

Lassen County
Grand Jury



Final Report
2012-2013

Table of Contents

Letter from the Honorable Michele Verderosa.....	2
Grand Jury Foreman’s Letter.....	3
Grand Jury Member’s List.....	4
Grand Jury Member’s Disclaimer and Signature Page.....	5
Grand Jury History and Function.....	6
California Grand Juries.....	7
Distribution List.....	8
Responses to Grand Jury Reports.....	10
Respondent’s Procedure.....	11
Introduction.....	12
High Desert State Prison.....	13
California Correctional Center.....	16
Susanville Police Department.....	20
Airport Land Use Commission.....	22
Lassen County Water Works District No. 1.....	24
Lassen County Special & Community Districts Budget and Audit Inquiry.....	26
Electronic Filing of Legal Documents.....	30
Lassen County Auditor’s Office.....	32
Lassen County Family & Child Protective Services.....	34
Lassen County Juvenile Detention Facility.....	35
Lassen County Adult Detention Facility.....	37

LASSEN SUPERIOR COURT

Michele Verderosa
Presiding
Superior Court Judge



2610 Riverside Drive
Susanville, CA 96130
(530) 251-8205 Ext 109

June 27, 2013

Clerk of the Court
Lassen Superior Court
2610 Riverside Drive
Susanville, CA 96130

To the Clerk of the Court:

As Presiding Judge of the Lassen Superior Court I hereby instruct the Clerk to accept for filing the 2012-2013 Lassen County Grand Jury Final Report as presented to me this 27th day of June, 2013.

Sincerely,

A handwritten signature in cursive script that reads "Michele Verderosa".

Michele Verderosa

MV/nh

June 4th, 2013

Honorable Michele Verderosa
Presiding Judge
Lassen County Superior Court
2610 Riverside Drive
Susanville, CA 96130

Re: 2012-2013 Grand Jury

Dear Judge Verderosa:

On behalf of the 2012-2013 Lassen County Civil Grand Jury I present you with our report. For the entire membership of the Jury I thank the local bench for the opportunity of serving the County in this regard. Particular thanks go to Suzie Faulkner for her efficiency as intermediary between your office and the Jury and to Mike Smith for his leadership in his time as Foreperson.

Personally I would like to add that in my opinion this Grand Jury, as constituted, worked very well together with a mix of experience and new energy that resulted in this report.

On behalf of all of the Grand Jurors I thank you for the privilege of serving the Lassen County Community as Grand Jurors. We all certainly hope that we bring positive change to those entities we have touched.

Respectfully,

A handwritten signature in black ink, appearing to read "Peter M. Talia", with a horizontal line extending to the right.

Peter M. Talia,
Foreperson

Members of the 2012-2013 Lassen County Grand Jury

Peter Talia, Foreman April 2013-June 2013

Mike Smith, Foreman* July 2012-March 2013 Resigned

Thomas Dewar, Foreman Pro-Tem

Darlene Walsh, Secretary*

Rosalee Bradley

Floyd Bryant*

Oscar Cisneros*

Chris Gallagher*

Jane Gardner*

Thomas Gauthier*

Carol Keefer

Lonnie Mahenski

Melissa McCoy

David Meserve*

Theresa Nagel*

Deborah Pernot

Dave Reger

Greg Reinsel*

*Returning Members from 2011-2012



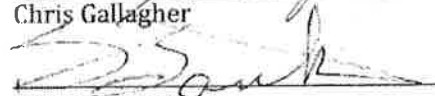
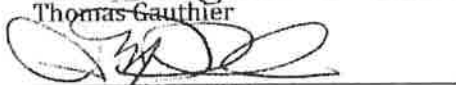

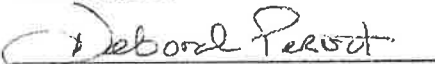

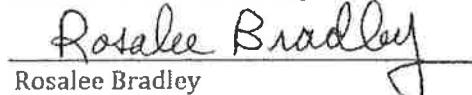



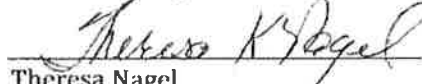
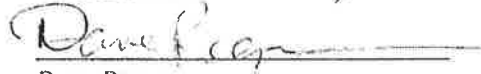
Grand Jury Member's Disclaimer and Signatures

The Grand Jury recognizes that a conflict of interest may arise in the course of its investigation. In such instances, the juror may ask to be removed from all aspects of an investigation. Those members may choose not to investigate, attend interviews and deliberations, or assist in the making and acceptance of a final report that may result from an investigation.

Therefore, whenever the perception of a conflict of interest exists on the part of a member of the 2012-2013 Lassen County Grand Jury, that member abstains from any investigation involving such a conflict and from voting on the acceptance or rejection of any related subject. By signing this final report, I approve it even though I may have recused myself from, or voted against, certain individual reports which the majority approved.



Peter Talia - Foreman


Thomas Dewar - Foreman Pro-Tem
Floyd Bryant
Chris Gallagher
Thomas Gauthier
Lonnie Mahenski
Dave Meserve
Deborah Pernot
Greg Reinsel
Darlene Walsh - Secretary
Rosalee Bradley
Oscar Cisneros
Jane Gardner
Carol Keefer
Mellissa McCoy
Theresa Nagel
Dave Reger

Grand Jury History and Function

The first formal Grand Jury was established in Massachusetts in 1635. By 1683, Grand Juries in some form were established in all of the colonies. The first cases considered by the Grand jury were murder, robbery and wife beating. Cases in Pennsylvania included Grand Jury indictments for: holding a disorderly meeting in 1651, witchcraft in 1683 and for other crimes in 1685. Various public evils were added to the range of investigations by the Grand Jury in 1685, and began to set a precedent for future Grand Jury interests.

The original United States Constitution which was written in 1787 did not contain a reference to the Grand Jury, but the Fifth Amendment provided the remedy for the omission. It states: "No person shall be held to answer for a capital or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of war or public danger..."

The fourteenth amendment in 1868 made most of the provisions of the Bill of Rights applicable to the States. Some of the states have interpreted this amendment to mean that prosecution of crimes no longer mandated a Grand Jury indictment. A study done by Deborah Day Emerson in the year 1984, shows that four states require a Grand Jury indictment for all crimes, 14 states and the District of Columbia require indictments for all felonies, six states mandate Grand Jury indictments for capital crimes only, 25 states (including California) make indictments optional. In a single state, Pennsylvania, the Grand Jury lacks the power to indict.

California Grand Juries

The California Penal Code describes the organization, powers and the duties, and general structure of the Grand Jury. All of California's 58 counties are required to have Grand Juries. There have been recent changes in Section 904.6 of the Penal Code (1991) which permits any county to have an additional Grand Jury at the discretion of the Presiding Judge of the Superior Court. The Penal Code also allows county district attorney's the option of utilizing special Grand Juries in the handling of criminal cases. Although this alternative is offered in Penal Code §904.6, some counties choose to maintain their regular use of Grand Jury for criminal and civil duties.

The major function of a Civil Grand Jury is to oversee all aspects of the legislative and administrative departments that make up county, city and special district governments. It has the power to examine and guarantee that those who are given the responsibility of managing these offices are: truthful, dedicated, and sincere in their efforts to serve the public. There are forty-two states that have some form of Grand Jury, but California and Nevada mandate the impaneling of a Grand Jury each year. The Lassen County Grand Jury is a judicial body of nineteen (19) citizens impaneled to watch over the citizens of Lassen County.

Grand jurors are forbidden by law, to disclose any evidence acquired during investigations, or disclose the names of complainants or witnesses. After investigations are completed, it is the responsibility of the Grand Jury to recommend changes that should be made in order to increase efficiency, and improve services to the general public. Some of the recommendations made by the Grand Jury are to save the taxpayer money.

