




Office of the City Manager

action Calendar
July 25, 2006

To: Honorable Mayor and
Members of the City Council

From:  Phil Kamlarz, City Manager

Submitted by: Claudette Ford, Acting Director, Public Works Department

Subject: Response to Grand Jury Final Report – Parking Meter Enforcement

RECOMMENDATION

Authorize the City Manager to submit by letter to the Alameda County Civil Grand Jury the following response to their final report on parking meter enforcement in Berkeley.

FISCAL IMPACTS OF RECOMMENDATION

In response to concerns raised by the Civil Grand Jury, this report discusses some enhancements to the parking meter maintenance and parking meter enforcement operations which the City has instituted, and which should not have a significant impact on revenues and expenditures associated with the parking meter operation. The cost to complete the previously initiated computer link between the parking operations server and the customer service and parking enforcement operations has not been finalized yet.

There are other potential changes to the operation of on-street parking in the city which have large cost implications. They are discussed in this report, and a recommendation to implement them is not being made at this time. However, they will be discussed further in the fall of 2006 in the context of the next budget cycle for the City. For instance, in order to increase the frequency of routine inspection and repair of single space parking meters to once every two days, the parking meter maintenance budget would have to be increased by another \$300,000. The cost to upgrade the mechanisms in the single space meters would be approximately \$400,000, and to replace most of the City's single space parking meters with pay and display machines would be approximately \$1.8 million.

CURRENT SITUATION AND ITS EFFECTS

The attached extract of the Alameda County Civil Grand Jury, dated June 22, 2006, Attachment 1, comments in part on the parking meter operation in Berkeley, and raises concerns about the issuance of parking meter citations, as well as parking meter maintenance activities. In particular, the report focuses on the issuance of citations at parking meters which may be inoperable.

The City is required to respond to this report within 90 days.

July 25, 2006

BACKGROUND

Response to the Grand Jury

Following below is a response to each of the points raised in the final report of the Alameda County Civil Grand Jury, in the order they appear in that report.

1. Grand Jury Comment:

“If a meter is damaged or out of order, the metered space reverts to a time zone and a citation can be issued after the allotted time passes. The customer using a broken meter does not have unlimited parking. If a citizen places a bag over a broken meter, a PEO will remove the bag and the metered space is still timed and citations continue to be issued, regardless of the condition of the meter. All metered parking is enforced Monday through Saturday from 9:00 a.m. to 6:00 p.m. unless otherwise posted.”

City of Berkeley Response:

When a Parking Enforcement Officer (PEO) comes across an unauthorized bag on a parking meter, they will remove the bag and visually check the meter. They will issue a citation if the parking meter shows the expired message, and treat the space as a time zone if the meter shows the fail message.

The Berkeley Police Department is aware of a common tendency of some members of the public to routinely place bags over parking meters to avoid payment, without even testing the operational status of the meter. The police procedure discourages this fraudulent use of the meters.

2. Grand Jury Comment:

“Not all meter failures cause an “out of order” flag to be displayed. Meters do not have a time or date recorder to provide exact information of when a malfunction occurs. The length of time a meter is inoperable can only be determined by the last scan that showed when the meter was functioning. Therefore, it is possible for a meter to be malfunctioning without a PEO knowing it. The PEO is not required to check each meter prior to issuing a citation. In such cases, the PEO might issue a citation at a faulty meter.”

City of Berkeley Response:

The City of Berkeley operates and maintains approximately 2,900 single space parking meters. The City employs 4 parking meter mechanics and also 4 staff who perform meter revenue collection and minor repair. One supervisor oversees these positions.

Meter coin collection is scheduled from Monday to Thursday, and the collectors perform minor and routine maintenance during the remainder of the week. The collection staff members carry hand held computers which, while the coin collection activity is

Response to Grand Jury Final Report – Parking Meter Enforcement ACTION
CALENDAR

July 25, 2006

underway, record the operational condition of the parking meters. In response to the Grand Jury report, the use of the hand held computers has been changed so that they now display the operational status to the collector during revenue collection. The coin collector pushes a closed system coin receptacle, which becomes heavy with coins, and it is not feasible for these employees to carry many tools and replacement mechanisms to perform all types of repairs, while they conduct their coin collection duties.

