



2001/2002 Grand Jury Report

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2001/2002 Grand Jury Report

June 10, 2002

Honorable David W. Herrick, Presiding
Superior Court for the County of Lake
255 North Forbes Street
Lakeport, CA 95453

Dear Judge Herrick,

The 2001/2002 Lake County Grand Jury has concluded its business for the term which it was impaneled and hereby submits the final report and recommendations to the citizens of Lake County. It was been a very enlightening experience for all the members of the Grand Jury.

It is now my duty to begin the process whereby the keys and records will be turned over to the new Grand Jury that will be impaneled in a few weeks.

This Grand Jury visited, as per penal Code #919(B), the Clearlake Police Dept., the Hill Road Detention Facility, the Juvenile Facility and Konocti Conservation Camp Facility. The results of these visits are included within this report.

On behalf of the grand jury, I would like to thank the County Counsel, District Attorney, County Administrator and their staffs for their assistance and guidance. Also thank you to the department heads, division heads, Sheriff, Jail Commander, Clearlake Chief of Police and the Joint Commanders of the Konocti Conservation Camp. Their cooperation was greatly appreciated.

As Foreman, I wish to thank the members of the Grand Jury who gave so generously of their time, and specifically the committee chairpersons who directed and guided the committees.

Finally your Honor, our thanks to you for giving us the opportunity to serve the County of Lake in this important service. I leave after my second term and I am personally grateful for having been afforded the chance to serve the Citizens of Lake County and learn so much.

The 2001-2002 Grand Jury submits this final report as a result of the work of the members you

impaneled.

Sincerely,

Crispian Cufflin, Foreman 2000-2001 Lake County Grand Jury



2001/2002 Grand Jury Report

Members of the 2001-2002 Lake County Grand Jury

Louis E. Almgren (N) Middletown	Rosa M. Amen-Scialabba (N,R) Clearlake
Michael B. Bingham (N) Lakeport	Donald Bradshaw(N) Lucerne
Virginia Bundy(N) Middletown	Bernice Cox(N) Middletown
Joyce Cook (A) Clearlake Oaks	Crispian L. Cufflin - Foreman (H) Lakeport
A.R. "Don" Donnelson (N) Middletown	Ann E. Edison - Secretary (H) Lower Lake
Robert A Foder (H) Lucerne	Jay H. Gehrke (N) Clearlake
Howard D. Hickman (N) Cobb	Beverly Benedict Hill (N) Cobb
Marilyn Jarrett (N,R) Lucerne	Patricia Kane (H) Clearlake
Ralph C. Norton (H) Lakeport	Walter Patti (H) Kelseyville
Mary Louise Smith (N) Clearlake	Patricia Sylva (H) Lakeport
A - Added during term N - New in July, 2001	H - Holdover from 2000-2001 GJ R - Resigned during term



2001/2002 Grand Jury Report

Committee Activity:

The Grand Jury traditionally divides itself into six standing committees, and one ad hoc committee. The standing committees are:

1. Financial Services Committee
2. Government Services Committee
3. Health & Social Services Committee
4. Planning and Public Works Committee
5. Public Safety Committee
6. Public Services Committee

The ad hoc committee is called the Edit and Review Committee, which meets when necessary to review the work of the standing committees. All materials prepared for inclusion in this final report are reviewed by this Committee and edited and formatted as necessary prior to presentation for approval to the full Grand Jury.

The Foreman is an ex-officio member of all these committees.

Committee Assignments for 2001-2002 Lake County Grand Jury Cris Cufflin- Foreman

Financial Services

Wlter Patti - Chair
Donald
Bradshaw
Don Donnelson
Howard
Hickman
Ralph Norton
Mary Smith

Planning & Public Works

Wlter Patti - Chair
Don Donnelson -
Chair
Louis Almgren
Bernice Cox
Jay Gehrke
Howard Hickman

Government Services

Wllter Patti - Chair
Ralph Norton - Chair
Jay Gehrke - Co-
Chair
Donald Bradshaw
Walter Patti

Health & Social Services

Wllter Patti - Chair
Robert Fodor -
Chair
Bernice Cox
Beverly Hill
Joyce Cook
Mary Smith
Pay Sylva

Public Safety

Wllter Patti - Chair
Pat Sylva - Chair
Louis Almgren
Michael
Bingham
Virginia Bundy
Beverly Hill
Patti Kane

Public Services

Wllter Patti - Chair
Patti Kane -
Chair
Michael
Bingham
Virginia Bundy
Robery Floor
Joyce Cook

Edit & Review

Wllter Patti - Chair
Ann Edison -
Chair
Cris Cufflin
Don Donnelson
Robert Fodor
Beverly Hill
Patti Kane
Jay Gehrke
Walter Patti
Pat Sylva



2001/2002 Grand Jury Report

Financial Services Committee 2001-2002 Lake County Grand Jury

Visitation: Glenbrook Cemetary District

PURPOSE: During a meeting with the County Auditor and County Administrator, they suggested that the Financial Services Committee consider reviewing the financial situation of the Glenbrook Cemetary District. Based on the information obtained in that meeting, the Financial Services Committee undertook an initial review of the financial problems facing the District.

PROCEDURE: The Committee reviewed the budgetary information provided by the County Auditor and Administrative and then met with the Chairman of the Board and the Board Secretary of the Glenbrook Cemetary District. The Committee further reviewed correspondence between the District and the County provided by the District officers.

FINDINGS: Based on discussions with the District and review of the financial reports, the Committee found that the District clearly had been overspending its annual budget for a number of years and that its reserve fund had been exhausted. Additionally, the District was confused as to how the reserve fund had been exhausted and why the District was no longer able to obtain cash budget advances from the Auditor-Controller. The District was further confused as to the tax formula the County applied in establishing the annual budget for the District. The District's officers also expressed their disappointment with the perceived lack of response by the Auditor-Controller in assisting the District in resolving its financial problems. The District officers did indicate that they were preparing a "Special Tax" initiative in the District that, if approved, would increase taxes within the District in order to better fund its operation.

In concluding the meeting with the District officers, the Committee suggested that the District obtain a professional fraud audit of its budget and that it provide the Committee with a copy of the auditor's report. The officers agree that such an audit was necessary.

Subsequent follow-up communications with the District officers indicated that the Cemetary had run out of money altogether and had closed its gates and laid off its two employees. The officers stated that the District had no funds to pay for an independent audit and that they were attempting to review the

financial documents themselves.

RECOMMENDATIONS:

1. The Financial Services Committee continues to recommend that a qualified professional audit firm be employed to conduct a full and complete financial analysis of the District's finances.
2. If at all possible, the County Auditor-Controller should offer assistance to the District in obtaining the audit process recommended above.
3. The Financial Services Committee strongly recommends that the 2002-2003 Grand Jury continue to monitor the financial situation of the Glenbrook Cemetery District.

CONCLUSIONS:

The facts are that the Glenbrook Cemetery District does have budgetary as well as other financial issues that have plagued it for several years. In order to resolve these issues, the Board of Directors of the District should obtain professional financial and auditing help. A meaningful dialogue and working relationship should also be established between the District's Board and the office of the County Auditor-Controller in an attempt to work through the current financial situation. Absent the ability to bring the District into financially stable condition or to arrange for another cemetery district to take over Glenbrook, dissolution of the District may have to be considered.



2001/2002 Grand Jury Report

Financial Services Committee 2001-2002 Lake County Grand Jury

Visitation: Treasurer Tax Collector

PURPOSE: In response to the 2000-2001 Grand Jury's recommendation that the 2001-2002 Grand Jury monitor compliance with recommendations it made concerning the operation of the Lake County Treasurer/Tax Collector's Department, the Grand Jury visited the Department and met with the management and staff. The earlier recommendations are listed below, followed by this Grand Jury's findings.

RECOMMENDATIONS NO 1: "Deposits should continue to be made in a timely manner, cash drawers should be drawn daily, and checks should be endorsed immediately upon receipt. Reconciliation of cash drawers also be performed on a daily basis."

FINDING: A review of these operations within the Department indicated that the recommendations were being carried out in a professional manner.