Special commendations may be made to departments or agencies for excellence in management. The reports that are released to the public, have been collected, voted on by the 19 members, and the results carefully edited by the editing committee for a Final Report at the end of the 2012-2013 Grand Jury's term of office.

The Final Lassen County Grand Jury Report is distributed to the public and to public officials. Its distribution also includes: Lassen County Times newspaper, KSUE/KJDX radio station, the Susanville Library and the report is available in the Jury Commissioner's Office at 2610 Riverside Drive, Susanville, California 96130. The phone number is: (530) 251-8205 ext. 103.

Distribution List

Lassen County:

Superior Court Judge Michele Verderosa
Superior Court Judge Tony Mallery
Board of Supervisors (5)
District Attorney
Sheriff
County Counsel
County Administrative Officer
Lassen County Water Works District #1
Lassen County Auditor's Office
Lassen County Family & Child Protective Services

Correctional Facilities:

High Desert State Prison
California Correctional Center
Lassen County Adult Detention Facility
Lassen County Juvenile Detention Facility

Education:

Lassen County Office of Education
Long Valley Charter School

City of Susanville:

City Council (5)
City Administrative Officer
Susanville Police Department
City Attorney

Others:

California Attorney General's Office
California Grand Jurors Association
Susanville District Library
2012-2013 Grand Jurors
2013-2014 Grand Jurors
Lassen County Times Newspaper
KSUE/KJDX Radio Station
XX Country Radio Station
Susanville Stuff.com

Special Districts:

Bieber Lighting District

Big Valley Fire Protection District

Big Valley Irrigation District

Big Valley Pest Abatement District

Big Valley Recreation District

Clear Creek Community Services District

Doyle Fire Protection District

Fall River Resource Conservation District

Hallelujah Junction Fire District

Herlong Public Utility District

Honey Lake Television Service

Honey Lake Valley Resource Conservation Dist.

Janesville Fire Protection District

Johnstonville Water Service

Lake Forest Fire Protection District

Lassen Library District

Lassen Municipal Utility District

Leavitt Lake Comm. Serv. Dist.

Little Valley Comm. Serv. Dist.

Madeline Fire Protection Dist.

Milford Fire District

Northwest Lassen Fire District

Pit Resources Conservation Dist.

Spalding Community Serv. Dist.

Standish-Litchfield Fire District

Stones-Bengard Comm. Serv.
Dist.

Susan River Fire Protect. Dist.

Susanville Sanitary District

W. Patton Village Comm. Serv.
Dist.

Westwood Comm. Serv. Dist.

Responses to Grand Jury Reports Summary of PC 933.05

A compendium of all codes pertaining to Grand Jury was produced by the Governor's Office of Planning and Research. This document is available to Grand Juries through the Superior Court in respective counties. Since the compendium was assembled the following has become law:

Penal Code §933.05 provide for only two (2) acceptable responses with which agencies and/or departments (respondents) may respond with respect to the **findings** of a Grand Jury report:

- The respondent agrees with the finding.
- The respondent disagrees wholly or partially with the findings, **in which case the respondent shall specify the portion of the finding that is disputed and shall include an explanation of the reasons therefore.**

Penal Code §933.05 provide for only four (4) acceptable responses with which agencies and/or departments (respondents) may respond with respect to the **recommendations** of the Grand Jury:

- The recommendation has been implemented, with a summary regarding the implemented action.
- The recommendation has not yet been implemented, but will be in the future, with a time frame for implementation.
- The recommendation requires future analysis, with an explanation and the scope and parameters of an analysis, with a timeframe for the matter to be prepared for discussion by the officer or head of the agency/department being investigated or reviewed, including the governing body of the public agency when applicable. **This time frame shall not exceed six (6) months from the date of publication of the Grand Jury Report.**
- The recommendation will not be implemented because it is not warranted or is not reasonable, with a detailed explanation therefore.

However, if a finding and/or recommendation of the Grand Jury addresses **budgetary** or **personnel** matters of a county agency/department head and the Board of Supervisors shall respond if requested by the Grand Jury, but the response of the Board of Supervisors shall address only those budgetary or personnel matters over which it has some decision making authority. The response of the elected agency or department head shall address **all** aspects of the findings or recommendations affecting his or her agency/department.

Introduction

The Grand Jury is a constitutionally mandated judicial body charged to investigate civil matters but not criminal matters. The Grand Jury's responsibilities include investigating issues regarding city and county government as well as public agencies funded by the government, and issuing reports and recommendations when appropriate.

The Grand Jury is mandated by law to respond to citizen's complaint letters and to inquire into the condition and management of public detention facilities within the county. The Lassen County Grand Jury received several written complaints during the fiscal year of 2012-2013.

As the letters and formal complaints were received and presented to the Grand Jury, there was careful consideration of each complaint as to the validity and content. Each grievance was inspected and acted upon in a professional and conscientious manner by the Grand Jury. Confidentiality has been strictly maintained as Grand Jury members were cautioned throughout the 2012-2013 term by the Jury Foreman.

The following Grand Jury report is based on interviews and information brought to the attention of and investigated by the Grand Jury.

High Desert State Prison

Reason for Inquiry: California Penal Code 919(b) mandates that the Grand Jury “inquire into the conditions and management of all detention facilities within their county”.

Inquiry Process: The 2012-2013 Lassen Grand Jury (LCGJ) toured the High Desert State Prison (HDSP) on October 12, 2012.

Background: During the early summer months of 1990, the California Department of Corrections and Rehabilitation (CDCR) initiated discussions for a new prison in Lassen County on the grounds of the California Correctional Center. This location took advantage of existing state property and the ability to share operations with an existing prison. Construction began on July 14, 1993, with a budget of \$240 million. Named High Desert State Prison by the Lassen County Board of Supervisors, the prison is located approximately eight miles east of the town of Susanville, or about one and a half-hour drive northwest of Reno, Nevada. HDSP received its first inmate in September 1995.

Mission: The primary mission of High Desert State Prison (HDSP) is to provide for the confinement of general population high security (Level IV) and high-medium security (Level III) inmates. Additionally, there is a 200-bed minimum support facility (MSF). The majority of the prison population is comprised of younger inmates who are serving long sentences and/or those who have proven to be management problems while in prison. HDSP has a Correctional Treatment Center (CTC) to provide for the health care needs of the inmates. Additionally, HDSP is designed to house inmates with disabilities who require specialized placement to accommodate accessibility issues.

Overall Assessment for the High Desert State Prison: The following staff position statistics are variable to time of year and normal fluctuation. As of October 12, 2012, staff position statistics were as follows:

Custody Staff:	846 (down from 869 in 2011)
Support services staff:	309 (down from 357 in 2011)
Medical:	247 (down from 258 in 2011)
Total Staff:	1,402 (down from 1,484 in 2011)

Budget: The total Institutional annual operating budget is \$138.3 million. The current Medical annual operating budget is \$37.3 million.

Designed bed space and inmate population:

<u>Facility Level</u>	<u>Capacity</u>	<u>Actual Count</u>
I	200	148
II /III	400	618
IV	1,396	2,469

RECEPTION CENTER	100	86
AD-SEG	343	263
Total	2,439	3,584 (down from 4,241 in 2011)

Community Activities: Several times a year HDSP self-help sponsors support inmate food and photo sales. This year so far approximately \$3,000 has been awarded to the Salvation Army, Lassen County Sheriff's Posse for the St. Jude Ride, Nor Cal Services for the Deaf & Hard of Hearing Camp Grizzly, Northern California Wounded Warrior Bass Tournament and Lassen Elite Cheer.