During coin collection, if a parking meter is showing a “fail” message, or their hand held computer shows an error code, the meter collection staff correct any simple, quick, malfunction, such as a coin stuck in the meter, or correction to the upper housing of the meter mechanism. In response to the Grand Jury report, the following procedure will be put into effect. If the parking meter is malfunctioning, and not showing a fail message, the collection staff will leave an authorized canvas bag locked over the parking meter so that the public and PEOs know that the parking space is temporarily being enforced as a time zone only. This new procedure will go into effect as soon as the canvas bags are available, which will be late August or early September 2006.

The meter mechanics perform maintenance of meters out in the field, as well as repair operations in the Corporation Yard. They review the operational reports generated by the collection staff when they are downloaded from the hand held computers the next mornings.

The meter mechanics schedule meter repair based upon routine activities as well as the reports generated by the meter collection staff, and other sources such as complaints. On average, each daily report lists approximately 110 of a variety of malfunctions which affect the parking meter mechanisms. The software, which the parking meters are programmed with, is not sophisticated enough to distinguish whether the malfunction has resulted in a fail message being displayed on the meter. The fact that these electronic parking meters can, on occasion, be inoperable and yet not show a fail message, is an anomaly within the parking meter software itself. In the past, the parking meter manufacturer/supplier has advised the City that this problem cannot be diagnosed or corrected. However, on June 21, 2006 the manufacturer released a software upgrade which has improved the parking meter operation, so the meters show fail messages more consistently when they are not operating correctly. To quote extracts from the manufacturer’s notes published with the software upgrade:

“MeterTrax 6.7 Release Notes 2006.06.21 (Extracts)

“MeterTrax 6.7 is a maintenance release deployed to address some of the known issues encountered during the communication operations between the desktop host system and the Symbol handheld devices. MeterTrax 6.7 also represents a significant improvement in the consistency and reliability of the IRED communication between the Symbol Handheld and the meter mechanisms in the field.”

“The consistency and reliability of IRED communication between Symbol

July 25, 2006

Handheld devices and meter mechanisms in the field has been significantly improved.”

“User input validation routines have been tightened to prevent incomplete outage or repair transaction records.”

“Field transactions are now stored in non-volatile memory”

“The user notification and logging within transaction processing has been improved to assist in locating and correcting transaction exceptions”

“A number of logic and formatting problems in various reports and report parameter screens have been corrected”

Over the past several years, staff responsible for the parking meter operations has repeatedly liaised with the manufacturer of the single space meters, in order to improve the operation of the single space parking meters, and upgrade the software. However, these single space meters are no longer “state of the art” and the manufacturer has been reluctant in the past to invest in any more improvements to the meters currently operated by the City.

In the past, the manufacturer of the parking meters has advised the City to upgrade all its single space meters to their newest model in order to more thoroughly alleviate past problems. However, City staff members are not confident that this wholesale upgrade of parking meter mechanisms will correct the intermittent problems, based upon anecdotal comments from staff from other cities which have purchased the newer mechanisms. The estimated cost of purchasing the new parking meter mechanism hardware to replace all the single space parking meters is approximately \$400,000.

3. Grand Jury Comment:

“When a PEO or maintenance worker does find a malfunctioning meter, the failure is recorded and a repair is scheduled. The current repair rate is too long. It is possible for a meter to be out of service for up to two weeks before it is repaired or replaced. During this period of time, the public or the PEO has no sure way of knowing if the meter is faulty.”

City of Berkeley Response:

With the current ratio of staff to parking meters, once staff are aware of the malfunction, the parking meters are repaired within the same day, up to within four days of notification. On average, a single space meter will be repaired by the end of the second day of notice.