RECOMMENDATIONS NO 2: "Monthly reports should be made in accordance with State law."

FINDING: Management indicated that the reports required by law were, in fact, being prepared.

RECOMMENDATIONS NO 3: "Foreclosure proceedings on all remaining delinquent properties should be instituted no later than December 31, 2001."

FINDING: The Department has done an excellent job in this area. An auction of delinquent properties was held in early February, 2002, that generated in excess of \$800,000. The Department is currently planning a second auction in the August-September 2002 time frame. The innovative feature utilized by the Department in publicizing the auction on the Internet seems to have enhanced the success of the auction, and the Department is encouraged to continue this innovation.

RECOMMENDATIONS NO 4: "Further delegation of duties should be made, management training

should be established, and cross-training should be required on both the MegaByte system and on other Departmental duties for all personnel."

FINDING: During interviews with management and supervisory staff, the Grand Jury determined that delegation of duties has been accomplished and is ongoing as needs arise. Management training and cross-training have been implemented and will continue. Substantial training of staff with regard to the MegaByte system is underway and will continue.

RECOMMENDATIONS NO 5: "The Lake County Treasurer's Oversight Committee should meet quarterly as mandated by State law."

FINDING: It was determined in interviews with management that the Oversight Committee is, in fact, meeting quarterly as required by law. The Treasurer employs an outside organization to advise on investing and investment strategy.

Conclusion:

It is fairly apparent that the Treasurer/Tax Collector Department has made significant progress within the past year, and they are encouraged to continue such progress. The continued updated of technology and operational processes and procedure currently underway will make the Department even more effective and efficient in the future.

In conjunction with the aforementioned task the Financial Services Committee also reviewed the "County of Lake Management Report For The Year Ended June 30, 2001" and specifically the recommendations concerning the Treasurer/Tax Collector made in the subject report on pages 19 and 20. The Financial Services Committee recommends that the Treasurer/Tax Collector Department follow through on the recommendations so noted in that report.



2001/2002 Grand Jury Report

Financial Services Committee 2001-2002 Lake County Grand Jury

Visitation: Redbud Health Care District

PURPOSE: The Committee considered whether, in followup of the May, 2000, report of the Little Hoover Commission on Special Districts and two previous Grand Jury reports, to investigate further the District's budgets and grants to determine whether administrative mismanagement or misuse of funds was evident that should be brought to the attention of District residents.

BACKGROUND: After the District sold its Redbud Hospital to the Adventist Health System in 1997 and the hospital bond was paid off, the question was raised as to whether the special district should be dissolved. The District continues to receive revenue from property taxes paid by residents within the District and from investment income, together totaling approximately \$500,000 per year. The five members of the Board of Directors award health-care related grants annually to public and private agencies and groups within the District that benefit both residents of the District and the County at large.

PROCEDURE: The Committee reviewed the Little Hoover Commission report and the 1997/98 and 1998/99 Grand Jury Reports and conducted a lengthy interview with County Counsel, Cameron Reeves. The previous year's Grand Jury findings are listed below, followed by this year's Grand Jury's recommendations.

FINDING NO. 1: The formation, powers, duties, and responsibilities of Hospital Districts are governed by the California Health and Safety Code 32000 et seq.

RECOMMENDATIONS NO 1: None

FINDING NO. 2: Dissolution of the Health Care District can be initiated only by residents or taxpayers of the District, the Board of Supervisors, or the county Local Agency Formation Commission.

RECOMMENDATIONS NO. 2: None

FINDING NO. 3: The Bylaws of the Health Care District were changed legally in accordance with the revised Health and Safety Code sections.

RECOMMENDATIONS NO. 3: None

FINDING NO. 4: All special districts are required to undergo a annual independent audit by an outside CPA firm. The Redbud District is not required to give a copy to the County Auditor/Controller, but it usually does.

RECOMMENDATIONS NO. 4: The 2002/03 Grand Jury may consider obtaining and reviewing copies of the Audit, as authorized by the Public Records Act.

FINDING NO. 5: The powers of a health care district are very broad and include, for example, establishing, maintaining, operating, or providing assistance in the operation of outpatient health services, retirement health services, chemical dependency services, free clinics, diagnostic and testing centers, health education programs, prevention programs, rehabilitation, ambulance services, and any services "necessary for the good mental and physical health" in communities served by the district.

RECOMMENDATIONS NO. 5: The 2002/03 Grand Jury may consider obtaining a copy of the District's annual grants.

FINDING NO. 6: The District had formed a Joint Power Agent (JPA) agreement with the Association of California Hospital Districts to provide pooled workers' compensation and medical insurance benefits to its employees.

RECOMMENDATIONS NO. 6: The 2002/03 Grand Jury may consider obtaining financial information on the Program BETA and the ALPHA FUND JPA's to assess whether they are still needed by the District.

FINDING NO. 7: Were the District to be dissolved, a "successor agency" would be authorized to continue collecting taxes for revenue necessary to wind up the District's affairs. Under a formula in the State Revenue and Tax Code, the District's money would be reallocated to other County agencies.

RECOMMENDATIONS NO. 7: The Board of Supervisors may consider assessing the financial effects of the potential reallocation on other county agencies.

FINDING NO. 8: The District retains stewardship of a "substancial fund" as a "contingency reserve."

RECOMMENDATIONS NO. 7: The Redbud Health Care Board of Directors may consider evaluating whether, five years following the sale of the Hospital, such a reserve remains necessary.

Conclusion:

The Grand Jury finds no current evidence of mismanagement or misuse of funds by the District.



2001/2002 Grand Jury Report

Government Services Committee 2001-2002 Lake County Grand Jury

Visitation: Office of the County Assessors

PROCEDURE: The Grand Jury interviewed the County Assessor and office personnel regarding the 2000-2001 Grand Jury's findings and recommendations.

FINDINGS: The work environment has vastly improved under the personal supervision and direction of the Assessor. The Assessor is very proactive in communicating with the employees in the Department via frequent memos and meetings. A high level of morale was observed among the employees.

RECOMMENDATIONS: The 2002-2003 Grand Jury should continue oversight of the Department's communication and morale.



2001/2002 Grand Jury Report

Government Services Committee 2001-2002 Lake County Grand Jury

Visitation: Office of the County Assessors

PROCEDURE: The Grand Jury inspected the physical setup of the Assessor's Office

FINDINGS: The workstation areas have been improved, with more room for the employees and better accessibility to the areas. Modernizing the areas has been difficult because most of the furniture is quite old. The Assessor deserves credit for pursuing available State grant monies that can be used to upgrade the facilities. The Assessor is also reviewing bids to modernize the common office areas and to provide more modern workstations.

RECOMMENDATIONS: The 2002-2003 Grand Jury should continue to monitor physical improvements to the work space

CONCLUSION: The Assessor has effected very positive improvements in the Department.



2001/2002 Grand Jury Report

Government Services Committee 2001-2002 Lake County Grand Jury

Visitation: Office of the County Assessors

PROCEDURE: The Grand Jury evaluated the MegaByte software program used by the Assessor's Office.

FINDINGS: The MegaByte program is effective and working well. The manual is complete, and the Assessor breaks down the computerized procedures as needed to simplify the program's use by the employees. County IT is very involved on an ongoing basis to assist with training.

RECOMMENDATIONS: The 2002-2003 Grand Jury should continue to monitor the improvements from the use of the MegaByte program and the involvement of IT in training.



2001/2002 Grand Jury Report

Government Services Committee 2001-2002 Lake County Grand Jury

Visitation: Office of the County Assessors

PROCEDURE: The Grand Jury reviewed the tax roll prepared by the Assessor's Office.

FINDINGS: The tax roll is being completed in a more timely manner due to updated computerization.

RECOMMENDATIONS: The 2002-2003 Grand Jury should continue to monitor the annual progress in preparation of the tax roll.



2001/2002 Grand Jury Report

Government Services Committee 2001-2002 Lake County Grand Jury

Visitation: South Lake County Fire Protection District

PURPOSE: The followup to the 2000-2001 Grand Jury report regarding the Board of Director's violation of the Brown Act and the dissension among Board members, the Committee attended several monthly Board meetings.