There are also numerous in-house fundraisers which are utilized to raise money for HDSP staff during their time of need. The PENYS (Prison Employees Need Your Support) program leads these efforts and is a non-profit organization run by HDSP employees to raise funds yearlong. During 2012, a total of \$4,000 was awarded to nine employees and their families to ease the financial strain incurred during a major emergency.

Findings: At the beginning of the inquiry the LCGJ was met by the Warden (acting), his executive staff, and the department heads. A mission overview and a state of affairs for HDSP were given. Following this presentation, a question and answer period ensued by the LCGJ in which HDSP staff openly answered all questions presented to them. Following this entrance meeting, a prison tour was initiated with the LCGJ able to tour any area we wished to tour. During the Custody tour the LCGJ visited the Health Care Services CTC area, Custody Admin area, C-yard area to include dining area, celled housing unit, yard clinic, and the main exercise yard. The Grand Jury also received a presentation by the In-Service Training Department, and an extensive tour/presentation by the Investigation Services Unit of their unit and area of responsibility.

The following observations/points of interest were also made:

- The new acting Warden took a position at HDSP from CCC and stated he found it challenging in the change in custody levels.
- Morale among the Custody personnel seemed VERY good everywhere we went.
- Morale among some of the Medical personnel we talked to did not rise to the same level as Custody.
- The Reception Center is being phased out, and will soon be closed for intake.
- There is a 4% Supervisor re-direct program being mandated from Sacramento to save money. The GJ is concerned that this could affect safety of staff. Under this program 4% of all supervisor positions are left vacant, to be covered by other on duty supervisors.
- There is a 15% vacancy rate on Custody Supervisor positions.
- There are 78 operational Correctional Officer vacancies.
- On average, 30 non-budgeted Correctional Officer positions are created each week (Hospital Coverage/Medical Coverage/Contraband Watch).
- Total Support Position jobs are 309; there are 67 jobs vacant, for a 21%+ vacancy rate.

The Grand Jury would like to address the lack of interaction with any Medical Administration Staff during the Mission Overview meeting, and the question and answer meeting when we first arrived. There may have been a Prison administrative error in letting Medical Administrative staff know of our meeting/tour, however even after Medical was notified of the Grand Jury being on a tour, and several Medical Administrative staff seeing us, a representative was never made available to the Grand Jury. Only while on the Custody provided tour of the Medical CTC, at the very end in the last five minutes did a Medical Admin person show up, the Director of Nursing.

Overall, the LCGJ was very impressed with the cleanliness of the prison and the openness to all our questions to Custody personnel. The staff members at HDSP are to be thanked for the job they perform in dealing with some of California's worst and most hardened criminals.

Recommendations: None

Response required: No

California Correctional Center

Reason for Inquiry: California Penal Code 919(b) mandates that the Grand Jury “inquire into the conditions and management of all detention facilities within their county”.

Inquiry Process: The 2012-2013 Lassen County Grand Jury (LCGJ) toured the California Correctional Center (CCC) on September 20, 2012.

Background: The California Correctional Center opened in February 1963, the Minimum Support Facility (MSF) Unit activated in 1984 and Facility C (Level III) activated in 1988. The primary mission of the California Correctional Center is to receive, house, and train minimum custody inmates for placement into one of the Institution’s 18 Northern California Conservation Camps. Working collaboratively with the California Department of Forestry and Fire Protection (CAL FIRE), these camps are strategically located throughout the north state to provide fire suppression hand crews, as well as an organized labor force for public conservation projects and other emergency needs of the State. Services provided through the Conservation Camp Program historically amount to many millions of dollars in value to the public. Work projects associated with the conservation camps support municipal, county, State, federal government agencies, schools, parks, cemeteries, and public recreation areas.

Additionally, the California Correctional Center is to provide meaningful work, training, and education programs for inmates who do not meet the criteria for assignment to a conservation camp. These alternative assignments include academic and vocational trade programs, facility maintenance jobs, food service positions, and other facility support assignments.

Overall Assessment for the California Correctional Center:

The following staff statistics are variable to time of year and normal fluctuation. As of September 20, 2012, staff statistics were as follows:

	<u>Staffing</u>	<u>Vacancies</u>
Custody Staff:	638	32
Non-Custody Staff:	210	52
Medical-Non Custody Staff:	175	29
Total Staff:	1,023	113

California Out-of-State Correctional Facility (COCF) Program- CCC has transferred 604 inmates to out of state correctional facilities. Sixty-seven inmates voluntarily transferred out-of-state, with the remaining 537 inmates involuntarily transferred.

Budget:

Institution:	\$ 121,867,791.00
Education:	\$ 3,350,944.00
Medical:	\$ 16,970,404.00
Dental	\$ 3,766,315.00
Mental Health	\$ 1,114,616.00
Pharmacy	\$ 881,813.00
Total:	\$ 147,951,883.00

Designed bed space and inmate population:

<u>Facility Level</u>	<u>Capacity</u>	<u>Actual Count</u>
MSF (Minimum Support Facility)	243	255
Facility A (Level -1)	926	860
Facility B (Level -II)	920	798
Facility C (Level- III)	750	571
Camps	2,029	1,879
Total	4,868	4,363

Pups on Parole Program:

The Pups on Parole Program continues to flourish at CCC. There are currently seven pups at the Fire House being trained for adoption. Additionally, there are six puppies that were born within the program to one of the female dogs. The new puppies are receiving excellent care and will be adopted out as well. The total number of pups adopted since the program started on June 21, 2007 is 303.

Education Accomplishments for 2012-2013 (Projected Figures):

General Education Development:	115
High School Diplomas:	2
College Students:	203
Physical Fitness Training:	1,705
Academic Students currently enrolled:	492
Vocational Students:	81

CCC offers Vocational Welding, Auto Body, Office Related Technologies, Electronics, HVAC and Building Maintenance. Each program has 4-5 components that must be completed before a program is completed. Each component is considered an Accomplishment, leading to the overall program competition, 277 certificates were earned by inmates in the institution. Additionally, Cal-Fire facilitates welding and mechanics certification programs. A total of 454 inmates earned a certificate while at camp.

Attendance for Self-Help Groups (including the Camps):

Alcoholics Anonymous Meetings:	6,000
Narcotics Anonymous Meetings:	4,100
Alternatives to Violence:	158
Religious Services:	46,600
Other Leisure Self-Help Groups:	6,800

The other leisure self-help groups include participation in Alcoholics Anonymous, Narcotics Anonymous, Alcoholics/Narcotics Anonymous Spanish, Lau Bach Literacy, Veterans in Prison, Alternative to Violence and Recreation.

Findings: At the beginning of the inquiry the LCGJ was met by the Warden (A), the Executive Staff, Department Heads and the Medical Department RN III. A mission overview and a state of affairs for CCC were given. One of the interesting changes that had taken place within the California Department of Corrections and Rehabilitation (CDCR) was the implementation of the Strategic Offender Management System (SOMS). The new system was designed to eliminate paper processes and standardize adult and parole data and population management practices statewide. To be compatible with the new computer program, CCC had to rename the three units formally known as Cascade, Sierra and Lassen Unit to Facility A, B and C, respectively. Throughout the past year CCC has participated in numerous community activities benefiting the community. The Grand Jury was informed of the successful efforts of CCC staff in confiscating 1851 cell phones that were found within the institution and camps. Cell phones create a breach in security and endanger the safety of inmates, staff and the public. CCC proudly teamed up with HDSP to donate 1636 cell phones to the Soaring Eagle Blue Star Moms and the phones will be shipped to our troops. Following this presentation, a question and answer period ensued by the LCGJ in which CCC staff openly answered all questions presented to them. The Grand Jury inquired about medical services provided to the CCC inmates. The Grand Jury acknowledges that the CDCR medical departments are under federal receivership and must adhere to guidelines that are a result of federal court orders. Medical staff stated that CCC has approximately 12,000 inmate requests monthly for medical care and that they provide the services in a timely manner within the prescribed timeframes mandated by CDCR policies established by the Federal Receiver.

