

Cosumnes Fire Department: “Second Chance to Make It Right” - School Inspections

SUMMARY

Inspections of schools for compliance with fire codes are essential for the safety of school children, including those in the Elk Grove Unified School District (Elk Grove), Galt Joint Union School District (Galt) and for the public in the community. The public has a reasonable expectation that the Life Safety & Fire Codes are being met for the schools in the districts.

The 2017-2018 Sacramento County Grand Jury (grand jury) opened an investigation into the Cosumnes Fire Department (CFD), specifically for its responsibility to oversee Fire & Life Safety inspections of schools within its jurisdiction. This report looks at the inspection process as it relates to high schools as they are the most vulnerable and with the largest student population.

The Sacramento County Grand Jury was informed last year of the lack of inspections of schools in the Galt and Elk Grove school districts. CFD, which is responsible for these inspections, came under media scrutiny after The Sacramento Bee reported that the fire marshal's staff did not perform state-mandated fire inspections on Elk Grove and Galt schools. The headline read: "Department under scrutiny for lack of inspections."

The grand jury investigation concludes that the Cosumnes Fire Department's process is deficient in a number of areas:

- Inspections are not being performed in a timely manner.
- There is an ongoing lack of documentation in regard to inspections and re-inspections.
- Review of data received from high schools indicates no positive incentives for school administrations to react to noted violations due to lack of enforcement. With no citations having ever been issued, failure to correct violations after issuance of a citation may result in legal action up to and including fines and/or jail time.
- A report from Citygate Associates, Inc. (a management consultant firm) was delivered to CFD on May 26, 2015. Implementation of the report's recommendations is still not fully completed.
- Implementation of CFD's "Image Trend" web-based Report Management System software for the fire inspections and re-inspections has not been accomplished.

Based on the above cited deficiencies, the CFD is a long way from completing its mandate for annual school fire inspections.

BACKGROUND

In May of 2015, Citygate Associates, LLC presented a detailed report which reviewed field deployment and headquarters staffing functions for the CFD to the Cosumnes Community Services District.

The headquarters process study addresses the following questions:

Is the current methodology and staffing for Fire Administration and Emergency Medical Services oversight appropriate and is it meeting all best practices for the Department?

As noted in the report "It is important to state that administrative functions, in every fire department, are critical to the safety of the firefighters and public. Fire and emergency services departments in the 21st century must be data-driven."

CITYGATE'S SIGNIFICANT ORGANIZATIONAL OBSERVATIONS

Citygate's operational review and the CFD's questionnaires revealed significant issues facing the department. One of the main issues showed that becoming a data-driven organization was very important and critical. "The significant problems already described with the response data are only some of the many problems with CFD's current Records Management System (RMS). In addition, the Department had a paramedic patient Electronic Patient Care Report (ePCR) for a period of time and reverted back to a paper PCR system due to significant issues with the program. The department is implementing Image Trend, a web-hosted RMS that also includes an integrated ePCR and electronic fire inspections. The challenge now is committing staff hours to complete the configuration and transition to presenting training for the new RMS and ensuring compliance. This will be a first step in becoming a data-driven organization."

This system has been partially implemented, but the majority of the information derived from these inspections is still being accomplished through use of a paper-based system.

In April 2017 the Sacramento Bee ran an article discussing the lack of state mandated fire inspections largely due to the CFD's failure to carry out these inspections. The grand jury began to look into these inspection issues in Elk Grove and Galt school districts in mid-2017, prompted by the Sacramento Bee article and complaints from the general public.

Sacramento County Grand Jury 2017-2018

The grand jury looked into both the Citygate initial evaluation report of 2015 and the Sacramento Bee article of April 2017. The grand jury interviewed key personnel of local fire departments. Members accompanied a fire inspection team on regular school fire inspections. Members also visited the CFD headquarters to evaluate the progress to date on their data system implementation.