Whether or not a fail message is displayed upon the inoperable parking meter is crucial. If a parking enforcement officer sees a meter with a fail display, they will not issue a meter citation. Instead, they will chalk the tires of the vehicle, and enforce the

July 25, 2006

appropriate time limit. As mentioned previously in this report, recent software upgrades made by the manufacturer have resulted in a more consistent operation of the parking meters to show the fail message.

For cities operating single space meters, one typical scenario which generates customer complaints is the following: a person parks at an inoperable parking meter, and the parking meter is repaired soon after. The meter repairer does place the maximum period of time on the parking meter, such as an hour, before leaving the scene. A parking enforcement officer could come across the meter as part of their routine beat, after the maximum time has expired on the repaired meter, and issue a meter citation. The customer could return to the parking meter after this time has elapsed to find the meter repaired and a meter citation issued. In these cases, the meter repair personnel have recently been instructed to leave a notice on the vehicle explaining when the meter was repaired, and that the maximum meter time was given on the meter after the repair. This new procedure was instituted in mid-July, 2006.

Meter mechanics are able to anticipate, with varying degrees of accuracy, which types of reported malfunctions may occur without the meter displaying a fail message. The repair of these meters will be given top priority when the meter mechanics are dispatched. Given the recent improvements to the overall operational reliability of the parking meters in this regard, this is an appropriate shift of priorities and deployment of staff in response to the Grand Jury report. It may only result in a modest reduction in the effectiveness of other meter maintenance tasks, such as repair of meter mechanisms in the “shop.”

In addition, if a parking meter worker knows that a parking meter is inoperable, cannot get it to show the fail message, cannot repair it in the field, and does not have a replacement mechanism left on their vehicle, they will lock an authorized bag over the meter so that a PEO will not issue a citation for a meter violation at that meter. The public and the PEO will be able to see that the parking space is being enforced as a time zone. This new procedure will be instituted as soon as the bags are available, either late August or early September.

In order to routinely discover single spaced parking meters which are inoperable and not showing the fail message, more frequent field diagnostic tests are required. The current level of staffing in the meter operations area is insufficient to dedicate more time to this effort.

In order to ensure that all single spaced parking meters are checked once every two days, an additional 2.5 FTE meter repair staff would have to be hired, plus vehicles and equipment, which would be an additional approximately \$300,000 per year overall maintenance cost.

4. Grand Jury Comment:

“Although the city does record the time and date that the meter was first discovered to be inoperable, this information is accessed only if the cited parker challenges the citation. It

July 25, 2006

seems because there are three different departments involved in parking enforcement for the City of Berkeley, a better system of data transfer involving citations between departments should be created.

The process for citizen complaints is cumbersome. These complaints are handled by the Department of Finance. Complaints can be filed in person, by phone or by mail. Once a complaint is received, the Finance Department researches the complaint by submitting a request for information from the Department of Public Works, asking for verification if the meter in question was inoperable on the date of the most recent testing. The validity of the complaint is determined by the date the meter was last functioning to the date of the most recent testing when the meter failed.”

City of Berkeley Response:

Since the end of the 1990’s, an internal working group called the Parking Meter Task Force has met on a routine basis to discuss, resolve and improve parking meter operational issues. Currently, the Parking Meter Task Force meets twice a month, with Public Works parking policy and operations staff meeting with their colleagues from the Berkeley Police Department (Parking Enforcement), Finance Department (Customer Service) and the City Manager’s Office (Appeals Hearing Officer) to ensure that the flow of information between the departments is exchanged smoothly on a day-to-day basis.

This group has been working on the establishment of a computer link between the various offices, so that the PEOs and the customer service staff can check the electronic files of the parking meter maintenance operation. A new computer server was recently purchased and installed for the parking meter operation in order to facilitate this operational and communication enhancement. Staff anticipates that the connection should be made by the end of September 2006.