Following this entrance meeting, a prison tour was conducted with the LCGJ given the opportunity to tour any area of interest. During the tour the LCGJ visited the Medical Department, Facility A including a dorm housing unit, Facility B medical clinic on the yard and a perimeter tour of Facility C. Following the tour the Grand Jury was transported to the Fire House and a brief tour of the "Pups-on Parole Program" was given. This program is a partnership between the California Correctional Center and the Lassen Humane Society. This program saves the lives of dogs that would otherwise be destroyed. The program has proven to be a successful program which benefits the dogs, the inmates, and the community. The LCGJ wishes to commend CCC and the Lassen County Humane Society for their commitment to this program. To conclude the tour the

LCGJ visited Antelope Camp and toured the garden which is planted and maintained by the Antelope Camp inmates. The large garden provides fresh vegetables to the 18 northern camps saving taxpayer dollars.

Overall, the LCGJ was very impressed with the cleanliness of the prison, the medical department and the staff openness to all our questions. The main mission of CCC to train inmate firefighters is being fully met by CCC. The Administration indicated that numerous changes have taken place since the implementation of AB 109, Prison Realignment, most significantly the reduction of the inmate population. On a positive note the reduction appears to have resulted in a decrease in the prison violence. However, the reduction in the inmate population has greatly impacted the number of eligible inmates that meet the criteria for camp placement therefore creating a lack of inmate firefighters. The camps provide critical firefighters saving millions of dollars annually for the taxpayers. CCC provided as many as 2,200 inmate firefighters at a time during the fire season. The education department informed the Grand Jury that the school has been accredited for 6 years which is the maximum and is to be commended for this achievement. Overall, the Grand Jury was very impressed with the professional nature of the staff we encountered on our tour and wishes to thank CCC for their cooperation on our inquiry into their prison operations.

Recommendations: None

Response required: No

Susanville Police Department

Reason for Inquiry: Public Interest

Inquiry Procedures: On January 24, 2013, the Lassen County Grand Jury (LCGJ) met with Police Chief Tom Downing and Lieutenant Matt Wood of the Susanville Police Department. The LCGJ completed a tour of the Susanville Police facility, along with an operational review. An extensive question and answer interview was conducted with Chief Tom Downing.

Findings: At the time of the visit, the facility appeared clean and orderly. The staff we had contact with was cooperative and responded to all questions asked by the Grand Jury members. The department appears to be well organized and managed. As with all city entities, budget constraints dictate the extent of operations within the department.

The tour consisted of looking at the garage, property shed, evidence process and evidence room, sergeant's office, squad room, officers' work areas, training area, and the chief's office. During the tour/interview, the LCGJ noted the following:

- Currently the department vehicles are on an eight year rotation cycle, phased out of service after 150,000-160,000 miles. The Chief expressed that this was too long, but with budgets the way they are, this is the best his department can do.
- The department receives an average of one new vehicle per year.
- The department has two outfitted Police bicycles and a golf cart for special events. When these units are used, they receive many positive public comments, and are great for public relations.
- 2012 Police calls went up by 3,000 over 2011.
A mutual aid agreement is in standing with the Lassen County Sheriff, the California Highway Patrol, and both state prisons.
- Good relations exist with all local agencies, courts, and district attorney.
- Bullet proof vests and all safety equipment are up to date.
- All sworn officers receive a minimum of 24 hours of post certified training every 24 months.
- The department has a \$24,000 dollar annual training budget.
- Within the next year, the chief intends to create a volunteer program for non-sworn officers to work in the department.
- The Chief stated that in working with the Mental Health department, it is better than it has been in a long time. His department has regular meetings with Mental Health, which have had a very positive effect.
- In 2012 there were 96 DUI arrests. In 2011 there were 25 DUI arrests.

Personnel: The department has lost four positions over the last two years due to budget issues. These positions were lost through attrition, with no lay-offs. Currently the department has 19 positions, with the following breakdown: 16 sworn officers, one non-sworn person, and two part time Community Services Officers. The sworn officers

are broken down as follows: one chief, one lieutenant, one narcotic detective, one detective/general, three sergeants, and nine patrol officers.

Statistics: Chief Tom Downing provided the following department statistics, which the LCGJ wished to share with the public:

<u>Incident type</u>	<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2011/2012 comparison</u>
• Dispatched Incidents	7415	8220	9694	+1474
• Officer Initiated	2510	1697	3107	+1410
<u>Vehicle Collisions</u>				
• Non-Injury	119	111	97	-14
• Private Property	88	60	44	-16
• Injury	29	30	26	-4
• Traffic Citations	816	376	492	+116
• Parking Citations	193	131	101	-30
<u>Arrests</u>				
• Misdemeanor	448	438	547	+109
• Felony	209	204	188	-16
<u>Crimes</u>				
• Homicide	1	0	1	+1
• Sexual Assault	6	5	5	same
• Robbery	11	8	13	+5
• Aggravated Assault	26	15	24	+9
• Burglary	135	113	104	-9
• Theft	209	194	186	-8
• Auto Theft	17	11	13	+2
• Arson	0	1	4	+3
<u>Miscellaneous</u>				
• Other Assault	245	241	189	-52
• Domestic Violence	158	148	126	-22
• Vandalism	176	163	157	-6
<u>Case Numbers Issued</u>	2,442	2,063	2,085	+22

Commendation: Chief Tom Downing came to the LCGJ well prepared for the tour/interview and demonstrated that he has significant understanding of his department and his duties. During the interview the Chief stressed that his purpose is “public safety”, and it was apparent that the Chief genuinely cared about doing a good job in his position and for the community.

Recommendations: Continue with the plan to create a volunteer non-sworn officer program within the department. Continue to attempt to hire qualified female sworn officers within the department.

Response Required: None

Airport Land Use Commission

Reason for Inquiry: The Grand Jury received a complaint that Long Valley Charter School was operating its school in a building underneath protected traffic pattern airspace near the Susanville Municipal Airport in violation of State and Federal regulations.

Inquiry Process: The Grand Jury queried the Lassen County Board of Supervisors who is responsible for establishing the Airport Land Use Commission jointly with the City of Susanville who operates the Susanville Municipal Airport.

Background: The Airport Commission is a Commission established by the Susanville City Council to review operation of the Susanville Municipal Airport and provide recommendations to the City Council concerning operating procedures and long range planning for that facility.

The Airport Land Use Commission is a Commission constituted by Lassen County as required by State law to ensure that land designated for airports in the County receiving State and Federal (FAA) funds is preserved and operated in accordance with State and Federal laws and regulations. This includes airspace designated as airport protected airspace and the land underneath that airspace. State and Federal regulations among other things prohibits the operation of schools attended by children underneath protected airspace with the exception of schools established prior to the establishment of laws protecting said airspace and "grandfathered" to continue operation.

Findings: The airports in Lassen County are long established and few occasions arise where there is a possible conflict between proposed land use surrounding an airport and the requirement to protect airspace. In fact, the last time the Airport Land Use Commission was called upon to provide a recommendation to the County Board of Supervisors was over ten years ago.

The Long Valley Charter School applied to the County Planning Office for a permit to operate in the old Frontier Telephone Company building which is underneath the Susanville Municipal Airport traffic pattern. Apparently, their application stated the building would be used for storage and office operations, not including student activities. The County Planning Office granted the permit. When actual school operations were noted by users of the airport, the Airport Commission was asked to inquire. The Airport Commission referred the inquiry to the County Airport Land Use Commission where it was determined that the lack of activity had caused that Commission to disappear.