METHODOLOGY

INTERVIEWED

- Cosumnes Fire Department staff
- Sacramento City Fire Department staff

REVIEWED

- Citygate Associates, Inc. Report- Cosumnes CSD Fire Department Standards of Cover and Headquarters Services Assessment, Vol. 2 of 3 – Technical Report, dated May 26, 2015.
- California Fire Inspection Guide, based on the California Code of Regulations
- Department of Forestry & Fire Protection Checklist (Office of the State Fire Marshal)
- Self-Prep for School Inspection guide/handbook
- Cosumnes Community Services District duties and responsibilities for Fire Chief, Fire Marshal and Assistant Fire Chief
- Galt Herald Newspaper articles dated January 11, 2017
- Sacramento Bee Newspaper article dated April 15, 2017
- Elk Grove Citizen Newspaper article dated April 28, 2017
- State Fire Marshal's website:
<http://osfm.fire.ca.gov/firelaws/firelaw>
- 2017 Annual Fire and Life Safety inspection reports from Elk Grove Union School District: Cosumnes Oaks High School, Elk Grove Charter School, Elk Grove High School, Franklin High School, Galt High School, Laguna Creek High School, Monterey High School, Pleasant Grove High School
- 2017 Annual Fire and Life Safety inspection reports from Galt Joint Union High School District: Elk Grove Charter School, Estrellita Continuation School, Galt High School, Elk Grove Charter School

TOURS

- Cosumnes Fire Department Headquarters and Administration
- Observed a fire inspection at an Elk Grove high school
- Observed a fire inspection at an Elk Grove elementary school

DISCUSSION

Articles - Various articles were reviewed to help us understand the background of this investigation. Articles reviewed included: The Citygate report Vol. 2 - Technical report dated May 26, 2015, The Galt Herald Newspaper article Jan. 11, 2017, Sacramento Bee Article April 15, 2017, The Elk Grove Citizen Newspaper article dated April 28, 2017, and the 2017 Annual Fire and Life Safety inspection reports of high schools in Elk Grove and Galt school districts.

After review of these articles and reports, it was clear there was a lack of regular fire safety inspections of local schools under the purview of CFD. The department had been under scrutiny as indicated in the articles mentioned due to lack of inspections and lack of leadership.

An example of the lack of timely inspections and documentation was evidenced by the response in April of 2017 to a Galt resident's request of the district for the annually required high school inspection records. He was told by CFD that they were unable to locate the inspection records for the past three years. The CFD Fire Chief, at the time, went on to tell the Galt Herald "Although we have performed several code-related inspections at various school campuses, we have not performed a formal annual inspection of the Galt School District facilities within the past three years."

The grand jury notes that a new Fire Chief was promoted from within in July 2017 and a new Fire Marshal was hired the previous year, both to help usher in new department leadership.

Interviews - The grand jury interviewed staff from the Cosumnes Fire Department and from the Sacramento City Fire Department (SCFD). We were informed of the past issues both organizations had with inspections and leadership as well as current issues and improvements. This information identified the need for increased staffing to help with inspections. The CFD does not fund a position to ensure that a skilled and knowledgeable person is in position to analyze the results of this software. A new computerized program to help with input and continuous updates on inspection dates, as well as ongoing ticklers for upcoming inspection dates was purchased by both organizations. However, as of this investigation, only SCFD has fully embraced this technology.

Sacramento City Fire Department was able to improve their inspection rates and yearly appointments. Cosumnes Fire Department is going through this process though the grand jury is not sure how this is progressing due to lack

Sacramento County Grand Jury 2017-2018

of information about follow up school inspections from CFD. The grand jury was told, however, that currently the CFD record keeping systems were still about 50% paper-based. The department's high school inspections are in this range. Still, they hoped to have them all inspected in 2017 and re-inspected in 2018.

Both the new Fire Chief and the Fire Marshal are aware of the issues surrounding the lack of CFD school inspections. Plans were for the system to be ready for regular use by the first of 2018. The Fire Marshal has been working on realigning inspector workloads and has been involved in implementing the new data system Image Trend. The Fire Marshal is also working to make the system more applicable to information gathering and the inspection process. Currently the inspectors are conducting school inspections and manually entering the data into the system.

Inspections – As noted in the interviews above, it came to the grand jury's attention that inspections had not been done in a timely manner by the CFD, but they were trying to get all schools inspected in 2017. The grand jury was given copies of all inspections that were completed in Elk Grove and Galt high schools and all of them had violations that needed to be corrected. The grand jury has no record that the re-inspections were being completed in the Elk Grove high schools. There has been a history in both fire departments of lack of school inspections. Sacramento City Fire Department seems to have addressed this need, but Cosumnes Fire Department has not done so in a timely manner. There has been a change in leadership in CFD but there is still an urgent need for greater attention toward school inspections, due to the risk of safety to our area children.