PROCEDURE: Members of the Committee sat in two meetings in 2001 and in 2002 and reviewed the proposed budget.

FINDINGS: The meetings were held in compliance with the Brown Act, and the interaction of the Board members, among themselves and with the California Department of Forestry (CDF) officers and staff, was observed consistently to be professional. The addition of a Clerk to the Board has facilitated intra-and interagency communication.

The major issue facing the District and its citizens is planned cutbacks of personnel at the Cobb Mountain and Hidden Valley Lake substations due to a budget shortfall after the citizens failed to pass a proposed parcel tax during the March, 2002, primary election. The voter turnout was distressingly low, and only one precinct within the District passed the proposition by the two-thirds majority necessary to impose a tax. For the past two years, the District has contracted with the CDF to provide firefighters to the main Middletown station and the two substations. (The Loch Lomond substation has remained unmanned.) CDF union rules require two firefighters to respond to any emergency call, but the CDF agreed that only one firefighter would be assigned to the two substations until 7/1/02. As the District's current budget cannot provide for relief crews, which cover days off and sick days, two firefighters will not be available 24/7, and thus the Cobb and Hidden Valley substations will be unmanned at least two days per week after July 1. Volunteers, who have the full use of all equipment, will attempt to fill in the gaps. In their absence, however, the firefighters responding to calls must travel from the Middletown station, substantially delaying arrival times and removing personnel available to respond to emergencies in Middletown.

The District, covering 280 square miles, is the third largest fire district in California and provides fire

protection and emergency medical care for approximately 12,000 citizens, as well as for visitors who are injured within the District. As is true with almost all fire departments, 70-80% of calls are for emergency medical care. The Board of Directors had voted to hold a special mail election prior to August 15, 02, in another attempt to pass a parcel tax that would assess each single-family residence a fee of \$52.50 annually. The election will cost about \$14,000, which has been allocated in the budget. If the measure passes, money will start coming in during the 2002-03 fiscal year, but if the District waits until the November election, funds would not be available until the 2003-04 year. Members of the public attending the Board meetings have committed to forming community action groups to educate the residents and "get out the vote."

RECOMMENDATIONS: The 2002-2003 Grand Jury should continue to monitor the effect of the passage, or lack thereof, of the parcel tax on the District's ability to respond to emergencies.



2001/2002 Grand Jury Report

Health and Social Services Committee 2001-2002 Lake County Grand Jury

PROCEDURE: The Committee received four complaints this year from members of the community. The subjects of the complaints were Adult Protective Services, Child Protective Services, Mental Health, and Social Services. Two of the complaints were lengthy, rambling missives from the same person, who had submitted similarly unfocused complaints in years past. The Committee was unable to reach the complainant by phone and thus was unable to discern the areas appropriate for investigation. Another complaint was informed that the Complaint needed to be in writing, and a Complaint form was mailed, but no completed form was ever received by the Committee. The last complainant was mailed the requested forms and was advised that, due to the lateness of the inquiry, the 2002-2003 Grand Jury might have to follow up on the written complaint.



2001/2002 Grand Jury Report

Planning and Public Works Committee 2001-2002 Lake County Grand Jury

FINDING: The Grand Jury received a thank-you letter from a resident of Clearlake who had complained to the 2000-2001 Grand Jury about the condition of the road in front of her property. Although the Grand Jury informed the complainant that it had no jurisdiction over the Clearlake Public Works Department, when the Department did repair the hole in the Fall of 2001, the citizen was grateful both to the Department for its work and to the Grand Jury for having investigated her complaint and making a site visit.



2001/2002 Grand Jury Report

Planning and Public Works Committee 2001-2002 Lake County Grand Jury

FINDING: The Grand Jury wishes to commend the Department for the efficient and effective sanding of the local streets and County roads on Cobb Mountain during this past Winter season. Although many of the paved streets are very steep, there was always sufficient sand applied timely to prevent sliding on the ice.



2001/2002 Grand Jury Report

Public Safety Committee 2001-2002 Lake County Grand Jury

Visitation: Clearlake Police Department

PURPOSE: Penal Code 919(b) provides that the Grand Jury shall inquire into the condition and operation of public detention facilities within the County. The Grand Jury visited the facility.

PROCEDURE: Chief Robert Chalk met at length with the Grand Jury on 9/25/02 and provided a tour of the jail.

BACKGROUND: The Department, with an annual budget of \$2.5 million, consists of 23 sworn and 7 non-sworn officers. Chief Chalk came to the Department from the Lake County Sheriff's Department in 1994. Chief Chalk meets monthly with his 4 sergeants, 1 lieutenant, 1 captain and the communications coordinator. The Captain is in charge of investigations and communications, and the Chief and the Captain split administrative duties. Both the Captain and the Chief are graduates of the national FBI Academy. Police Department Operations consists of the patrol division, which is assisted by the detective division and supported by administration, dispatch, volunteer personnel, Community Service Non-Sworn Officers, and clerical personnel. At the time of our visit, three positions in the Department were unfilled.

The Operations Commander supervises the four sergeants - three who in turn supervise the patrol division and one who supervises the detective division. The Commander is also in charge of the jail facility and department computers. Patrol officers work four 10-hr shifts, and the patrol division had two drug K-9s and two bicycles. The detective division is staffed with one sergeant and three officers, one of whom is assigned to the County-wide Narcotics Task Force. The Department has no specific gang task force, but the officers are quick to identify gang members. The community service officers assist with traffic control, prisoner transportation, and search for missing children, but do not write tickets or reports. At present, there is only one Reserve Officer, due in large part of the stringent training involved and the fact that such officers prefer to join a police force rather than stay in reserves.

The Chief denies that Clearlake is a "dumping ground" for parolees and sex offenders. Felons generally are paroled back to the county of commitment, although they can request export to another home area.

Lake County has more exports than imports and tries not to let sex offenders return. The Department maintains a photo album of all parolees in Clearlake and "knows who's on the street." He was proud to point out that the crime in Clearlake had fallen 56% between 1994 and 2000.

The Chief reported that the largest problem at present facing his Department is crime committed by In-Home Social Service workers, especially thefts and fraud committed against their elderly and disabled clients. While IHSS workers must obtain applications at the Police Department, few standards are required for employment. Background investigations are superficial, and documentation of hours worked is lax. The Chief is distressed at how trusting of everyone the elderly tend to be and that so many elderly are being "ripped off", to the extent of voluntarily signing over all their property to the IHSS workers. He knows of a number of occasions when, after being released from Jail, the IHSS worker returned to work for the same person who had been victimized.

The Department also deals with quite a few child molestation cases, approximately 40-45 cases/year. Sexual assaults are a particular problem because of the costs involved in documenting the crime. Suspects and victims must go to Redbud Hospital for semen and other medical evidence collection, which costs \$500-600, and then to UC-Davis for culposcopy, which costs another \$3000. The Chief is trying to let local hospitals to do the more specialized examinations. The scene of the crime, clothing, and any vehicle involved must be examined. Due to the costs involved, the officers take more time investigating before sending the victim for examination. Cases must be prioritized for the likelihood of successful prosecution. About 1 of 10 claims is valid. The Chief added, "We work as hard to prove that someone didn't do it as to prove someone did."

Prisoners are detained at the Department's Jail 4 hours on average and 48 hours maximum. The officers try to group several inmates together before traveling to the Hill Road Facility. Transport to the County Jail affects overtime rates, although one alternative is assigning two Community Service officers to provide transportation. The longer someone is in custody in Clearlake, the greater the liability risk, such as attempted hanging. Such events always result in a lawsuit. The Department is self-insured for the first \$50,000 per incident.