The County Board of Supervisors was made aware of the situation and the need for an Airport Land Use Commission recommendation. They promptly coordinated with the City of Susanville to reconstitute the required Commission, and directed the County Planning Office to revoke the use permit. When the Airport Land Use Commission met to discuss the issue, they were informed that the Long Valley Charter School permit had

been revoked and that the school was moving to facilities inside the City of Susanville. The Commission determined that no further action was required based on that information.

Recommendation: The County monitors the situation through its Planning Office to ensure that Long Valley Charter School has in fact ceased operation near the Susanville Municipal Airport, and that future potential land use conflicts are referred to the Airport Land Use Commission by the County Planning Office.

Response Required: No

Lassen County Water Works District No. 1

Reason for Inquiry: We received a letter from a citizen that was concerned about the number of unpaid bills owed to the Water Works District and the lack of response to our request for a copy of the current budget and audit.

Background: On April 11, 2013, several of the Grand Jury members met with General Manager Steve Jackson to discuss his Water/Wastewater operation. The District is run by Steve and a part-time bookkeeper. There is a five member board; however, they have had one longtime vacancy and one recent vacancy due to the death of a Board Member. Current Board Members are Don Colvin, Rick Patak, and Curt Darnell. It is difficult filling Board positions because of their low population and willingness of people to serve. The Board meets every third Tuesday of the month. There has not been public involvement in Board meetings for approximately six years.

He advised that the District was formed in 1932 under the 1910 Water Works Act. The District provides water and wastewater services to 170 connected customers (about 350 people), of which 140 are active. The wastewater rates are \$25/mo. and the water rate is \$35/mo. for 40,000 gallons and \$1.50 per thousand after 40,000 gallons. Rates were increased three years ago and they currently have no cash reserves. The majority of the customers work either in agriculture, schools or the timber industry. Currently about 5% of his customers are behind in their payments of water/wastewater bills. Mr. Jackson supplied us with a list of ten customers that were between \$510 and \$2,421 behind on their bills for a total of \$16,221.

Mr. Jackson discussed the tremendous increase in paperwork required by the various governmental agencies in order to provide water/wastewater services. When he started, the paperwork was about 70/30%. Now it is more like 40/60%.

The District's infrastructure is aging. They have a 15 acre evaporation pond located on hardpan so there is no need for a lining. The hardpan soil in the area was the reason the sewer system was developed in the 1930's. Two smaller ponds of two and one-half and three acres are located nearby. They have five lift stations to move the sewage to the ponds. Water is poor quality (iron, manganese, etc.) The two wells have an output of 240 & 375 gallons per minute. Their storage tanks helps keep power costs down, however, the tank is in need of refurbishing which will be expensive.

It seems that General Manager Jackson and the one other employee are doing a very good job for their limitations on staff and funding. Focus should be given to customers who fall behind on their bills so the totals are not so high. Sixteen thousand dollars for a small District is difficult to handle with their small budget.

Recommendation: A formal policy should be created to collect debts owed to the District in order to help them collect their much needed funding. Government Code 61115 (b) provides a process by which charges and penalties may be collected on the tax rolls in the same manner as property tax.

Response Required: Yes

LASSEN COUNTY SPECIAL & COMMUNITY SERVICES DISTRICTS BUDGET AND AUDIT INQUIRY

Reason for Inquiry: The California State Penal Code requires that the Grand Jury report on the operation, accounts and records of local government agencies. An inquiry was made to determine budget and audit status for the several special districts and community services districts serving the many smaller unincorporated areas throughout Lassen County.

Inquiry Process: Letters were sent to all Special and Community Services Districts in Lassen County requesting that copies of their annual budgets and audit reports be forwarded to the Grand Jury for review to determine if the districts were preparing appropriate budgets and having annual audits as required by the California Government Code.

Background: The Grand Jury determined that it had been several years since any previous Grand Jury had looked into Special and Community Services Districts operations. Therefore it was decided to send letters of inquiry requesting copies of current budgets and required annual audits. Special and Community Services Districts generally provide services to smaller rural areas outside of incorporated city areas. Some may overlap city areas where appropriate. Services often provided by districts may include fire protection, utilities, park and recreation services, etc. Districts are generally funded by specific taxes and special assessments. As a legal government entity they are eligible to seek and use grant monies as appropriate to their needs and the benefit of the area they serve.

Special districts may be self-governed with elected boards of directors serving as the governing body. Others are formed by the County Board of Supervisors and will have Board of Supervisors appointed advisory commissions or boards of directors that recommend policy and procedure for the district. Budgets will vary depending on the size of each district and their service programs and range of needs and sources of income.

A list of the Districts contacted follows this report indicating which Districts responded and how completely to the request for information by the Grand Jury.

Findings: As a result of the inquiry, the Grand Jury received responses from nearly all districts. Budget documents ranged from simple financial statements of how much money they had in their accounts to one or two page documents summarizing the income they expected to receive for the fiscal year or how much was expected to be spent for the year. Most of the larger districts had complete line-item budgets showing all sources of expected income including grants, if applicable, and how and where budgeted monies were planned to be expended as well as prior year actual expenditures for comparisons.

It became apparent that many of the districts, especially the smaller ones, appeared to have a general lack of understanding of Special District laws as they apply to their

operations, proper budget procedures and the requirement of having annual audits prepared. Some districts stated that they did not have sufficient funding to pay for the annual audit.

It was observed that many of the districts have difficulty attracting and maintaining full boards of directors due to the small size of their service areas. It was also determined that most board members lacked specific training to understand the laws under which they operated and further lacked understanding as to what a complete budget consists of and the requirements for annual audits. Research showed that smaller districts may perform audits less frequently if they meet certain qualifications as spelled out in the California Government Code which reads as follows:

- 26909

(a)

(1) The county auditor shall either make or contract with a certified public accountant or public accountant to make an annual audit of the accounts and records of every special district within the county for which an audit by a certified public accountant or public accountant is not otherwise provided. In each case, the minimum requirements of the audit shall be prescribed by the Controller and shall conform to generally accepted auditing standards.

(2) Where an audit of a special district's accounts and records is made by a certified public accountant or public accountant, the minimum requirements of the audit shall be prescribed by the Controller and shall conform to generally accepted auditing standards, and a report thereof shall be filed with the Controller and with the county auditor of the county in which the special district is located. The report shall be filed within 12 months of the end of the fiscal year or years under examination.

(3) Any costs incurred by the county auditor, including contracts with, or employment of, certified public accountants or public accountants, in making an audit of every special district pursuant to this section shall be borne by the special district and shall be a charge against any unencumbered funds of the district available for the purpose.

(4) For a special district that is located in two or more counties, the provisions of this subdivision shall apply to the auditor of the county in which the treasury is located.

(5) The county controller, or ex officio county controller shall affect this section in those counties having a county controller, or ex officio county controller.

(b)

(1) A special district may, by unanimous request of the governing board of the special district, with unanimous approval of the board of supervisors, replace the annual audit required by this section with one of the following, performed in accordance with professional standards, as determined by the county auditor:

A biennial audit covering a two-year period.

(2) An audit covering a five-year period, if the special district's annual revenues do not exceed an amount specified by the board of supervisors. An audit conducted at specific intervals, as recommended by the county auditor, shall be completed at least once every five years.