Having direct computer access to the parking meter maintenance records will allow Customer Service counter staff to check the status of meters “on the spot” in response to many complaints, and rescind citations issued at faulty meters “on the spot” as well.

Since July 2006, the daily logs generated by the collection staff have been faxed to the PEOs so they know which parking meters have been recorded as inoperable. These reports are effective for a week, and superceded by the reports/logs generated the following week.

5. Grand Jury Comment:

“The City of Berkeley has approximately 2900 single space meters and 63 pay stations consisting of either multi-space meters or the new pay-and-display stations (ParkeEZ Stations). The City of Berkeley is in the process of replacing old single meters with multi-space meters in the Shattuck downtown area.”

City of Berkeley Response:

July 25, 2006

The software of the single space meters is not sophisticated enough to identify all possible intermittent malfunctions, and sometimes the parking meters do not operate properly and the fail message will not appear. The City has invested heavily over the past four years to upgrade the hardware in the parking meters to ensure they operate as effectively and consistently as possible. However, there are inherent limitations in these earlier generations of electronic single space parking meters produced at the start of this century. The problems experienced in Berkeley are not unique to Berkeley in this regard. Berkeley is grateful to the manufacturer for making recent software improvements that could significantly improve this situation.

Berkeley, like many other cities, has found the long-term solution to be a systematic replacement of the single space meters with pay and display machines. As noted in the Grand Jury report, the city has started the process of replacing parking meters with this different type of equipment and operation, which does not have the same type of failings as the single space meter operation. However, the cost of each pay and display machine is approximately \$7,000. Approximately 256 more pay and display machines would be required to replace approximately 1,700 single space meters. The cost of replacing most remaining high use single space parking meters would be approximately \$1.8 million.

City of Berkeley Conclusions

Once the parking meter staff become aware of a broken meter, the repair is undertaken, on average, within 2 days of notification. Because the single space meters are not inspected every day or so, it is possible that a parking meter could be inoperable for a week before the malfunction is recorded and identified on a computer-generated log/report. However, the majority of meter malfunctions are accompanied by a fail message on the meter itself, which is respected by the parking enforcement personnel. In these cases, they enforce the time limit at the meter only.

There have been inherent weaknesses in the software and operation of the single space meters, and it has not been possible to prevent some cases of malfunction when the fail message is not displayed. In these limited cases, if a parking meter citation is issued, and the parker appeals the ticket, the malfunction will be identified by operational records and the citation dismissed. Recent software upgrades provided by the manufacturer could improve the operational reliability of the single space meters significantly in this regard.

To reduce the likelihood of an inoperable meter not being discovered for a week, more meter repair staff would need to be hired. The types of operational challenges described in this report are not unique to Berkeley. Cities with early generation electronic meters have been faced with these challenges. In the short term, operational policies balance the deployment of more staff to check the meters on a daily or 3 times per week basis. As noted in this report, daily logs from the collectors are being faxed to the PEOs four days per week, and meter repair personnel will be covering meters with official, locked canvas bags later this summer if they cannot repair or replace them on the spot, and they cannot induce the fail message.

July 25, 2006

Other operational enhancements have also been instituted: repair of parking meters which likely do not show a fail message are given priority, and timed notices are left on vehicles by meter repair personnel once a meter has been repaired, advising them that the maximum time was left on the meter once the repair was completed.

In the longer term, the single space meters will be replaced by pay and display machines in the higher demand parking areas, so more time can be spent by maintenance staff inspecting the single space meters in the outlying areas.

Communication between key operations personnel in the Finance Department, Police Parking Enforcement, and parking meter operations occurs on a daily basis, and there is an extremely good, close working relationship between these staff members that is reinforced through routine task force meetings.

The need for direct access to computerized records has been identified in the past, and staff is working towards providing these links to the parking operations server for Customer Service personnel and PEOs. The link should be available this September.

RATIONALE FOR RECOMMENDATION

The rationale is discussed above.