Conclusion - There is an ongoing lack of focus on, and documentation of, inspections and re-inspections. Previously purchased software has not been fully implemented. This must be a priority in the department but does not seem to be the case given the span of time this issue has been lingering. Cosumnes Fire Department was aware they had a problem with inspections; they had not had regular inspections of school sites for the past five years. In 2017, they began the process of inspections and re-inspections. This process has not been followed in a consistent manner, as evidenced by the grand jury's investigation.

Sacramento County Grand Jury 2017-2018

The grand jury reviewed all high school inspections and the violations at each location. Only three (3) of ten (10) reports indicated violations being addressed. There is no evidence of any other school violations being corrected.

The grand jury received inspection reports from all seven Elk Grove high schools in the CFD, all dated since October 11, 2017. The three Galt schools in the district submitted inspections dated January of 2017. Given CFD recent history (3-5 years), this is progress. A list of the code violation detail was also provided. The grand jury made a spread sheet showing each code violation by school listed in these inspections reports. The spreadsheets indicate that code violations for the ten (10) high schools in CFD range from 11 to 39. The results from the compilation of the data are reflected in the chart at the end of this section.

What is evidenced is that most of this data is not readily available from CFD and had to be manually constructed. This is another example of the inefficiency in the department due to lack of a current web-based RMS data system.

This is a very high concern. School children are at risk because of the lack of inspections and placed at further risk if the safety violations are not corrected.

The chart below reflects the most common violations found in the high school inspections. There is a lack of enforcement of violations. As a result of the investigation, the grand jury determined there is no record of citations issued for violations not corrected before the re-inspection to any of the high schools.

Sacramento County Grand Jury 2017-2018

CONSUMNES FIRE DEPARTMENT ALL HIGH SCHOOL FIRE INSPECTIONS TOP 11 VIOLATIONS		TOTAL
Incorrect use of extension cords and flexible cords	17	
Not providing specialized padlocks on vehicle gates	15	
Improper use and storage of flammable decorative materials	9	
Not providing fire drill documentation	9	
Not all portable extinguishers have been maintained	9	
Not providing fire hydrant inspection documentation/records	9	
Items obstructing egress (pathway to exit)	9	
Not all Fire Department Connections are labeled	9	
No daisy chaining [linking of electrical cords together]	9	
Not all fire alarms/systems, etc. have been maintained	9	
Not providing fire alarm system inspection, testing and maintenance records	9	

The question remains: When will the department complete the configuration and training of the new Report Management System (RMS) ensuring compliance with inspections?

FINDINGS

- F1. CFD has an ongoing lack of focus, priority and accountability in regard to inspections.
- F2. There is a lack of documentation of inspections and re-inspections.
- F3. Previously purchased Image Trend software has not been fully implemented.
- F4. Review of data received on high school re-inspections indicates 70% non-compliance.
- F5. There is no incentive for schools to resolve listed violations due to lack of CFD enforcement. Not correcting these violations increases the risk to children in Elk Grove and Galt school districts.

RECOMMENDATIONS

- R1. Amend the job description for the Fire Marshal to include responsibility and accountability for California Fire Code required inspections. It is recommended that CFD implement scheduled rotation of all inspectors through all inspectable job classifications.
- R2. Establish and develop a training program for all applicable personnel and a staff of fully trained professionals to ensure continuity in the processing of the documents.
- R3. Fully implement Image Trend software to improve documentation of inspections and re-inspections. The data system should include the ability to capture and identify violations, especially repetitive violations. Work with vendor on technical support.
- R4. School administration needs to be actively involved in the remediation of noted violations.
- R5. CFD should process unresolved violations after re-inspections by issuance of citations.

Request for Response

Penal Code Sections 933 and 933.05 require that the following officials submit specific responses to the findings and recommendations in this report to the Presiding Judge of the Sacramento Superior Court by September 30, 2018.

- Fire Chief of the Cosumnes Fire Department [findings and recommendations #1, 2, 3, 5]
- Cosumnes Community Services District Board [findings and recommendations #1, 2, 3, 5]
- Superintendent of Elk Grove Unified School District [finding and recommendation #4]
- Superintendent of Galt Joint Unified School District [finding and recommendation #4]

Mail or hand-deliver a hard copy response to:
David De Alba, Presiding Judge Sacramento County Superior Court
720 9th Street, Dept. 47
Sacramento, CA 95814

In addition, email response to:
Becky Castaneda, Grand Jury Coordinator at castanb@saccourt.com