(c)

(1) A special district may, by unanimous request of the governing board of the special district, with unanimous approval of the board of supervisors, replace the annual audit required by this section with a financial review, in accordance with the appropriate professional standards, as determined by the county auditor if the following conditions are met:

All of the special district's revenues and expenditures are transacted through the county's financial system. The special district's annual revenues do not exceed one hundred fifty thousand dollars (\$150,000). If the board of supervisors is the governing board of the special district, it may, upon unanimous approval, replace the annual audit of the special district required by this section with a financial review in accordance with the appropriate professional standards, as determined by the county auditor, if the special district satisfies the requirements of subparagraphs (a) and (b) of paragraph (1).

(d)

(1) Notwithstanding the provisions of this section, a special district shall be exempt from the requirement of an annual audit if the financial statements are audited by the Controller to satisfy federal audit requirements.

The Grand Jury also noted the existence of the California Special Districts Association that provides many services to support the operations of special districts throughout the state. The Grand Jury sees this organization as a strong source of operational support to allow board members to learn and apply appropriate leadership to their respective districts.

Recommendations:

- The Grand Jury recommends that the County Auditor's Office require that all Special Districts forward copies of annual budgets and audits to be reviewed as to appropriate form and review.
- It is also recommended that all Districts be members of the California Special Districts Association.
- Further, it is recommended that the various Districts come together to obtain training in Special District law, budget procedures and operational requirements for their Board members. Training programs may be available from the California Special Districts Association. As appropriate, it is recommended that the County be the lead agency for coordinating the training programs.
- Smaller Districts should check to see if they qualify for exception regarding the annual audit requirement and take the necessary steps to comply with the California Government Code.

Response Required:

Lassen County Auditor
Lassen County Board of Supervisors

Reports not received from:

Big Valley Irrigation District
Big Valley Pest Abatement District
Doyle Fire Protection District

Audits not received from:

Bieber Lighting District
Clear Creek Community Services District
Honey Lake Television Service
Johnstonville Water Service
Madeline Fire Protection District
Northwest Lassen Fire Protection District
Pit Resources Conservation District

Reason for Inquiry: The Grand Jury received a request to examine the feasibility of establishing an electronic system for filing legal documents in the Lassen County Court system.

Inquiry Process: The Grand Jury invited representatives from the offices of the Lassen County District Attorney, Public Defender, County Counsel, Sheriff, and the Susanville Police Department to provide their thoughts concerning establishment of an e-Filing system in Lassen County.

Background: The following is a summary of information provided by the Administrative Office of the Courts (AOC) regarding e-Filing:

- Interest in e-services technologies have been increasing for a variety of reasons, including, increased workloads; the need for staff productive increases; better customer service; economic climate and emerging technologies.
- Nationwide, many jurisdictions are moving ahead with this technology, including California, with a goal of mandatory e-Filings in some types of court actions and virtual courthouses.
- The California Court system agenda is to work toward and includes: electronic legal files; electronic filing and service; electronic access to cases and documents.
- The amount of paper that is accumulated by the Courts is clogging the system and slowing it down.
- A Judicial Council survey indicated that a majority of courts have implemented or shown an interest in e-Filing initiatives; further, e-Filing will be the number one money saving addition to the California Courts case management system project. The Judicial Council has endorsed e-Filing and has stated: "Providing technology solutions in the near term to improve efficiencies in Court operations, by maximizing the value of document management systems, e-Filing will provide: Information at the time of a decision, consistency in decision-making, faster access (anytime, anyplace, anywhere), concurrent access by clerk and judicial officers, convenient access for subscribers, transparency to the public.
- e-Filing will provide the following benefits and efficiencies for Judges: 24/7 access to case documents from anywhere; ability to carry an entire electronic caseload in one's laptop; paper on demand, print only what is needed when it is needed; ability to receive filings from parties in minutes, not hours or days; electronically search case file documents; notice and service of process electronically; ability to electronically sign documents anywhere, at any time; validate paper court documents from the electronic repository.
- e-Filing will provide the following efficiencies and benefits for Court staff: Reduce the handling of paper; eliminate/reduce duplicative data entry; minimize lost records/delay with checked-out files; improve workflow and timeliness; 24/7 access to case documents; electronic backup of Court records; and it will improve the work environment and priority focus on customer support and knowledge of operations.
- e-Filing will provide the following efficiencies and benefits for attorneys: It will be cost effective – e-Filing can be less expensive than producing, processing, and

tracking paper (time and document cost savings); no contracted couriers, paralegals or other clerical staff making courthouse runs; reduced overtime since late working lawyers can file from just about anywhere at any time; e-Filing will allow for better organization – easy access to all e-Filed documents in a court case.

- Beyond the fiscal benefits to the courts, e-Filing will provide: Speed (e-Filed documents are available earlier to Judges and court research attorneys); green footprint (less paper, storage, transportation costs; fewer lost files or documents; there can exist multiple concurrent users of the court file and file information.
- Legislation (AB2073) and pilot projects are underway in California to explore e-Filing in some types of litigations.

Findings: The users of the court that we queried were universal in their support of implementing an e-File system in Lassen County. They all agreed that it would save time and decrease costs to county legal offices as well as make for more efficient use of their staffs.

While an e-Filing system would most likely save the County money, it would require the court to come up with the funds to institute such a system. Shifting costs from the county to state budgets seems logical until one considers that the Lassen County Court is experiencing a significant reduction in funding this budget year and the prospect of continued cuts in out years.

The decision to establish an electronic legal document filing system for the Lassen County Court system is under the purview of the Presiding Judge and such a program cannot move forward without the support, both practical and financial, of the Court. The Grand Jury does not oversee the County Court system. We have examined the e-Filing system from the perspective of cost savings to county departments and their provision of services to city and county residents.

Recommendation: That the interested parties establish a working group to consolidate the considerable information they individually possess with a goal of determining the feasibility and potential cost of such a system in Lassen County.

Response Required: No

Lassen County Auditor's Office

Reason for Inquiry: Public interest, review responsibilities, policies, and duties of the department.

Inquiry Procedures: On February 13, 2013, members of the Lassen County Grand Jury (LCGJ) met with Karen Fouch, Lassen County Auditor and Dianna Wemple, of the Lassen County Auditor's Office. On April 2, 2013 Karen Fouch, Lassen County Auditor appeared before the general body of the Lassen County Grand Jury for a question and answer forum on the state of the Lassen County Auditor's Office, duties and responsibilities of her position, and of the Office. A multiple document request was made by the Grand Jury concerning the Auditor's Office, which was fulfilled on April 8, 2013 by Karen Fouch.

Background: Per the mission statement of the Auditor's Office, "The Auditor's mission is to protect County financial resources and ensure adequate fiscal accountability within County government". The Auditor performs duties under the legal authority set forth in California Government Code, principally those sections beginning with section 26880 and 26900. The Auditor provides a broad range of accounting services to all County departments, local agencies and districts whose funds are kept in the County treasury.

General Accounting- The Auditor's Office provides financial services to the public (i.e. Special District issues, property tax issues, general information issues, etc.), other government agencies, and County departments. The Office records all receipts and disbursements of County monies and maintains budgetary control of various funds. The Office prepares financial statements required by law which include the annual audit, State Controller's report, final budget, and county-wide cost plan.

Payroll Accounting- Processes the County's bi-weekly payroll for approximately 450 employees. The Office is responsible for ensuring that payroll procedures and reporting meet all legal requirements. The Office develops and establishes controls for the payroll process.

Property Taxes: the Auditor's Office is responsible for preparing the county-wide property tax levy. This levy creates the property tax bills that the Treasurer/Tax Collector mails to property owners. After the Tax Collector receives payment from property owners, the Auditor's Office is responsible for distributing the tax proceeds to all government agencies, schools, special districts, the City of Susanville, and the County.

