine searches of all persons entering the court floor. They are currently done on a threat assessment basis. A state budget request has been submitted seeking additional manpower funding to allow for routine searches.

Grand Jury Finding #18: Occasionally, prosecutors, public defenders, private counsel (who are also officers of the court), probation officers, social workers and others become aware of desperate people and/or potentially explosive situations. All these professionals could (and some have on a few occasions), without violating their ethical responsibilities, provide advance warning to the Sheriffs office of the possibility of violence. There has been no effort to publicize the need for such cooperation and assistance from these valuable sources of intelligence.

Sheriff's Department's Reply to Finding #18: Currently Sheriff's Court Services receives information formally and informally from attorneys and others regarding possible security risks and potential confrontational behavior by individuals attending court. We will continue to develop sources of information about potential security issues.

Grand Jury Finding #19: The main entry to the Administration wing of the Civic Center is through several ornamental gates. After hours, those gates are closed; however, they have no structure immediately above them, and they have horizontal design features that make them easy to scale by anyone who is reasonably fit. Once over the gates, one has unfettered access to anywhere in the Administration wing.

Sheriff's Department's Reply to Finding #19: This has been and will continue to a concern for the Sheriff's Office. We will be working with the County Administrator's Office and Civic Center Foundation to determine the appropriate design solution.

Grand Jury Finding #20: To the best of the Grand Jury's knowledge, there has not been, for at least ten years (if ever), an evacuation drill. Although there have been numerous evacuations due primarily to bomb threats, it is felt by some workers at the Civic Center that department heads and others do not have a clear understanding of a controlled evacuation.

Sheriff's Department's Reply to Finding #20: This finding is being addressed by the Office of Emergency Services. They are currently in the implementation stages of training Building Evacuation Teams and setting up annual evacuation drills.

RECOMMENDATIONS

Grand Jury Recommendation #1: The Sheriffs office should conduct an inventory of all potential entry points to the Civic Center complex and should meet with the Fire Marshall and any other persons or entities he deems appropriate in order to determine, on a case by case basis, which of those entry portals can and should be closed off to public entry. A plan should be put in place to implement whatever decisions are made on this issue.

Sheriff's Department's Reply to Recommendation #1: As a part of the on-going security review a physical inventory of the access points has been conducted by the Sheriff's Office. A review of each access point in relationship to overall Civic Center security and the need for public access is being undertaken. This review will include building and fire code requirements and consultation with the Fire Marshall.

Grand Jury Recommendation #2: Serious consideration should be given to closing, and one-way locking, all interior stairwells throughout the building complex at ground level and at each floor level. This would limit access to a controllable number of entryways.

Sheriff's Department's Reply to Recommendation #2: Closing off the stairwells during normal business hours does not significantly reduce the potential threat level (increase the security level). Current capabilities allow for the stairwells to be locked off during high security trials, and any other times that restricted access is required.

Grand Jury Recommendation #3: Once decisions have been made about which and how many entries to make inaccessible to non-cleared personnel, the Sheriff and the Board of Supervisors should reconsider the viability of using metal detectors and/or other means of securing the remaining public entry points. If appropriate, consideration should be given to seeking funds from the State to cover the costs associated with securing all such entries leading to the Court floor.

Sheriff's Department's Reply to Recommendation #3: The Sheriff has provided the county administration with the requirements, including approximate costs, to undertake perimeter screening at the lobby entrances. This is being reviewed as part of the overall security enhancement program. The Courts, as part of their overall security review, have requested funding from the State for additional perimeter security of court facilities. The Administrative Office of the Courts has accepted the proposal and it will be incorporated in the FY 2003/2004 state budget-funding request.

The Sheriff's Office is continually reviewing opportunities for cost recovery through state and federal programs.

Grand Jury Recommendation #4: Parking opportunities should be eliminated under all archways. The ban on parking should go beyond red striping and should include the use of barriers that would prevent vehicles from standing unattended at any place under, or in the immediate vicinity of, those arches.

Sheriff's Department's Reply to Recommendation #4: We are in agreement with the findings that parking under the archways has some security and possible health issues. The Sheriff's Office has and will continue to pursue changes to current parking patterns. The Sheriff's Office in conjunction with other involved county department will start reviewing available options to restrict parking under the archways.

Grand Jury Recommendation #5: Consideration should be given to making the hours of operation of the Civic Center Branch of the Marin County Library coincide with those for the rest of the building complex. In the event the decision is made not to do so, a plan should be developed and implemented to use extra security personnel and/or barriers to prevent unauthorized movement of persons into any non-library associated area of the Administration wing. The cost of such additional security could be added to the budget of the library.