ALTERNATIVE ACTIONS CONSIDERED

As discussed in the fiscal impacts section above, staff considered increasing the frequency of routine inspection and repair of single space parking meters to once every two days. However, this option was rejected at this time, as the parking meter maintenance budget would have to be increased by \$300,000. Additionally, staff considered upgrading single space parking meter equipment, but the cost to upgrade the mechanisms in the single space meters would be approximately \$400,000, and staff is not confident that this investment would impact the problem regardless. The cost to replace most of the City's single space parking meters with pay and display machines would be approximately \$1.8 million, which is a long-term improvement program, to be continued as funds become available.

CONTACT PERSON

Peter Hillier, Assistant Public Works Director, 981-7010
Stephanie Fleming, Captain, Police Department, 981-5810
Susie Monary-Wilson, Finance Customer Service Manager, 981-7229

Attachments:

1: Alameda County Civil Grand Jury Final Report extract



Alameda County
Grand Jury

CONFIDENTIAL

1401 Lakeside Drive
Suite 1104
Oakland, California 94612

510.272.6259
fax 510.465.9647
www.acgov.org/grandjury

June 14, 2006

Mr. Phil Kamlarz, City Manager
City of Berkeley
2180 Milvia Street
Berkeley, CA 94704

Dear City Manager Kamlarz:

Enclosed please find the 2005-2006 Alameda County Grand Jury Final Report relating to the City of Berkeley. Section 933.05(f) of the California Penal Code states as follows:

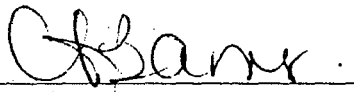
"A grand jury shall provide to the affected agency a copy of the portion of the grand jury report relating to that person or entity two working days prior to its public release and after the approval of the presiding judge. **No officer, agency, department, or governing body of a public agency shall disclose any contents of the report prior to the public release of the final report.**"

In accordance with the above Penal Code section, we are providing you with a copy of this report. This report will be released to the public on or about June 22, 2006. You will have 90 days from the release date to respond to the recommendations made in this report. You will receive a separate letter providing the response date and specific instructions for filing your response.

If you have any questions, please call the Grand Jury's Legal Advisor, Senior Deputy District Attorney Jeff Stark at (510) 272-6320.

Sincerely,

(Mrs.) WILLIE M. LOVE, Foreperson
2005-2006 Alameda County Grand Jury

by: 
Cassie Barner
Legal Staff Assistant

Encl: Confidential Report
Proof of Service

06 JUN 15 AM 10:07
RECEIVED
CITY MANAGER

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

AFFIDAVIT OF SERVICE BY MAIL

The undersigned deposes and says:

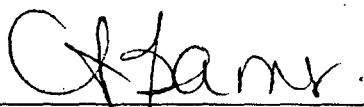
That I am a citizen of the United States and a resident of the County of Alameda; that I am over the age of eighteen years and not a party to the within aforementioned action; that my business address is the Office of the District Attorney, Alameda County Grand Jury, 1401 Lakeside Drive, Suite 1104, Oakland, California 94612; That I served a true copy of the attached:

GRAND JURY FINAL REPORT – confidential copy

By placing said copy in an envelope addressed to: City Manager Phil Kamlarz, City of Berkeley, 2180 Milvia Street, Berkeley, CA 94704, which envelope was then sealed and postage fully prepaid thereon and thereafter was on June 14, 2006, deposited in the United States mail in Oakland, California.

I declare under penalty of perjury that the foregoing is true and correct.

DATED: June 14, 2006, at Oakland, California.