The Department had an assigned car plan, which is more common among police departments these days. Officers take their vehicle home if they live within the City limits. The benefits to the Department include the presence and visibility of the patrol cars in the neighborhoods, faster response to reports of crime, the officers take better care of "their" cars, and "free patrol" for a half-hour per day, as the officer drives to and from work. The Department buys used Crown Victorias from the CHP with 100-150K miles, at a cost of \$6300, versus about \$25K for a new car. The CHP cars come with about \$1000 worth of equipment left inside. The Department has to install a light bar on top. The Department equips each car with a video recorder and a mobile data recorder, which is tied into the state system. Each officer wears a mobile audio recorder. The Department received a \$200K grant to purchase Panasonic laptops, which will need to be upgraded within the next several years. With the available equipment, the officers can check license plates on their own. But for this computer capability, because the radio traffic is so heavy, the Chief would have had to hire another officer in dispatch.

FINDINGS:

1. Chief Chalk is a strong leader and runs the Department like a business, being acutely aware of costs and cost-effectiveness.
2. Morale is high, turnover is low, and the officers manifest respect for the Chief's decisions.
3. Four management officers will be eligible to retire within three years.

RECOMMENDATIONS:

None



2001/2002 Grand Jury Report

Public Safety Committee 2001-2002 Lake County Grand Jury

Visitation:Hill Road Correctional Facility

PURPOSE: The Grand Jury is required to inquire into the condition and management of all public detention facilities with the county (Penal Code 919b). The full Grand Jury visited the facility to review the existing conditions. At that time we were requested to return on another date to further into the existing problems with retention and other work conditions.

PROCEDURE: The Grand Jury visited the jail on four occasions, beginning on 9/18/01. We interviewed the Sheriff, the Jail Commander, sergeants, inline staff, the medical staff, and inmates, as well as past employees. No fewer than four jurors were present at all interviews. The Grand Jury further reviewed Titles 15 and 24 of The California Code of Regulations (which promulgate the Board of Corrections' minimum standards), relevant sections of the Penal Code, the policies and procedures and personnel rules of the County of Lake, the Sheriff's Department's Policies and Procedures, Post Orders of the detention facility, the County of lake Annual Management Report, the biennial Board of Corrections' (BOC) Inspection Report, the annual Fire and Safety Inspection Report, and past Grand Jury reports.

BACKGROUND: Phase I of the Lake Couty detention facility was opened in 1991, followed by phase II in 1992. The Jail's rated capacity is 160, but at times it has as many as 250 prisoners.

For the last four years, the facility has had a substancial problem with both recruitments and retention of Correctional Officers. Until about five years ago, the Deputy Sheriffs and Correctional Officers were represented by the same bargaining unit, but the two branches were split for economic reasons. Although this has been a recent trend in other counties as well, in a County as small as Lake, this split has disadvantaged the Correctional Officers, whose pay is significantly lower than the Deputies' pay. The hiring qualifications are exactly the same for both positions.

A.BUILDING/GROUNDS & EQUIPMENT

FINDINGS: The Grand Jury wishes to report that, at the time of this writing, the jail Commander had compiled a priority list that addresses many of these issues, and more.

1. The main tower and booking area need paint.
2. Two of the three exercise yards still need security covers.
3. The mini-yard lacks a camera
4. A sprinkler head is located directly above the computer control system below the main tower.
5. The inside temperature is unstable because the thermostats are located within the return air ducts. [Title 24, Appendix, Section VII, states that the temperature shall be kept between 63 and 73 during winter and between 68 and 78 in summer, with an air exchange rate of 10cfpm.]
6. The facility was designed for future video arraignment, but the capability has not yet been utilized.
7. The 2000-2001 Grand Jury had recommended that a camera or intercom be installed in the sally port. At the time of our initial visit, this recommendation had not yet been implemented, but, at a later visit, the camera had been installed.
8. During our initial visit, many two-way radios were being held together with rubber bands. Subsequently, 40 new radios had been purchased for use at the Jail.
9. Lack of computerization makes processing inmates and communicating with other departments and counties difficult or impossible.

RECOMMENDATIONS: The Grand Jury wishes to report that, at the time of this writing, the jail Commander had compiled a priority list that addresses many of these issues, and more.

1. Painting and wall repair should be completed in a timely manner.
2. The exercise yards should be covered
3. A camera should be installed in the mini-yard.
4. Some type of hood should be installed over the computer so that the system is not damaged by water from the sprinklers.
5. The thermostats of the video arraignment capability will save manhours and money.
6. Utilization of the video arraignment capability will save manhours and money.
7. None.
8. None.
9. The purchase of a fully functional, integrated, and versatile computer system should take precedence.

10. Video cameras should be installed in the pods, allowing timely investigation of inmate complaints and eliminating many baseless complaints.

B.SAFETY

FINDINGS

1. The staff has not been tested for tuberculosis, as mandated by Title 15, Article 6006, since the facility opened.
2. No fire drills have been held, as mandated in Title 15, Article 6009.
3. The radio repeater system does not extend to the yard or the vehicles.
4. All of the doors cannot be opened in a timely manner in the event of a disaster. Many of the locks jam when keys are used.
5. Mandated blood and saliva specimens are not taken on known sex offenders.
6. The sprinkler system in Phase II was inoperable on our first visit, but is now functional.
7. Per the Fire Department report, exits and exit signs were not illuminated.
8. Per the BOC report, the annual fire inspection report had been forwarded to the BOC.
9. Per the BOC report, no annual Health Department inspection for the facility was available.
10. Per the BOC report, the Policy and Procedures Manual needed revision and reprinting, with inclusion of provisions for the housing of minors in Type II and Type III facilities.

RECOMMENDATIONS:

1. Tuberculosis testing should be initiated at the earliest possible time.
2. The staff should meet with the Fire Department to implement fire drills.
3. Cell phones should be procured for use in yards and vehicles.
4. Automatic locks should be installed that will permit opening of doors in a disaster.
5. Blood samples should be obtained and tested on all known sex offenders.
6. None.
7. The exits and exit signs should be illuminated.
8. The fire inspection report should be submitted to the BOC

9. An annual Health Department inspection should be performed.
10. The revised and reprinted Policies and Procedures Manual should contain provisions regarding detention of minors.

C.PRISONERS

FINDINGS

1. Custody Information Booklets are not readily available for the inmates and their families. The booklets are in the progress of being revised and reprinted.
2. Prisoners' rules displayed on the pod walls are posted only in English.
3. Inmates report that an entire pod had been locked down for two years. There are no provisions in Title 15 that would allow a whole pod to be locked down for such a length of time under any definition of discipline. "Lock-down" is not considered a housing unit.
4. The inmates have no law library. An empty room with a table does not qualify, as availability of a library is mandated by Title 15, Article 1068. The staff is using a program that allows to fill out a "legal research request form" and send it to team of lawyers. An answer is expected within 48 hours. The inmates can also request a form to fill out for the other books they may wish to read.
5. Salt is being withheld as a disciplinary measure.
6. Toilet paper had been withheld, as the inmates use it to try to clog up the vents because it is so cold.
7. Per the BOC report, the addition of beds in Dorms A-2, D-2, and E-2 resulted in insufficient dayroom space below the 35sf per inmate mandated by Titles 15 and 24.
8. Per the Management Report, \$18,935 in the inmate welfare accounts should be transferred to the commissary bank account. No commissary transfer had been made in either 2000 or 2001.

RECOMMENDATIONS:

1. None.
2. Prisoners' rules on the wall should be displayed also in other languages.
3. The lock-down ward should be used for the purpose for which it was designed-"punitive measures," in accordance with Titles 15 and 24.
4. We recommended that the library be restocked and returned to usefulness.