Sheriff's Department's Reply to Recommendation #5: It is the Sheriff's Office understanding that the County Administrator and County Librarian are reviewing the hours and location of the County Library. If the library continues the current hours of operation the Sheriff's Office will meet with the Librarian and County Administrator to discuss the security issues and options available.

Grand Jury Recommendation #6: A fee for service plan should be designed and put in place to provide funds to cover the cost of extra security during public and private events held at the Civic Center during non-business hours.

Sheriff's Department's Reply to Recommendation #6: The Sheriff's Office concurs with the recommendation. The Courts and County have charged fees for some events. Expansion of this concept is a policy decision for consideration by the Board of Supervisors.

Grand Jury Recommendation #7: The corridors and public spaces in the Civic Center should be kept free of recycling containers and trash (including empty boxes, surplus desks, filing cabinets, and other furniture).

Sheriff's Department's Reply to Recommendation #7: The Sheriff's Office concurs with this recommendation. This is an issue for the County Administrator's Office and Management Council to review.

Grand Jury Recommendation #8: The identification cards, which have been issued to virtually all workers at the Civic Center, should be required to be worn visibly as badges at all times by all employees whenever they are on the premises.

Sheriff's Department's Reply to Recommendation #8: This has been implemented in some departments on a limited basis. We will recommend to the County Administrator that the Management Council (Department Heads) review this recommendation, as it is a change in the operation of their departments. Every employee should have available for presentation during business hours his or her county issued identification card.

Grand Jury Recommendation #9: The Sheriff, with support from the Board of Supervisors, should seek funding sources (including State funds if possible) to cover the cost of manpower needed to enable all currently owned x-ray and metal detector devices to be used regularly.

Sheriff's Department's Reply to Recommendation #9: The Sheriff's Office continually reviews state and federal programs/legislation for cost recovery or equipment enhancement opportunities. As stated in response to recommendation #3 the Courts are currently seeking funding for limited perimeter enhancement to address this issue.

Grand Jury Recommendation #10: An outreach program should be put in place to encourage all people involved in courtroom activities (including prosecutors, public defenders, private attorneys, investigators, probation officers, and social workers) to report, well in advance of any court appearance, any people whom they know or have reason to suspect might become desperate or violent in or around the Hall of Justice.

Sheriff's Department's Reply to Recommendation #10: The Sheriff's Court Services Division currently receives information formally and informally from attorneys and others regarding possible security risks and potential confrontational behavior by individuals attending court.

County and Courts employee training has been conducted and will continue to be conducted surrounding this issue.

Grand Jury Recommendation #11: The Board of Supervisors and the Sheriff's Office should work with the Frank Lloyd Wright Foundation to improve security at and around the existing ornamental gates at the entry to the Administration wing of the Civic Center complex.

Sheriff's Department's Reply to Recommendation #11: The Sheriff's Office supports this recommendation and will work with the County Administrator's Office and the Foundation to determine the appropriate design solution.

Grand Jury Recommendation #12: A comprehensive evacuation plan should be prepared, and regularly scheduled drills should be planned so that all workers in the Civic Center complex understand and feel comfortable with a process for orderly evacuations.

Sheriff's Department's Reply to Recommendation #12: The County Office of Emergency Services has been finalized a comprehensive Civic Center evacuation plan which was approved by the Board of Supervisors on June 4, 2002. A component of the plan is annual evacuation drills will all employees participating. Each employee will receive a handbook containing those components dealing with their participation. The plan also calls for lead or supervisors in each office/department/agency to be trained in assisting co-workers in evacuation and making sure that everyone has evacuated.

Sincerely,

ROBERT T. DOYLE
SHERIFF

cc: Members, Board of Supervisors
Mark Riesenfeld, County Administrator
Clerk of the Board of Supervisors
Marin County Grand Jury

RESPONSE TO BRAND JURY REPORT FORM

Report Title: MARIN CIVIC CENTER: A SECURITY CHALLENGE

Report Date: May 24, 2002

Response by: Robert T. Doyle Title: Sheriff

FINDINGS

C I agree with the findings numbered: 1, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19 and 20.

C I disagree wholly or partially with the findings numbered: 2 and 3.

Findings that the Sheriff disagrees wholly or partially with:

Finding # 2:

The stairwells in the Hall of Justice have (with one exception) no doors at ground level, and the one exception has no panic hardware or other equipment that could enable it to be dosed and one-way locked during business hours. The absence of locked doors at the ground floor lobby staircases provides multiple level entry opportunities for people who might want to do harm to the building and/or its occupants.