Findings: In general the Auditor's Office appeared to be operating within Government Codes; however the Lassen Grand Jury found one area in need of an operational review. This area is the Auditor's Office relationship with audits being completed (or lack of completed regular audits), by approximately 40 accounts, to include special districts, within Lassen County. Per Karen Fouch, the Auditor's Office is not currently involved with performing any audits within Lassen County, nor is any audits reviewed for possible irregularities and fraud. Karen Fouch states that this is due to not being adequately staffed in her office. The Grand Jury questions whether the Auditor's Office is meeting the primary stated mission, which is, "The Auditor's mission is to protect County financial resources and ensure adequate fiscal accountability within County

government". Karen Fouch stated that she would like to have an Auditor position in her office, and recognizes the need for one, but has never approached the Lassen County Board of Supervisors with a position request.

Recommendations:

- The Grand Jury recommends that an operational review of the Auditor's Office be completed to determine if duties can be reorganized to free up a position to complete audits within Lassen County Departments/Special Districts. The establishment of an internal Auditor position could reduce the potential for fraud, and save money by each Lassen County Department/Special District not hiring a separate outside auditing firm.
- A process be set up to review each audit and provide audit oversight for audits completed by the different Departments/Special Districts within Lassen County.
- A process be set up to ensure that regular mandated audits are completed as required by law for all Departments/Special Districts within Lassen County.

Response Required: Yes

Responses are required from the following:

- Lassen County Auditor's Office
- Lassen County Administrative Office
- Lassen County Board of Supervisors

LASSEN COUNTY FAMILY AND CHILD PROTECTIVE SERVICES

Reason for Inquiry: An 11 page narrative came into the hands of a Grand Jury member who brought it up for discussion amongst the Grand Jurors. The narrative detailed alleged lack of supervision, inappropriate on the job behavior and personal habits that, if true, might be affecting on the job performance.

Inquiry Procedures: When initially reviewed by the Grand Jury early in this year's term this was viewed as a personnel matter that the County Administrative Officer (CAO) should be made aware of. The Health and Human Services Committee Chair was directed to deliver the 11 page narrative to the CAO and did so. A written follow-up was sent to the CAO in late January 2012 asking him to meet with the Committee. No response was received.

The CAO appeared before the Grand Jury on March 5, 2013 to discuss another unrelated matter and again was asked about this 11 page narrative and the concerns presented by it. A meeting was again requested between the CAO and Committee representatives. Subsequently the Grand Jury received a letter from the CAO dated March 12, 2013 indicating that the matters which were the subject of the narrative were investigated privately by an outside investigator and that many staffing changes had been made. No meeting was ever held involving the Health and Human Services Committee and the CAO.

Background: The Grand Jury is concerned about the allegations of the narrative and is interested in the results of the investigation and the validity of the facts stated in the narrative. The Grand Jury was not concerned with the resignation issues of the person who initiated the narrative but only the veracity of the allegations therein about employee behavior and management or lack of same and job performance.

Findings: The Grand Jury feels that though there was eventually a response that there were too many questions and concerns not addressed. Therefore, this matter needs further investigation by the incoming Grand Jury.

Recommendation: That the next Grand Jury should pursue the specifics of the investigation and the steps taken within Family and Child Protective Services as a result of the investigation. This Grand Jury would pursue an investigation into this issue; however, a lack of time remaining on the sworn term of service prevents a comprehensive review.

Response Required: No

Lassen County Juvenile Detention Facility

Reason for Inquiry: The California Penal Code 919(b) mandates that the Grand Jury "inquire into the condition and management of all detention facilities within their county".

Inquiry Procedures: The 2012-2013 Lassen County Grand Jury toured the Lassen County Juvenile Detention Facility (LCJDF), with Bob Roadifer, Juvenile Hall Superintendent on Thursday, January 10, 2013.

Background: The LCJDF is located at 1425 Chestnut Street in Susanville, California adjacent to the Lassen County Sheriff's Office on Sheriff Cady Lane. In June, 2000 the original facility was upgraded to accommodate 50 youth offenders, however, in 2008 due to budget concerns a section of the LCJDF was converted and leased to Environmental Alternatives Group Home which continues to operate within the facility. The LCJDF now has the capacity to accommodate 20 juveniles.

Findings: The Grand Jury arrived at the Lassen County Juvenile Detention Facility (LCJDF) and was greeted by Mr. Roadifer, Hall Superintendent who gave a brief overview of the facility. On the day of the visit LCJDF had 6 juveniles housed in the facility, one of which was a juvenile from another county which was considered to be high risk. The Grand Jury visited the booking area, the housing units, education and viewed the outdoor area. There is no kitchen facility and daily meals are provided by the Lassen County Adult Detention Facility. The facility was extremely clean, neat and organized. The staff was friendly and responded to all questions asked by jury members. The juveniles are mandated by California State Law to attend school and were in the education classroom working on personalized, self-paced instruction provided by their teacher. The students are encouraged to work towards a High School Diploma or a General Education Development (GED) in an effort to become a successful citizen upon release. The classroom looked like any other public school and the students appeared to be happy and commented that they enjoyed the opportunity to attend school and were doing well in their programs. During the 2011-2012 tour, the Grand Jury noted the need for security cameras in the designated outside yard area which has numerous blind areas. When questioned, staff stated that the cameras have not yet been installed due to budget concerns and they would be of great assistance with the safety and security of the juveniles, staff and the facility. Throughout the tour the Grand Jury was impressed with the genuine concern of the staff to provide the best possible services to the juveniles within their custody in an effort to encourage positive changes to the youth. Additionally, staff stated they welcomed training to make them better educated in dealing with the concerns of the juveniles.

Commendations: The Grand Jury would like to commend Mr. Roadifer, Juvenile Hall Superintendent and staff for the clean, neat, safe and secure facility for detained juveniles within Lassen County.

Recommendations: The Grand Jury recommends that the Lassen County Juvenile Detention Facility staff continue to pursue all available resources to secure additional funding for a video recording and monitoring system.

Response Required: No.

Lassen County Adult Detention Facility

Reason for Inquiry: The California Penal Code 919(b) mandates that the Grand Jury “inquire into the condition and management of all detention facilities within their county”.

Inquiry Procedures: The 2012-2013 Lassen County Grand Jury (LCGJ) toured the Lassen County Adult Detention Facility (LCADF), with Sheriff Dean Growden on Thursday, January 10, 2013.

Background: The LCADF is located on Sheriff Cady Lane in Susanville, California and is adjacent to the Lassen County Sheriff's Office. The Lassen County Sheriff's Department provides a 24-hour secure adult detention facility and provides beds to be used for persons pending arraignment, during trial, and incarceration upon sentencing of commitment.

Findings: The Lassen County Grand Jury (LCGJ) met at the Lassen County Sheriff's Office and was greeted by Sheriff Dean Growden. Prior to the tour of LCADF Sheriff Growden spoke with us and provided us with information outlining the daily operations of the Adult Detention Facility (ADF) as well as the responsibilities of the Lassen County Sheriff's Department and staff. The Grand Jury asked a variety of questions regarding the impact of Assembly Bill 109, since its implementation last year including the financial impact of providing longer incarceration to individual inmates and with that, medical concerns and programs. Sheriff Growden informed the Grand Jury that over the course of the year it has become apparent that the staffing cuts that were made a year ago due to the closure of the Lassen County Correctional Facility (CCF) as well as the new mandates due to AB 109 have created many new challenges in maintaining the safety and security of the Adult Detention Facility as well as providing services to the residents of Lassen County. Sheriff Growden stated that the LCADF is unique to some of the other counties in that we actually have a physical facility to house additional inmates; however the cost to maintain the large facility is beyond the current budget. Therefore the portion of the facility that once was the Lassen County Correctional Facility (LCCF) is now basically unused. Sheriff Growden stated that there is a possibility of contracting with other counties to house their inmates which would generate much needed revenue. The Lassen County Sheriff Department not only operates the LCADF but is also responsible for the prevention, detection and investigation of crimes in the unincorporated areas of Lassen County, serves as the County Coroner, patrols the lakes and all areas of the County. Sheriff Growden also informed the Grand Jury that his department is responsible for the tracking of all Lassen County Sex Offenders. Sheriff Growden stated that the Sheriff's Department has contracted with the company “Code Red” and has launched a new public notification system. Citizens can log on to: www.co.lassen.ca.us/govt/dept/sheriff to register for public safety alerts which may be delivered in the form of a voice message, text message or email alerting them to safety concerns.

