

EL DORADO COUNTY GRAND JURY 2013-2014

SOUTH LAKE TAHOE PROBATION OFFICE

Case Number GJ-13-14

Summary

The Grand Jury undertook an investigation into the work environment at the South Lake Tahoe Probation Department Office after local newspaper coverage indicated there was employee harassment and a pending civil lawsuit.

Background

The Probation Department enforces court orders for persons convicted of crimes and persons released with pending criminal charges. Additionally, The Probation Department may attempt to rehabilitate probationers.

Most El Dorado County departments have offices on the west slope and in South Lake Tahoe (SLT). It is a recognized necessity; the two areas are separated by approximately 80 highway miles over a high mountain pass. The South Lake Tahoe Probation Department office is one of those departments. It's headquarters are in Shingle Springs on the west slope.

Actions

Sixteen current and former Probation personnel were interviewed about the South Lake Tahoe work place environment.

Discussion

The employees interviewed are intelligent, well spoken, and dedicated. They have college degrees and many years of probation experience. Yet, most described the work place environment as **toxic**. Supervisors and managers micromanage employees; fostering and allowing a *clique* system that identifies employees as either favored, or *shunned*, by management.

Many complained that those perceived in the non-favored *clique* are overly scrutinized and disciplined for minor administrative issues including requiring written explanations for approved sick days, incorrect punctuation in reports, work files with paperwork not in chronological order, who was (or was not) copied on internal emails or proper use of radios in County vehicles. Employees are unfairly disciplined and made to feel badly about their performance. Some observed that unqualified and favored employees were promoted instead of those qualified but disfavored. Both past and present officers reported they are subject to

undue criticism, discipline and relegation to the disfavored *clique* because they choose to ensure compliance with court orders by visiting with probationers in the field. Management prefers they remain in the office without doing field visits. In many instances officers do not talk to other officers. Officers and other employees rarely talk with supervisors.

The cumulative result, described by employees and some managers, is poor morale in and dysfunction of the SLT Probation office as a whole, detracting from their overall mission to enforce court orders. Written bail reviews are often poor quality and there are failures to detect many parole violations.

The Grand Jury found several factors that highlight and perhaps exacerbate the poor workplace environment. All employees are required to read County discrimination, harassment and retaliation policies when hired, however, there is no additional more formal training. There are 11 managers and supervisors overseeing 33 workers; a ratio of one supervisor/manager for three workers. There is a perceived lack of management from headquarters in Shingle Springs, due to both physical separation and lack of interest in the SLT office.

El Dorado County hired a new Chief Probation Officer on December 2, 2013. A week after beginning his duties, the Grand Jury disclosed its findings about the working environment in the South Lake Tahoe office to him. Four months later the new Chief reported back that he had not found the toxic work environment and had made no substantive change to personnel or policies.

The Grand Jury then re-interviewed SLT personnel who reported that, in fact, the same toxic environment continues. However, they believe the new Chief to be well motivated and are hopeful he will institute changes to improve the working environment.

Findings

1. The *cliques* that currently exist exacerbate an already toxic environment.

Response: The respondent disagrees wholly with this finding. The “Discussion” section of the Grand Jury report indicated that some staff who are in a non-favored “clique” are overly scrutinized (presumably by supervisors and managers) and cited, without detail, the types of scrutiny received. All of the examples cited involved activity that would generally be considered reasonable supervision of staff.

2. Unfair discipline, undeserved job promotions, making employees feel badly about their performance, harsh criticism and relegation to a *shunned* status is construed as bullying and harassment. It should not exist for many reasons, both legal and moral.

Response: The respondent disagrees wholly with this finding. The Grand Jury cites staff claims that, due to low morale, there is impact to the mission of the department in the enforcement of court orders and the quality of written work to the court. In discussing this perception with the Court in South Lake Tahoe, it appears the opposite is true in that the Court believes that the general quality of written work coming from the Probation Department is high and effective. According to partner agencies in law enforcement the supervision work of the department is also of high quality.

The Grand Jury cited several beliefs as to why the cultural environment in the South Lake Tahoe office suffers. Specifically, the Grand Jury identified insufficient training in the areas of harassment, discrimination and retaliation for managers and supervisors. In fact, supervisors receive annual training, including various leadership and professional development courses that include discussions in each of those topics. Supervisors in the South Lake Tahoe field office have completed a combined total of over 650 hours of professional development training.

3. It seems incomprehensible that working from the office is preferred to working in the field.

Response: The respondent disagrees wholly with this finding. Only one specific criticism was levelled at the department's policy, in that it was alleged that deputies are encouraged to stay at their desks rather than conduct "field" work to supervise cases. In fact, the opposite is true. The department insists that deputies conduct field work in order to adequately supervise cases. Instances where individual deputies are asked to remain in the office may generally be attributed to training issues related to officer safety. In that case, officers receive training to improve their field safety skills until they are better prepared to conduct field operations.

4. The supervisor/manager to worker ratio appears out of balance.

Response: The respondent disagrees wholly with this finding. The Grand Jury indicated there are eleven managers and supervisors overseeing thirty-three line workers (roughly a 3:1 ratio and, presumably including the Juvenile Treatment Center). The structure of the South Lake Tahoe Field Office includes one office manager, two supervisors for twelve deputies and one clerical supervisor for two clerical staff. In the South Lake Tahoe Juvenile Treatment Center (JTC) there is one on site manager and four supervisors, each one responsible for five staff, who cover the facility twenty-four hours per day, 365 days per year. The management and supervision structure of both the field office and JTC are according to best practices in the Probation industry and, in the case of the JTC, state regulations.

5. The Grand Jury is hopeful that the new Chief will come to understand the dysfunction in the South Lake Tahoe office and will institute changes that result in positive results.

Response: The respondent agrees with this finding. With the introduction of a new administration, the Probation Department has conducted, through a third party, a department wide cultural assessment. The findings of the assessment, combined with focus group discussions, will result in a cultural improvement plan for the entire department. The focus of the plan will largely be in the areas of communication and in the promotion of the professional values of the staff and administration. The Chief Probation Officer has met with the entirety of the SLT office and discussed ways to overcome past challenges and introduce new business practices to improve the professional environment for all staff.

Recommendations

1. Eliminating the *cliques* should be an absolute priority.

Response: This recommendation has been implemented. The department is aware of the perception of some staff and works to rectify that perception through transparent interactions to the greatest extent permitted, but the workers are all under reasonable supervision of staff.

2. Communication should be encouraged and open without recrimination, so that all employees feel vested in the entire workings of the office and department.

Response: This recommendation has been implemented. The respondent agrees with the Grand Jury that “communication should be encouraged and open without recrimination(.)” To that end the administration has created pathways for staff to openly communicate concerns and ideas with each other, their supervisors and all management. This ongoing effort will serve to keep up, down and lateral communications flowing in perpetuity and ensure it is the environmental norm.

3. The existing dysfunction does not exist by happenstance. The skills of all current supervisors and managers should be intensively reviewed.

Response: This recommendation has been implemented. There are already actions being taken to ensure supervisors and managers have the correct skills. The Grand Jury cited several beliefs as to why the cultural environment in the South Lake Tahoe office suffers. Specifically, the Grand Jury identified insufficient training in the areas of harassment, discrimination and retaliation for managers and supervisors. In fact, supervisors receive annual training, including various leadership and professional development courses that include discussions in each of those topics. Supervisors in the South Lake Tahoe field office have completed a combined total of over 650 hours of professional development training.