5. Title 15, Article 1068, mandates that food or clothing shall not be withheld as a means of discipline.
6. Title 15, Article 1083, states no implements necessary to maintain an acceptable level of personal hygiene will be withheld. Toilet paper should be provided.
7. The Jail needs to be in compliance with Titles 15 and 24.
8. The accouts need to be brought into compliance with the Management Report's recommendations

D.PERSONNEL

FINDINGS

1. Although the Jail is recognized as integral to the judicial system, in many ways it has a more intimate relationship with a larger percentage of the population than other parts of the system. Its needs, however, are often forgotten. In the past two years, there have been four Jail Commanders, resulting in a leaderless, fragmented department. Many trainees are not completing their training period, and a number of experienced Officers have also left, due to non-competitibe pay, perceived inequitable treatment, and poor morale. The loss of these Correctional Officers is disheartening to those who remain. At the time of our last visitation, there were eight unfilled positions. The state of under-staffing results in, at times, violation of the Department of Corrections' regulations and, commonly, in excessive amounts of over-time. Common sense leads to the observation that working too many hours and too many days without a break in an extremely stressful job can result in inefficiency, a higher probability of errors in judgment, and slowed response times. Added to that are the costs of paying Deputies (often on overtime) to fill the vacancies and the impact on the public of the resulting decrease in street patrols. The Jail staff believes that their needs are often ignored and that the needs of the deputies, icluding their salaries, are often given preference because of their higher visibility. The Correctional Officers operate with sub-standard, hand-me-down equipment and have been handicaped by the lack of a fully functional computer system for nearly three years. The Grand Jury found the staff it interviewed to be loyal and extremely dedicated to a profession that is often ignored and rarely appreciated. The new Commander appears to have a firm grasp of the extant problems, and the Grand Jury is hopeful that her consistent leadership will help unify the department. Nonetheless, low morale is a serious problem at the facility, a culmination of numerous issues, many of which stem from budget deficits.
2. The transportation officers do not undergo random blood and alcohol tests. The County of Policies and Procedures, Appendix I-VII, states that safety-sensitive employees be drug tested as part of pre-employment physicals and that they be retested randomly. Transportation officers are classified as safety-sensitive.
3. Many of the officers' uniforms were in need of replacement at the time of our visit.

4. This Spring, three officers were injured, two seriously , in a training exercise at the facility that went awry.
5. The Sheriff has, on occasion, used Staff, while on duty and sometimes on overtime, to solicit donations for the Sheriffs "Black Tie Ball."

RECOMMENDATIONS:

1. The County would be well served financially to give the Correctional Officers a much-deserved raise that would approximate the Deputies' pay.
2. The County needs to enforce this policy.
3. The corrections department needs a uniform allotment that is more in keeping with their needs.
4. A systematic training program that will benefit the staff while reducing the risk of injury should be implemented.
5. This practice should be discontinued
6. None.
7. The exits and exit signs should be illuminated.
8. The fire inspection report should be submitted to the BOC
9. An annual Health Department inspection should be performed.
10. The revised and reprinted Policies and Procedures Manual should contain provisions regarding detention of minors.

CONCLUSION: The Grand Jury recommends that the 2002-2003 Grand Jury follow-up on these specific recommendations.

An incentive program for employees who bring other employees on board may encourage recruitment.

The Board of Supervisors might consider forming an Advisory Committee consisting of both line and administrative staff, as well as civilians, to identify and communicate problems to the Sheriff at an earlier stage. Rotating this committee assignment among all staff members might encourage greater staff interest and participation and promote group cohesion.

The Jail is to be commended for the positive changes that have already been implemented.



2001/2002 Grand Jury Report

Public Safety Committee 2001-2002 Lake County Grand Jury

Visitation: Juvenile Hall

PURPOSE: The Grand Jury is required into the condition and management of public prisons (Penal Code 919(b)). The full Grand Jury visited the juvenile detention facility to evaluate present conditions and determine whether the Jury's past recommendations have been implemented.

PROCEDURE: The Grand Jury reviewed Titles 15 and 24 of the California Code of Regulations on minimum standards for juvenile facilities. It also reviewed the recommendations and findings of, and formal responses to, the 2000/2001 Grand Jury Report, as well as interviewed the Superintendent of Juvenile Hall and the Chief Probation Officer. Members of the Grand Jury visited the facility on two occasions, beginning on October 9, 2001.

FINDING NO. 1: The facility was neat, clean, and well-maintained, and the staff seemed more relaxed and participated more during the interviews than in the prior year. The facility is fully staffed, and employees are working four ten-hour shifts per week, giving them more free time. And enhancing their coping with the stress of their jobs.

RECOMMENDATIONS NO 1: None

FINDING NO. 2: The size of the classroom is inadequate to accommodate all of the students at once, necessitating split shifts. While half of the students are in school, the other half are locked down because there are not enough staff members to supervise other activities during school hours.

RECOMMENDATIONS NO. 2: The Probation Department should seek additional funding to add an additional classroom and add an additional teacher to permit full-day schooling for all the students. The Grand Jury urges the administration to continue dialog with the Board of Education on this topic. Another approach might be to arrange for student teachers to come for a semester or arrange for volunteers to teach some voc-ed classes, such as sewing or cooking, or for college psychology interns to lead art-therapy sessions.

FINDING NO. 3: The unused kitchen, while requiring some updating, remains more-or-less intact and occupies valuable facility space.

RECOMMENDATIONS NO. 3: Perhaps the kitchen could be used as part of an incentive program that would permit the juveniles to learn some aspects of nutrition and cooking as independent-living skills. For example, they could prepare and cook relatively simple foods such as pizza, tocos, omlets, or cookies.

FINDING NO. 4: The juveniles are incarcerated for numerous types of crimes and manifest varied levels of criminal sophistication. This variety makes a uniform approach by the staff impossible and mitigates against the creation of a "home-like" environment. Nonetheless, many of these juveniles are reluctant to leave, as the Hall represents the only stability they have experienced in their chaotic lives.

RECOMMENDATIONS NO. 4: The Grand Jury suggests that the Probation Department explore with contiguous counties the possibility of establishing a twp-or even three county ranch that could focus on some vocational skill, such as raising farm animals, crops, or guide-dog puppies, for example, as a means of transitioning juveniles back into society. The Jury recommends raising public awareness about the need for, and effectiveness of, group homes for non-violent offenders.

FINDING NO. 5: Shuttling the juveniles to and from court for hearings, etc., requires numerous staff hours per week that otherwise would be spent with the group as a whole.

RECOMMENDATIONS NO. 5: The Grand Jury again recommends that a Commissioner be assigned to Juvenile Hall to save time and money and reduce security concerns.

Conclusion:

The Grand Jury notes that the Hall has acquired a new van, that an emergency exit road is open, and that new food-warming trays enable the juveniles to be served hot food. Additionally, there does seem to be a shift in focus to a more incentive-based approach to dealing with the juveniles. A more proactive approach to assisting these juveniles in learning skills will help them become more responsible adults would be admirable, and the Grand Jury strongly encourages the creation of imaginative, cost-effective programs.



2001/2002 Grand Jury Report

Public Safety Committee 2001-2002 Lake County Grand Jury

Visitation:Konocti Conservation Camp #27

PURPOSE: Penal Code 919(b) provides that the Grand Jury shall inquire into the condition and operation of public detention facilities within the County. The fill Grand Jury reviewed the facility on 9/11/01.

PROCEDURE: A formal presentation was made to the Grand Jury by the Camp's joint commanders, Division Chief Tom Tarp of the California Department of Forestry & Fire Protection (CDF) and Lt. Robert Brisco of the California Department of Corrections (CDF). These commanders also conducted a tour of the Camp. The Grand Jury also reviewed the handouts provided during the presentation and the April, 2001, Review into Allegations of Inappropriate Use of Inmates, conducted by the Sate Office of the Inspector General. No inmates were interviewed.

