

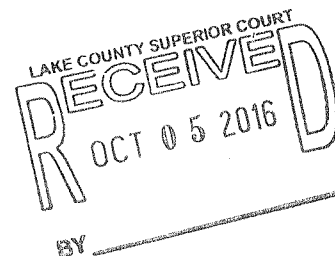


LAKE COUNTY SHERIFF'S OFFICE

1220 Martin Street • P.O. Box 489 • Lakeport, California 95453

Administration (707) 262-4200	Central Dispatch (707) 263-2690	Coroner (707) 262-4215	Corrections (707) 262-4240	Patrol/Investigation (707) 262-4200	Substation (707) 994-6433
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Brian L. Martin
Sheriff / Coroner



October 4, 2016

Honorable Andrew Blum
Presiding Judge
Lake County Superior Courts
255 N. Forbes Street
Lakeport, CA 95453

To the Honorable Judge Andrew W. Blum,

I am writing this letter in accordance with Penal Code Section 933.05 as response to the June 30, 2016 final report from the Lake County Civil Grand Jury. I first want to thank the Court and express my gratitude and appreciation for the volunteers who dedicated many hours by providing this important service to our community. I welcome the opportunity to have oversight and feedback regarding the Sheriff's Office's operations, and I constantly strive to improve the professional services provided by this agency to the people in Lake County. In response to the 2015-16 Grand Jury Report, the Lake County Sheriff's Office respectfully submits the following responses:

Role of the Office of Emergency Services In County Disaster Preparedness (pages 1-9).

Findings

- F1 Instability in the OES is evident in the turnover in management and rotation between departments since 1995.**
Response: The Sheriff's Office agrees with the finding.
- F2 Confusion existed about the identity, staffing and operations of an EOC.**
Response: The Sheriff's Office agrees with the finding.
- F3 Confusion existed about the use of the EOP.**
Response: The Sheriff's Office agrees with the finding.
- F4 Confusion existed among responders about the role of the OES.**
Response: The Sheriff's Office disagrees partially with the finding. Many of the responders, County workers, and disaster services workers had a clear understanding of the role of the OES; OES management at the time of the disasters attempted to apply operational services and direction instead of support and response services during the Rocky Fire and beginning of the Valley Fire. This caused confusion as the OES was attempting to provide operational services instead of support and coordination services.
- F5 The local community and County employees had not received adequate training in how to proceed in an emergency.**
Response: The Sheriff's Office disagrees partially with the finding. Two Community Response Teams were certified prior to the 2015 fire season. Nearly all County employees completed FEMA and ICS training as required to maintain grant funding.
- F6 A strategic plan for the OES was submitted in 2014 but not fully implemented.**
Response: The Sheriff's Office agrees with the finding.

- F7 Disaster workers who reported to the EOC at the time of the Valley fire were uncertain of their responsibilities.**
Response: The Sheriff's Office agrees with the finding.
- F8 The County EOP contained outdated information and was removed from the County's OES webpage during a critical emergency.**
Response: The Sheriff's Office agrees with the finding.
- F9 The OES manager position appeared to be formerly underpaid as evidenced by a 20% salary increase with no additional duties or responsibilities for the next OES Manager.**
Response: The Sheriff's Office agrees with the finding.
- F10 Supervision of the OES Manager was inconsistent.**
Response: The Sheriff's Office agrees with the finding.
- F11 Duties and responsibilities of the OES, OAW, the Disaster Council and the Sheriff's Department were unclear in terms of the separation of their roles before and during emergencies.**
Response: The Sheriff's Office disagrees partially with the finding. The Sheriff's Office's personnel's roles before and during the fire was clear. I am unable to respond appropriately to the issue of the OES' personnel's understanding of their roles as I was not the OES Director during that time.
- F12 The Disaster Council was in violation of its bylaws by not holding quarterly meetings announced to the public, or submitting an annual report and strategic plan to the BOS.**
Response: The Sheriff's Office agrees with the finding.
- F13 A full-time manager of the OES with adequate support staff was needed to handle the responsibilities of that office.**
Response: The Sheriff's Office agrees with the finding.
- F14 One of the job duties of an OES Manager is to obtain grant monies for disaster preparedness and as such has a legitimate need to have a voice in deciding how those monies are spent.**
Response: The Sheriff's Office agrees with the finding.
- F15 Advantages of having the OES under the Sheriff's Office are that the Sheriff's Office is routinely involved in emergencies. In addition, several of the employees of the Office have completed certification in disaster preparedness. A potential disadvantage is that the Sheriff's Office has a great number of responsibilities of its own. Additionally, as an elected official, the position of Sheriff is subject to change every four years.**
Response: The Sheriff's Office agrees with the finding.
- F16 An advantage of having the OES report to the County Administrative Officer (CAO) is that this office is policy driven versus operations driven, thus facilitating the coordination functions that the office must perform. A potential disadvantage is that the job description of the CAO does not currently require the incumbent to have any expertise in OES functions. Additionally, as an-at will hire, the CAO can be terminated or leave that position at any time without notice.**
Response: The Sheriff's Office agrees with the finding.
- F17 Advantages of having the OES exist as an independent agency with adequate support staff, are that federal preparedness grants exist to support such an agency; County coordination of disaster response duties represents a full-time activity; and an independent agency would allow full-time focus on those critical activities.**
Response: The Sheriff's Office agrees with the finding.