Sheriff's Response/Finding # 2: We partially disagree with Finding #2. The stairwell at Lobby 3 (North archway) is currently equipped with glass doors that have panic hardware. A ground level stairwell on the west side of the Sheriff's sally port (North archway) is also a self-locking door with panic hardware. Lobby 2 (Center archway) does not have doors to secure the stairway.

Finding # 3:

Those same stairwells in the Hall of Justice have doors opening to every level, including the Court floor level. Those doors are currently kept open at all levels and at all times during business hours, thereby facilitating traffic flow between floors but also inviting easy entry to each floor, including the Court floor, by persons with bad intentions.

Sheriff's Response/Finding # 3:

We partially disagree with Finding #3. While closing the stairwell doors may provide some limited restricted access it will not preclude persons with bad intentions from having access to any floor or area. Closing the doors during business hours provides additional security when used in conjunction with perimeter screening. The Courts Services Division currently restricts access through the stairwell doors as needed for sensitive and high security trials or incidents.

RECOMMENDATIONS

C Recommendations numbered 1, 10 and 12 have been implemented.

Response/Recommendation #1: As a part of the on-going security review a physical inventory of the access points has been conducted by the Sheriff's Office. A review of each access point in relationship to overall Civic Center security and the need for public access is being undertaken. This review will include building and fire code requirements and consultation with the Fire Marshall.

Response/Recommendation #10: The Sheriff's Court Services Division currently receives information formally and informally from attorneys and others regarding possible security risks and potential confrontational behavior by individuals attending court.

County and Courts employee training has been conducted and will continue to be conducted surrounding this issue.

Response/Recommendation #12: The County Office of Emergency Services has been finalized a comprehensive Civic Center evacuation plan which was approved by the Board of Supervisors on June 4, 2002. A component of the plan is annual evacuation drills will all employees participating. Each employee will receive a handbook containing those components dealing with their participation. The plan also calls for lead or supervisors in each office/department/agency to be trained in assisting co-workers in evacuation and making sure that everyone has evacuated.

C Recommendations numbered 5 and 11 have not yet been implemented, but will be implemented in the future.

Sheriff's Response/Recommendation #5: It is the Sheriff's Office understanding that the County Administrator and County Librarian are reviewing the hours and location of the County Library. If the library continues the current hours of operation the Sheriff's Office will meet with the Librarian and County Administrator to discuss the security issues and options available.

Sheriff's Response/Recommendation #11: The Sheriff's Office supports this recommendation and will work with the County Administrator's Office and the Foundation to determine the appropriate design solution.

C Recommendations numbered 3, 4, 6, 7, 8 and 9 require further analysis.

Sheriff's Response/Recommendation #3: The Sheriff has provided the county administration with the requirements, including approximate costs, to undertake perimeter screening at the lobby entrances. This is being reviewed as part of the overall security enhancement program. The Courts, as part of their overall security review, have requested funding from the State for additional perimeter security of court facilities. The Administrative Office of the Courts has accepted the proposal and it will be incorporated in the FY 2003/2004 state budget-funding request.

The Sheriff's Office is continually reviewing opportunities for cost recovery through state and federal programs.

Sheriff's Response/Recommendation #4: We are in agreement with the findings that parking under the archways has some security and possible health issues. The Sheriff's Office has and will continue to pursue changes to current parking patterns. The Sheriff's Office in conjunction with other involved county department will start reviewing available options to restrict parking under the archways.

Sheriff's Response/Recommendation #6: The Sheriff's Office concurs with the recommendation. The Courts and County have charged fees for some events. Expansion of this concept is a policy decision for consideration by the Board of Supervisors.

Sheriff's Response/Recommendation #7: The Sheriff's Office concurs with this recommendation. This is an issue for the County Administrator's Office and Management Council to review.

Sheriff's Response/Recommendation #8: This has been implemented in some departments on a limited basis. We will recommend to the County Administrator that the Management Council (Department Heads) review this recommendation, as it is a change in the operation of their departments. Every employee should have available for presentation during business hours his or her county issued identification card.

Sheriff's Response/Recommendation #9: The Sheriff's Office continually reviews state and federal programs/legislation for cost recovery or equipment enhancement opportunities. As stated in response to recommendation #3 the Courts are currently seeking funding for limited perimeter enhancement to address this issue.

C Recommendations numbered 2 Will not be implemented because they are not warranted or are not reasonable.

Sheriff's Response/Finding # 2: We partially disagree with Finding #2. The stairwell at Lobby 3 (North archway) is currently equipped with glass doors that have panic hardware. A ground level stairwell on the west side of the Sheriff's sally port (North archway) is also a self-locking door with panic hardware. Lobby 2 (Center archway) does not have doors to secure the stairway.

Date: _____ Signed: _____

Number of pages attached 10 .