BACKGROUND: KCC, housing approximately 110-115 male minimum-custody felons, is located on Route 29, seven miles west of Lower Lake, and has been in operation since 1961. The Camp is one of 33 in the State that are jointly operated by CDC and CDF. (In addition, CDF operates an additional nine camps jointly with either the California Youth Authority of the California Conservation Corps.) CDC is the custodial agency and is responsible for the health, welfare, discipline, housing, and education of the inmates, while CDF is responsible for the training and supervision of the inmates while they are responding to emergencies or working on public works projects. Through these cooperative efforts. CDF supervises state-wide approximately 4,000 inmates or wards on a total of 195 fire crews, each consisting of 15-16 inmates and a CDF Fire Crew Captain, year-around. Each crew is transported in a truck, driven by the Captain. While on fire duty, the inmates wear orange clothing, distinguishable from the yellow worn by regular firefighters. As CDF is an "all risk" emergency agency, the inmates respond to wildland fires, floods, earthquakes, search and rescue, and other disasters. Most of the camps are located in the wilderness areas they are designed to preserve. Those inmates not on fire crews as cooks, clerks, laundry workers, maintenance men, or other support workers. When not responding to emergencies, the crews are assigned to "free" conservation and community-service work projects for state, federal, and local government agencies. KCC estimates that in the 2000 calendar year, taxpayers saved \$1.1 million from the work of the fire crews

Assignment to a conservation camp is hard-won privilege. The fire crews are screened for their suitability for the program, including physical, emotional, and intellectual aptitudes, as well as a lack of violent crime, sex offenses, or arson in their records. All potential must complete a rigorous two-week training program at one of two state prisons: the California Correctional Center at Susanville, which oversees all camps in the northern half of the State, or the Sierra Conservatin Center at Jamestown, which handles all mid-and southern California camps. Women are trained for the three women's camps at the California Institution for Women at Frontera. As important as the basics for fire safety and fire suppression they learn, by the time they finish their training, they understand that their effectiveness - and their lives - depend upon teamwork.

Inmates generally spend the last nine months of their sentence at the camps. While assigned to fighting fires, the inmates may earn \$1.00/hr. anre are fed two hot meals per day and a sack lunch. Otherwise, depending on the skill of their work, they can earn between \$1.45-3.90hr. They can purchase such items as snacks, cosmetics, tapes, tennis shoes, and writing materials at the Canteen in Susanville. During their off hour, they can watch TV or films, read, or work on hobbies. The camp has a horseshoe pit and a baseball field. Visiting is allowed on weekends. Potential visitors must apply, and background checks are performed.

The inmates live and sleep in barracks-style open dormitories. Each crew sleeps in a seperate section of the barracks to permit activation of one or two crews without walking the entire barracks. Unlike a prison, there is no gun tower or security fencing. The officers are unarmed- "i can ruin a guy's day with a pen," remarked Lt. Brisco. CDC supervises the inmates operating the Camp kitchen, and inmates are fed on a budget of \$2.45 per man per day, augmented by fruit and vegetables grown in the 3-acre Camp garden and the green house. The last of the Camp's 12 pigs was eaten by mountain lions in 1998-99. The budget for "fire meals" is \$10/day, which is billed to CDF. KCC also operates a CDF Mobile Kitchen Unit that is capable of feeding more than 3000 emergency workers per day. The Unit can be dispatched to disasters anywhere in Northern California. The Camp recycles, and \$1000 of the money generated is credited to the Camp. A certified water plant operator runs the water treatment plant.

FINDINGS:

1. The presentation to the Grand Jury was immensely informative, well-prepared, and well-delivered.
2. The cooperation and mutual respect of CDF and CDC personnel were evident.
3. KCC's facilities, owned by CDF, were well maintained and clean, though Spartan.
4. A merit-demerit system is employed to reinforce socially acceptable behavior.

RECOMMENDATIONS:

None

CONCLUSIONS:

The use of inmates during disasters and on public works projects provide a means by which society can recoup some of the costs of their incarceration. In addition, their activities instill both a work ethic and also pride in accomplishment that help insure that the inmates will be better prepared to succeed when released from custody. KCC performs important functions for the taxpayers and is an asset to the citizens of Lake County. [Attached to this report is a copy of the work projects performed by KCC crews during 2001.]

KONOCTI CONSERVATION CAMP CALENDER YEAR 2001 WORK PROJECTS

- 2001-01 Boggs Mountain State Forest
- 2001-02 County of Lake Highland Springs (Flood Control)
Trailhead
- 2001-03 County of Lake Highland Springs Adobe Creek Road
- 2001-03 County of Lake
(B)
- 2001-04 St. Helena Station
- 2001-05 United States Forest Service
- 2001-06 Mt. St. Helena Access Road
- 2001-07 Clearlake Oaks Fire Department
- 2001-08 City of Lakeport
- 2001-08 City of Lakeport
(B)
- 2001-09 Los Posadas
- 2001-10 Konocti Access Road
- 2001-11 Lake County Fair
- 2001-12 Kelseyville High School
- 2001-13 Anguin Fire Department
- 2001-14 KelseyCobb Station

2001-15	Station 60 (CDF)
2001-16	Brooks Station (CDF)
2001-17	Clearlake Oaks Station (CDF)
2001-18	Middletown Station (CDF)
2001-19	B.L.M.
2001-20	Bothe State Park
2001-21	State Residence Ground Fuel Reduction
2001-22	Kelseyville Business
2001-23	St. Helena Headquarters
2001-24	Glenbrook Cemetary
2001-25	Nice Fire Department
2001-26	County of Colusa
2001-27	Williams School Painting
2001-28	Lower Lake Fire (Paint)
2000-17	Hwy. 29 & Mt. St. Helena



2001/2002 Grand Jury Report

Public Safety Committee 2001-2002 Lake County Grand Jury

Citizen's Complaint

PURPOSE: A member of the public alleged that she was harassed by Deputy Sheriffs and that they illegally entered her home and arrested her. She further alleged that they bruised her wrists while she was in the process of opening the door. She stated that she had contacted the District Attorney's Office and that they refused to help her.

PROCEDURE: The Committee interviewed the complainant and her two daughters, as well as the Sheriff. The Committee also reviewed the warrant at issue and the Deputy's reports.

FINDINGS: The Sheriff's Office was looking for the complainant's juvenile son on a felony failure-to-appear warrant that had a home-search clause and could be served day or night. As the juvenile was on probation, his mother's home was listed as his address, and she had the responsibility to call the Probation Office if his address changed. The complainant stated that her son did not reside at her house, but she had submitted no alternative address to authorities. The cause of her bruises on her wrist could be neither confirmed or denied. The Committee could not determine the intent and actions of the complainant and the Deputy during the incident at the door, with one party stating that she was opening the door and the other stated that he was being held out.

RECOMMENDATIONS:

None

CONCLUSION: Understanding how a situation can heat up is easy when a mother feels she is protecting her child. Nonetheless, parents are responsible for the acts of their children until the children reach the age of 18 years.



2001/2002 Grand Jury Report

Public Safety Committee 2001-2002 Lake County Grand Jury

Citizen's Complaint

PURPOSE: A complaint was received from a County Jail inmate alleging abuse and injury while assigned to Pod B.

PROCEDURE: The Sheriff, Jail Commander, and a Correctional Officer were interviewed, and several attempts were made to obtain the medical records and contact the complainant.

FINDINGS: The Committee was unable to substantiate the complainant's allegations. The inmate was transferred first to San Quentin and then, at his request, to the Conservation Camp at Jamestown. An authorization for release of the complainant's records was faxed to the Jamestown facility, but he refused to sign the form. Had the complainant been injured as he claimed, he would have been unable to perform the duties necessary to be assigned to a fire crew. If the injury occurred in the manner he alleged, several jail policies would have been violated, which seemed unlikely.

After the complainant was notified by the Foreman that no further action would be taken on his complaint at present, the inmate submitted a second complaint, stating that his injuries were not the issue, but, rather, the jail policies and procedures regarding restraints. By the time this second complaint was received, the Committee did not have time to enlarge its investigation.

RECOMMENDATIONS:

The 2002-2003 Grand Jury may wish to consider following up on the jail's policies and procedures regarding physical restraints (shackles, belly chains, and handcuffs).



2001/2002 Grand Jury Report

Public Safety Committee 2001-2002 Lake County Grand Jury

Citizen's Complaint

PURPOSE: A complaint was received from a business owner abutting the alley running alongside Saderlund Park, which is bounded by Second and Third Streets and two alleys, in Kelseyville. The complainant stated that she felt unsafe returning to her car at the close of business when it was dark because the occupants of the Park, whom she alleged were often young or drunk, frightened her.

PROCEDURE: The Grand Jury spoke with the Sheriff, a Deputy Sheriff assigned to foot patrol in the area, and the Lake County Roads Department.