Cassie Barner
Legal Staff Assistant
Alameda County Grand Jury

**2005-2006
ALAMEDA COUNTY
CIVIL GRAND JURY
FINAL REPORT**

ALAMEDA COUNTY BOARD OF SUPERVISORS

Keith Carson, President - District Five

Scott Haggerty, Vice President - District One

Gail Steele - District Two

Alice Lai-Bitker - District Three

Nate Miley - District Four

CONFIDENTIAL

ALAMEDA COUNTY GRAND JURY

1401 Lakeside Drive, Suite 1104

Oakland, California 94612

Phone: 510/272-6259

Fax: 510/465-9647

E-mail: grandjury@acgov.org

Web: www.acgov.org/grandjury

CITY OF BERKELEY PARKING ENFORCEMENT

INTRODUCTION

The Grand Jury received a complaint regarding inadequacies in the City of Berkeley's Parking Enforcement Bureau, the procedures used to repair broken parking meters, the issuance of tickets, payment of fines, quotas, bureau record keeping, and citizen complaint resolution. The Grand Jury reviewed the California Vehicle Code, the Berkeley Municipal Code, and interviewed several city officials including the city manager, a captain and lieutenant in charge of the Berkeley Police Department traffic division, and representatives from the finance department and the office of transportation/public works. Additionally, the Grand Jury reviewed numerous documents including the procedures used in issuing citations, parking meter maintenance guides, meter maintenance reports, parking enforcement officer daily logs, and rules on how to contest a citation when a meter malfunctions.

INVESTIGATION

The City of Berkeley implemented metered parking primarily for the purpose of regulating parking and allowing reasonable turnover of parking spaces, thus making parking available for its residents and visitors. Businesses also benefit as this provides a means to regulate space turnover for customers.

Three different city departments handle management of parking meters in Berkeley: the police department, responsible for enforcement; the finance department, responsible for tracking fines, citations, handling complaints and payments; and the department of public works, responsible for maintenance and repair.

The Berkeley Police Department has authorized 26 Parking Enforcement Officer (PEO) positions and 3 PEO supervisor positions. These are not sworn police officer positions. PEOs are responsible for enforcement of local ordinances and state laws governing parking of vehicles in the City of Berkeley. Although their primary function is parking enforcement, PEOs also arrange for towing of abandoned vehicles, issue citations for expired registration, report faded curb painting and vandalized traffic signs, and assist with traffic control in emergencies. The PEOs receive over one month of supervised training and are provided with additional training every 24 months. Although the Grand Jury found there are no quotas for ticket writing in the City of Berkeley, PEOs work activity is monitored by evaluating the number of citations written in comparison to norms for the same area.

The Berkeley Finance Department receives fines from the parking enforcement citations. Parking meter revenue, although a small portion of revenue for the city, is used to support city services. Most parking meter revenue is currently used to directly fund the parking enforcement operations of the Berkeley Police Department.

The Berkeley Department of Public Works is responsible for the repair and diagnostic testing of parking meters. PEOs are not responsible for the diagnostic testing or maintenance of meters and are not required to report malfunctions if an out of order sign is displayed on the meter; however, if a PEO finds an obviously damaged meter, or meters with graffiti, a repair request is submitted to the Department of Public Works. Meter testing is performed weekly when monies are collected from the meters. The testing is conducted by a hand-held computerized device. The repair information is summarized on a field activity report that provides the type of meter, identification, location, serial number, outage code, repair code, and amount of cash collected. From this field activity report, a list of chronological meter "outages" (malfunctioning meters) by maintenance route is generated and the meters are then repaired by meter mechanics.

If a meter is damaged or out of order, the metered space reverts to a time zone and a citation can be issued after the allotted time passes. The customer using a broken meter does not have unlimited parking. If a citizen places a bag over a broken meter, a PEO will remove the bag and the metered space is still timed and citations continue to be issued, regardless of the condition of the meter. All metered parking is enforced Monday through Saturday from 9:00 a.m. to 6:00 p.m. unless otherwise posted.

Not all meter failures cause an "out of order" flag to be displayed. Meters do not have a time or date recorder to provide exact information of when a malfunction occurs. The length of time a meter is inoperable can only be determined by the last scan that showed when the meter was functioning. Therefore, it is possible for a meter to be malfunctioning without a PEO knowing it. The PEO is not required to check each meter prior to issuing a citation. In such cases, the PEO might issue a citation at a faulty meter.