After the question and answer period a physical tour of the LCADF was conducted by Sheriff Growden. The Grand Jury visited the housing units, control, kitchen/food preparation area, the booking desk and the outdoor areas. One of the biggest concerns that Sheriff Growden indicated was the Central Control system which is obsolete and

needs to be replaced; however funding is not available at this time. Electronic parts are not readily available which makes repairs very difficult. A more sophisticated system is desperately needed and will eventually be necessary to control the movement of the security doors and cells of the facility. In spite of the tight budget the Grand Jury felt the facility was extremely clean and well-maintained and did not find any safety hazards or maintenance concerns with the exception of the need for the new control system.

Commendations: The Grand Jury felt that the staff of the Lassen County Sheriff Office and the Adult Detention Facility were knowledgeable and had a good understanding of their responsibilities to the citizens of Lassen County and the Grand Jury would like to thank and commend Sheriff Growden and his staff for a job well done.

Recommendations: That the Sheriff seek out funding to replace the control system in the facility.

Response: No

RESPONSE PROCEDURE TO GRAND JURY REPORTS
SUMMARY OF PC §933.05

The governance of responses to Grand Jury Final Report is contained in Penal Code §933 and §933.05. Responses must be submitted within 60 to 90 days. Elected officials must respond within 60 days. Governing bodies (for example: the Board of Supervisors) must respond within 90 days. Please submit all responses in writing and digital format to the Presiding Judge, the Grand Jury Foreperson and the CEO's office.

Report Title: _____ Report Date: _____

Response By: _____ Title: _____

Findings:

I (we) agree with the findings numbered:

I (we) disagree wholly or partially with the findings numbered:

Recommendations:

Recommendations numbered: _____ have been implemented. (Attach a summary describing the implemented actions)

Recommendations numbered: _____ require further analysis. (Attach an explanation and the scope and parameters of an analysis or study, and a time frame for the matter to be prepared for discussion by the officer and/or director of the agency or department being investigated or reviewed; including the governing body of the public agency when applicable. This time frame shall not exceed six (6) months from the date of publication of the Grand Jury Report).

Recommendations numbered: _____ will not be implemented because they are not warranted and/or are not reasonable. (Attach an explanation)

Date: _____ Signed: _____

Total number of pages attached: _____

County of Lassen
ADMINISTRATIVE SERVICES



ROBERT F. PYLE

District 1

JIM CHAPMAN

District 2

LARRY WOSICK

District 3

AARON ALBAUGH

District 4

TOM HAMMOND

District 5

Richard Egan

Chief Administrative Officer
email: coadmin@co.lassen.ca.us

Julie Morgan

Assistant to the CAO
email: jmorgan@co.lassen.ca.us

Regina Schaap

Administrative Assistant
email: rschaap@co.lassen.ca.us

County Administration Office
221 S. Roop Street, Suite 4
Susanville, CA 96130
Phone: 530-251-8333
Fax: 530-251-2663

March 25, 2014

Honorable Michele Verderosa
Presiding Judge
Lassen County Superior Court
2610 Riverside Drive
Susanville, CA 96130

Re: Responses to 2012-2013 Grand Jury Report

Dear Judge Verderosa:

The Lassen County Board of Supervisors and Chief Administrative Officer have reviewed the findings and recommendations contained in the above referenced Grand Jury Report and respond as follows:

Grand Jury Inquiry: Lassen County Special & Community Services Districts Budget and Audit Inquiry

Response: The Lassen County Board of Supervisors agrees with this finding and concurs with the Auditor's response as follows:

"All special districts should forward annual budgets and audits to the Lassen County Auditor and the California State Controller as require by California Government Code.

Of the special districts listed, Bieber Lighting District, Honey Lake Television Service District, and the Johnstonville Water Service are special districts under the control and supervision of the Lassen County Board of Supervisors. They are included in Lassen County's annual audit and have their budgets adopted annually by the Board of Supervisors."

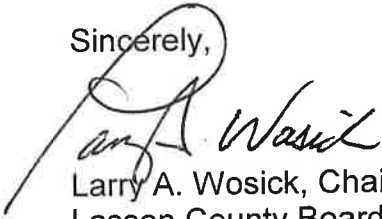
Grand Jury Inquiry: Lassen County Auditor's Office

Response: The Lassen County Board of Supervisors and County Administrative Officer agree with this finding in part and concur with the Auditor's response as follows:

"I agree with this finding in part. An internal auditor position would not eliminate the need for external audits and thereby save money. But, the establishment of an internal auditor position could reduce the potential for fraud within Lassen County departments and special districts within the county. The position would enable staff to make on-site visits to county departments and special districts to examine the effectiveness and adequacy of internal controls and make recommendations for improvements.

County departments are in compliance with mandated fiscal audits. The county is audited annually by qualified external auditors. Most special districts within the county complete mandated audits. Additional efforts will be made by the Lassen County Auditor to assist all special districts in completing audits for the fiscal year just ended and in complying with other reporting requirements."

Sincerely,



Larry A. Wosick, Chairman
Lassen County Board of Supervisors

County of Lassen
Auditor



October 28, 2013

Honorable Michele Verderosa
Presiding Judge
Lassen County Superior Court
2610 Riverside Drive
Susanville, CA 96130

Karen Fouch
Auditor
Diana Wemple
Assistant Auditor
County Administration Center
221 South Roop Street, Suite 1
Susanville, CA 96130-4339
☎ (530) 261-8233
FAX: (530) 261-2664
e-mail: kfouch@co.lassen.ca.us
e-mail: dwemple@co.lassen.ca.us

Re: Responses to 2012/13 Grand Jury Report

Dear Judge Verderosa:

Please accept the following responses to the findings related to the Lassen County Auditor's Office that were included in the 2012-2013 Lassen County Civil Grand Jury Report.

LASSEN COUNTY SPECIAL & COMMUNITY SERVICES DISTRICT BUDGET AND AUDIT INQUIRY. I agree with this finding. All special districts should forward annual budgets and audits to the Lassen County Auditor and the California State Controller as required by California Government Code.

Of the special districts listed, Bieber Lighting District, Honey Lake Television Service District, and the Johnstonville Water Service are special districts under the control and supervision of the Lassen County Board of Supervisors. They are included in Lassen County's annual audit and have their budgets adopted annually by the Board of Supervisors.

Additional efforts will be made by the Lassen County Auditor's Office to assist special districts in completing audits for the fiscal year just ended and other reporting requirements.

LASSEN COUNTY AUDITOR'S OFFICE. I agree with this finding in part. An internal auditor position would not eliminate the need for external audits and thereby save money. But, the establishment of an internal auditor position could reduce the potential for fraud within Lassen County departments and special districts within the county. The position would enable staff to make on-site visits to county departments and special districts to examine the effectiveness and adequacy of internal controls and make recommendations for improvements.

County departments are in compliance with mandated fiscal audits. The county is audited annually by qualified external auditors. Most special districts within the county complete