FINDINGS: The Grand Jury found the Park to be clean and well groomed and did not observe any visitor to be unruly or drunk. The streetlight at the Third Street end of the Park was burned out, and the Roads Department assured the Grand Jury that it would be replaced. The Sheriff agreed with the Grand Jury's request to add a patrol to the Park at the end of the business day. When the Grand Jury informed the complainant what arrangements had been made, she was indeed relieved. The Deputy Sheriff had stopped by and spoken with her, and she was pleased with his response.

After the complainant was notified by the Foreman that no further action would be taken on his complaint at present, the inmate submitted a second complaint, stating that his injuries were not the issue, but, rather, the jail policies and procedures regarding restraints. By the time this second complaint was received, the Committee did not have time to enlarge its investigation.

RECOMMENDATIONS:

As the streetlight at issue is close to the Grand Jury meeting room, the 2002-2003 Grand Jury might confirm periodically that it is in working order.

CONCLUSION: The Sheriff is to be commended for his immediate response and attention to detail.



2001/2002 Grand Jury Report

Public Safety Committee 2001-2002 Lake County Grand Jury

Citizen's Complaint

PURPOSE: The complainant was concerned about the reporting of an incident with an alleged assailant and alleged that the deputy downplayed and understated the injuries. The complainant further stated that he gave information to the deputy to help identify the assailant and that failure to record this information was the reason no arrest was ever made. The complainant stated that he was fearful of reprisal by the alleged assailant.

FINDINGS: The Grand Jury found that an attorney was representing this citizen and that, therefore, it would be inappropriate for the Grand Jury to pursue this matter.

RECOMMENDATIONS:

None.



2001/2002 Grand Jury Report

Public Safety Committee 2001-2002 Lake County Grand Jury

Citizen's Complaint

PURPOSE: A citizen alleged abuse of authority by the Clearlake Police Department. The citizen maintained that, solely on the say of an officer who pulled the citizen over for a traffic stop, the citizen's license was revoked by the DMV, which the citizen thought was extremely unfair.

FINDINGS: The citizen was being represented by an attorney, and thus the Grand Jury decided that it should not pursue this matter.

RECOMMENDATIONS:

None.



2001/2002 Grand Jury Report

Public Safety Committee 2001-2002 Lake County Grand Jury

Citizen's Complaint

PURPOSE: An inmate at the Hill Road Correctional Facility alleged breach of promise by the Sheriff's Office, the District Attorney, the Drug Task Force, and the Judicial System. The complainant stated he had been offered a "deal" by the deputies for exposing an alleged criminal. In return for his assistance, the deputies allegedly promised that his record would be expunged. He further stated that the deputies also promised that his and his girlfriend's names would be kept out of the paper and that he would not have to appear in court. The complainant alleged that his safety was compromised and that his letters to all branches of law enforcement went unanswered.

FINDINGS: After investigation, the Grand Jury found that the allegations were unfounded. During meetings with the District Attorney and the Sheriff, we were advised that deputies have no authority to make "deals"

RECOMMENDATIONS:

None.



2001/2002 Grand Jury Report

Public Safety Committee 2001-2002 Lake County Grand Jury

Citizen's Complaint

PURPOSE: This complaint was initiated at the close of last year's Grand Jury session. The citizen had attempted unsuccessfully to send books to an inmate at the Hill Road Facility and had received conflicting complaints as to what materials could be sent. After repeated attempts failed, the complainant requested written criteria addressing what books inmates could receive. The Committee believed that such criteria would be found in Titles 14 and 24 of the State Board of Corrections and promptly sent her the copy of the regulations.

FINDINGS: The Committee was notified that more specific rules and regulations were needed at the Hill Road facility, including the Public Information Booklet for prisoners and visitors. When contact with the Jail was made, the Committee found that these materials were in the process of being reprinted.

RECOMMENDATIONS:

The Grand Jury, the Sheriff, the County IT Department, and the Lake County Public Library should collaborate to have these materials placed in the reference section of all four County libraries and also on the Lake County website, under "Grand Jury."

CONCLUSION:

The County is in compliance with Title 15, and the written materials for inmates and visitors are being reprinted at this time and will be made publically available. The Sheriff, the IT Department, and the Lake County Public Library are all to be commended for their cooperation on this project.



2001/2002 Grand Jury Report

Public Safety Committee 2001-2002 Lake County Grand Jury

Visitation: Lake County Animal Control

PURPOSE: The Grand Jury received a complaint alleging malnourishment of a herd of Arabian horses. The complainant stated that she had called Animal Control several times and was told that they were aware of the allegations but that they were unable to act because the owner asserted that the horses were under the care of a veterinarian. When she pressed Animal Control to take action, the complainant allegedly was also told that Animal Control was overworked and understaffed and that they could not respond to all complaints from the public.

BACKGROUND: At the time this complaint was made, Animal Control was in transition. Formerly a division with the Department of Agriculture, the director reported to the Commissioner of Agriculture. The long-time director and her assistant resigned, followed shortly by the departure of the Agriculture Commissioner. Animal Control, then leaderless, was placed under the auspices of the Sheriff's Department until the Board of Supervisors decided to make it a stand-alone department and hired a new Director from out of the county. The Supervisors also appointed an Animal Control Advisory Committee to make recommendations as to how Animal Control might more effectively fulfill its mission. Although the Grand Jury decided to see how Animal Control fared under the new Director before deciding whether to embark upon an in-depth investigation, a number of general issues were immediately evident that bear interim comment.

PROCEDURE: The Grand Jury spoke with the Complainant, staff of Animal Control and the SPCA of Clear Lake, and the Middletown Animal Hospital. Members also reviewed the Sheriff's 2001 Report on Animal Control and consulted with the California Veterinary Medical Association and the staff of Maddie's Fund, an endowed Bay Area pet-rescue foundation.

GENERAL FINDINGS: In addition to operating the Shelter, entailing housing and adoption of animals and issuing licenses, Animal Control's duties include receiving and responding, county-wide, to citizen's complaints about stray, injured, dead, abused, sick, or abandoned animals; dog bites; and barking dogs, many of which complaints involve investigations and writing citations. Animal Control is responsible as well for enforcing all State and County laws protecting the health, welfare, and safety of animals and

humans, and refers substantial abuse and neglect cases to the District Attorney's Office. The Shelter also provides crematory services for pet owners and inspects and licenses all commercial animal establishments and kennels. The shelter is open until 7 p.m. one evening and otherwise closes at 4:30 p.m. during the week and is closed to the public on weekends, restricting opportunities of working people to adopt animals. All of the cats and dogs adopted out from the SPCA come from Animal Control, which also supplies all of the dog food to the SPCA. As Animal Control does not respond to calls from the public in the evenings or the weekends, calls for assistance go to the Sheriff's Department and the SPCA.

As also noted by the Sheriff, the number of abandoned or surrendered pets processed annually by Animal Control, most problematically cats and dogs, are more consistent with a county population of two or three times, and department staffing levels at least twice, that of Lake County. As the population of Lake County expands, the pet population increases exponentially, primarily because of the lack of public education and an aggressive County-sponsored spay-neuter program. The Sheriff reported that in the year 2000, approximately 35% of shelter animals were euthanized, a demoralizing task that must be performed daily to make room for new animals. According to the Animal Control Advisory Committee, that figure is even higher. Year in and year out, barking dogs are the animal control issue that surfaces most commonly as a community issue, followed by dogs running at large. Existing County ordinances addressing both problems, even when enforced, seem to have little effect.

Low-cost sterilization is available within the County, but not from Animal Control. The SPCA contracts with vets, with one exception from out-of-county, to work at its mostly low-cost spay-neuter and vaccination clinics. The Clear Lake Animal Welfare Society, now called the Friends of Animal Control, provides vouchers for low-income owners to help pay for their pets' sterilization at the SPCA. Maddie's Fund, through the California Veterinary Medical Association, is providing underwriting to private vets for both feral cat sterilization and also provision of low-cost sterilization of dogs and cats of low-income residents. In addition, through the Shelter Medicine Program at the UC-Davis School of Veterinary Medicine, Maddie's Fund is also providing continuing education materials and resources for recognition and treatment of diseases and behavioral problems specifically within county animal shelters.