When a PEO or maintenance worker does find a malfunctioning meter, the failure is recorded and a repair is scheduled. The current repair rate is too long. It is possible for a meter to be out of service for up to two weeks before it is repaired or replaced. During this period of time, the public or the PEO has no sure way of knowing if the meter is faulty. Although the city does record the time and date that the meter was first discovered to be inoperable, this information is accessed only if the cited parker challenges the citation. It seems because there are three different departments involved in parking enforcement for the City of Berkeley, a better system of data transfer involving citations between departments should be created.

The process for citizen complaints is cumbersome. These complaints are handled by the Department of Finance. Complaints can be filed in person, by phone or by mail. Once a complaint is received, the Finance Department researches the complaint by submitting a request for information from the Department of Public Works, asking for verification if the meter in question was

inoperable on the date of the most recent testing. The validity of the complaint is determined by the date the meter was last functioning to the date of the most recent testing when the meter failed.

The City of Berkeley has approximately 2900 single space meters and 63 pay stations consisting of either multi-space meters or the new pay-and-display stations (ParkeZ Stations). The City of Berkeley is in the process of replacing old single meters with multi-space meters in the Shattuck downtown area.

CONCLUSION

The City of Berkeley takes too long to repair its broken parking meters; therefore, a) people may be cited improperly when they park at inoperable meters, and b) the city loses money by not collecting the maximum amount of fees from the parking meters. Additionally, these problems are magnified by the lack of ability to share information readily among the three city departments involved.

RECOMMENDATIONS

Recommendation 06-17:

The City of Berkeley must repair its parking meters in a more timely fashion.

Recommendation 06-18:

The City of Berkeley must improve automatic sharing of data among all departments involved in the parking enforcement process.

RESPONSES REQUIRED

Berkeley City Manager
Recommendations 06-17 and 06-18

Mayor, City of Berkeley
Recommendations 06-17 and 06-18

Berkeley City Council
Recommendations 06-17 and 06-18

CONFIDENTIAL



LAW & JUSTICE COMMITTEE

INTRODUCTION

The Law & Justice Committee of the Alameda County Grand Jury investigates matters relating to law enforcement issues including citizen complaints, jail inspections, and review of law enforcement procedures.

Of the complaints received by the 2005-2006 Grand Jury, two were referred to the Law & Justice Committee for investigation. One complained that Oakland Police Department union officials received preferential treatment in the assignment of overtime, and the other alleged inadequacies in the City of Berkeley's Parking Enforcement Bureau. The Grand Jury investigated both of these complaints. Additionally, the Grand Jury inspected the Berkeley City Jail, the Fremont City Jail, and the Glen Dyer Detention Facility located in Oakland.

JAIL INSPECTIONS

Penal Code section 919(b) states: "The grand jury shall inquire into the condition and management of the public prisons within the county." The 2005-2006 Grand Jury inspected the Berkeley City Jail, the Fremont City Jail, and the Glen Dyer Detention Facility located in Oakland.

The Grand Jury's primary focus in conducting scheduled jail inspections was to investigate the booking process of inmates. During its inspections, the Grand Jury reviewed policies and procedures on booking, medical screening, inmate visitation, the handling of juveniles, and reviewed local and state jail health inspection reports. The Grand Jury also investigated the overall treatment of inmates, including the food served, the condition of the jail cells, cleanliness of the facilities, and how jails book adult and juvenile arrestees. Each of the jails inspected were found to be in compliance with local and state laws. The Grand Jury found all three of these facilities to be in excellent condition and noted no violations.

Notably, both Berkeley and Fremont jails showed particular compassion with regard to the comfort of their inmates; for example, Berkeley City Jail washes inmate clothing upon admittance and has a practice of collecting used clothing to provide a change if necessary.

RESPONSES REQUIRED: None