The current Shelter facilities are dingy, often poorly cleaned, and frankly, unwelcoming. No veterinarian supervises animals at the Shelter, resulting in lack of treatment of sick animals, or those infested with fleas or worms, a number of whom are transferred to the SPCA and/or adopted out, resulting in complaints from angry new owners and sometimes return of the animals. On one occasion this past year, a girl scout troop stopped volunteering at the SPCA because several girls contracted ringworms from kittens. The professionalism of Animal Control officers and their concern for the well-being of animals is without question. The department, however, is currently understaffed, and there are rarely employees or volunteers available to socialize many of the animals to try to make them more adoptable. Further, no animals are spayed or neutered before being adopted, and the adoption fees, which include refundable spay-neuter deposits, are lower than in all surrounding counties, as are the dog-license fees.

RECOMMENDATIONS:

1. If the County is unable to contract with a veterinarian to provide consultation and treatment of animals in the Shelter, it might consider formally cross-training one or two Animal Control officers as veterinary technicians who can at least provide vaccinations, de-worm and de-flea animals, and test for leukemia and heartworm upon arrival. (Technicians can administer rabies injections, but the certificate necessary for licensing must be signed by a vet.) Animal Control might also contact the Shelter Medicine Program at UC-Davis and explore what assistance they might be able to provide.
2. Animal Control could consider raising the adoption and licensing fees to help underwrite additional services such as, for example, being open on Saturdays for adoptions and/or expanding the hours of operation in Clearlake, vaccinating the new arrivals, and microchipping each animal that is adopted.
3. In lieu of yet being able financially to spay-neuter all pets adopted, Animal Control could at least schedule all such pets for surgery, at either the SPCA or with the owner's private vet or a vet participating in the special California Veterinary Medical Association program before the owner leaves the Shelter with the pet.
4. Animal Control could implement the Sheriff's recommendation that minimum-security jail inmates, or even youths from Juvenile Hall or inmates from the Konocti Conservation Camp, be put to good use around the grounds and also help socialize the animals to enhance their potential for adoption.
5. The Board might consider requiring County veterinarians to issue a pre-license, to be completed by Animal Control, whenever they administer rabies vaccinations to dogs, as a means of reassuring that more animals are licensed, permitting improved identification of the owners of pets running loose. To reduce logistical hassles for owners, the license and rabies vaccination expiration dates should coincide.
6. The Board might also consider implementing an enforceable dog-barking ordinance, which, if implemented in conjunction with owner education about behavioral and surgical methods for dealing with excessive barking, would go a long way to reduce inter-neighbor conflict and repeated calls to the SPCA and public agencies.
7. The Grand Jury recommends that the 2002-2003 Grand Jury reassess Animal Control after the new Director has had an opportunity to effect necessary changes.



2001/2002 Grand Jury Report

Public Safety Committee 2001-2002 Lake County Grand Jury

Visitation: Konocti Unified School District

PROCEDURE: The Grand Jury received a written complaint from a member of the community about the action of the Konocti Unified School District Board of Trustees. The Grand Jury met with both the complainant and later with the County Counsel and Counsel for the Lake County Office of Education.

FINDINGS: During a lengthy interview with the complainant and a review of the documentary materials provided, the grand jury learned that the gravamen of the complaint pertained to alleged conflict-of-interest involving a person providing information to the Search Committee during the hiring of the Superintendent in 1998. The complainant also alleged violations of the Brown Act and alleged episodic harassment by the Superintendent and certain Board members. While the Grand Jury's initial evaluation was ongoing, the County newspaper reported widely both on the controversies aired during Board meetings and also on the issuance of a recall petition of three Board members.

Both County Counsel and Office of Education counsel met with the Grand Jury to discuss what investigation, if any, would be appropriate for the grand jury to conduct. The Grand Jury was advised that the best recourse for the complainant was to contact the County District Attorney, the State Attorney General, and the watchdog agency, the Fair Political Practices Commission. The Grand Jury then voted to so inform the complainant and not itself to conduct further investigation of the allegations.

RECOMMENDATIONS:

None.



2001/2002 Grand Jury Report

Public Safety Committee 2001-2002 Lake County Grand Jury

Visitation: Middletown Unified School District

PROCEDURE: The Committee received a written complaint from a member of the community about the actions of the Middletown Unified School District Board of Trustees. The Committee met with both the complainant and later with the County Counsel and Counsel for the Lake County Office of Education.

FINDINGS: During a lengthy interview with the complainant and a review of the documentary materials provided, as well as attendance at a Board of Trustees meeting and perusal of the numerous newspaper articles and often vituperative letters to the editor, the Committee came to appreciate the extent of the division among parents, teachers, staff, and Board members regarding the decision whether or not to reappoint the District's Superintendent for an additional year. As well, specific allegations of conflict of interest were made against the President of the Board and allegations of violations of the Brown Act were made against the President and certain Board members. The complainant had already submitted a formal complaint to the Fair Political Practices Commission, which had agreed to investigate the conflict-of-interest allegations. The Committee discussed the matter with County Counsel, individually and jointly with the Office of Education Counsel, who believed that the energies of the Committee would not be well spent duplicating an investigation that the FPPC had undertaken. Also, allegations of Brown Act violations should be brought to the attention of the District Attorney. Therefore, the Committee voted to inform the complainant both that it would not be investigating the allegations and also of the alternative avenues open to her.

RECOMMENDATIONS:

None.



2001/2002 Grand Jury Report

Public Safety Committee 2001-2002 Lake County Grand Jury

Visitation: Office of Emergency Services

BACKGROUND: In the wake of 9-11, disaster preparedness, response, and recovery were much on the minds of the Grand Jury. While terrorism per se is relatively unlikely, Lake County is at special risk of natural disasters such as flooding, firestorms, and earthquakes, as well as human disasters such as chemical spills. In addition, human or animal infectious disease is always a threat, either as precedence or consequences. The county is alrge and rural and partially isolated by mountainous terrain and narrow roads. A substantial portion of the population is disabled and may need evacuation or provision of food and supplies, as could a larger number of both field and companion animals. Citizens with serious physical and psychological trauma need to be anticipated and accommodated, not to mention the "worried well." The County's two hospitals provide fewer than 100 inpatient beds. Large aircraft would be unable to land. As a result of these realities, the Grand Jury had in mind to assess the County's readiness to manage an emergency, including the sophistication of the crucial multi-agency coordination, communication, and cooperation, as well as the level of community education and awareness, that currently exist.

PROCEDURE: The Grand Jury met with Caroline Chavez, Deputy Public Services Director and Coordinator of the County Office of Emergency Services and reviewed the All-Hazard Emergency Operations Plan.

FINDINGS:

1. The OES Coordinator is responsible for formulating, organizing, and implementing the County's emergency or disaster preparedness program, developing and effecting training programs for County staff, and coordinating emergency services provision with local, state, and federal agencies and organizations, as well with the Red Cross. Additionally, the Coordinator develops a public information program and ensures County compliance with relevant regulations.

2. OES provides five functions in a disaster: management, operations (coordinating what happens in the field) planning (for what needs are and will be), logistics (communications and provisions of shelter, and finance administratin (calculating costs of personel, equipment, and materials).
3. All counties in the state have had to develop the same general plan, the All-Hazard Emergency Operations Plan, with a similar chain-of-command organizational shelter, in order to be eligible for monies from the Federal Emergency Management Agency. The Plan includes sections on Communications, Care and Shelter (Social Services, for example, coordinates with the Red Cross, Public Health, and the acute care facilities, Transportation, and Law Enforcement (police agencies, for example, jointly with Cal-Trans, are in charge of hazardous material spills).
4. Mitigation projects, such as flood prevention along Cache Creek, must be included in any disaster management plan
5. Recovery from a disaster may require as long as 2-5 years.
6. The responsibility for the OES program had just been shifted to the Sheriff's Office

RECOMMENDATION: Given the facts that the Sheriff had just accepted the task of assigning the role of Coordinator to one of his officers and the new Coordinator would need time to get on top of his role, the Grand Jury voted to suspend its investigation for another year. The Committee recommends that the 2002-2003 Grand Jury assess the state of the provision of emergency services in Lake County.