Recommendations:

- R1 Create an up-to-date County EOP and post it on the County information website and the Sheriff's Department website.**
The recommendation has been implemented. The newly hired OES manager has undertaken the task of rewriting the County's EOP. Because the most recently accepted version of the EOP is 20 years old, it requires an extensive overhaul and a nearly complete rewrite to bring it into compliance with current practices, laws and regulations. Additionally, the Sheriff's Office website is being restructured, and will include this information once the EOP is complete.
- R2 Conduct an orientation to the updated EOP for the community disaster support and preparedness agencies.**
Response: The recommendation has not yet been implemented, but will be implemented in the future. Orientation and presentation of the revised EOP will occur upon completion of the EOP.
- R3 Reinstate and populate the OES webpages with all relevant information.**
Response: The recommendation has not yet been implemented, but will be implemented in the future when the new Sheriff's Office webpage is presented. A target date for this is prior to the end of 2016.
- R4 Define and promote the nature and works of the OES, the Disaster Council and the OAW to affected agencies and the public.**
This recommendation requires further analysis. The respondent is unclear of the scope and parameters of this recommendation. The respondent feels that many of these issues will be addressed upon implementation of other recommendations, specifically during public Disaster Council Meetings, completion of the EOP, stakeholder meetings, and submittal of the Annual Report. The respondent requests a meeting with the Grand Jury for further clarification in order to define and refine the scope of "affected agencies and the public." Should the Grand Jury concur that such information will be adequately provided upon implementation of the other recommendations, a meeting may be unnecessary.
- R5 Include representatives from all County agencies involved in providing emergency services and post-disaster services, and updating the GOP.**
The recommendation has been implemented. The Sheriff's office has scheduled the first of many required quarterly disaster Council meetings. The first meeting is scheduled to be held on October 20, 2016. Prior to that meeting, work groups comprised of stakeholders are being convened to address subsections of the County EOP in advance of the public meetings.
- R6 Submit Disaster Council Annual Reports and a Strategic Plan to the BOS as per their bylaws.**
The recommendation has been implemented. A target date for presentation of the Annual Report and Strategic plan is the first quarter of 2017.
- R7 Convene quarterly meetings of the Disaster Council and announce them to the public.**
The recommendation has been implemented. The Sheriff's Office has scheduled the first of many required quarterly Disaster Council meetings. The first meeting is scheduled to be held on October 20, 2016, and will be publicly noticed as required by law.
- R8 Establish a dedicated EOC with all necessary equipment on hand and with a clear set of instructions, contact numbers, expected duties and responsibilities for the responders.**
The recommendation has been implemented. A dedicated EOC facility is being established in a County owned building. Funding to equip and outfit the facility is being obtained through various grants. The facility has already been activated as an EOC during the Clayton Fire of 2016.
- R9 Produce a procedural manual and conduct periodic trainings about activation processes and staffing of the EOC.**
The recommendation has not yet been implemented, but will be implemented following completion of the EOP.
- R10 Develop outreach literature and associated training for community groups eligible to participate in emergency preparedness.**

This recommendation will not be implemented because it is not reasonable. There are currently insufficient personnel assigned to Emergency Management to complete the tasks required to implement this recommendation. The County OES will continue to produce literature and provide training. When opportunities arise for public participation, such participation will be encouraged. However, the level of staffing required to provide dedicated training for community groups does not exist within the office.

R11 Include the OES manager as a primary decision-maker in the allocation of grant monies.

The recommendation has been implemented. The newly hired OES Manager participates actively in the decision making process for some of the grant monies. For several of the grants, pre-defined steering committees comprised of public safety agency department heads and Public Health designees make decisions for the allocation of those grants.

R12 Update and maintain the 2014 OES strategic plan.

The recommendation has not yet been implemented, but will be implemented following completion of the EOP.

R13 Establish the Lake County OES as an independent agency that works closely with the Disaster Council and the operations area worker.

The recommendation will not be implemented because it is not reasonable. The Lake County Ordinance defines the establishment of the County Office of Emergency Services and designates the Sheriff as the Director of Emergency Services. This recommendation cannot be made unless the ordinance is changed.

Fire Safety in Lake County of Lake (pages 65-72)

Findings:

F1 Changes in laws such as AB 109 and Prop 47 can critically reduce the number of inmates housed in local jails such as Hill Road Correctional Facility in Lakeport.

Response: The Sheriff's Office disagrees partially with the finding. AB 109, was legislation intended to reduce the number of prisoners in state prisons by shifting the responsibility of housing certain "low level offenders" from state prisons to county jails. This legislation actually increased the population and County jails across the state by approximately 12 percent following enactment of AB 109¹. Proposition 47, a voter approved initiative, had the effect of reclassifying certain crimes from felonies to misdemeanors, which resulted in a reduction in jail populations.

F2 The Middletown Rancheria Fire Department will be eligible to be part of the Lake County Fire Chief's Association to coordinate with other fire chiefs for the most effective use of resources.

Response: The Sheriff's Office agrees with this finding.

F3 There is an emergency warning system that consists of landline and alerts such as Nixle, City watch (Reverse 911), and voice over Internet alerts. All of those systems require either telephone lines, Internet connections or cell towers for operation. This is a dangerous situation for Lake County. In the Valley Fire the telephone lines and cell towers were quickly destroyed negating any effective warning system for residents of Cobb and Middletown. The warning siren is a "low tech" option being investigated.

Response: The Sheriff's Office agrees with this finding.

Recommendations:

R1 The Sheriff's Department and the Hill Road Correctional Facility should work with Cal Fire to make their inmates who qualify available to transfer to the conservation camp program.

Response: The recommendation will not be implemented because it is not reasonable. The number of qualified and eligible inmates that are typically housed within the Hill Road Lake County Jail is limited due to the previously mentioned legislative changes. The few eligible and qualifying

¹ Public Policy Institute of California's 2013 report on "Impact of Realignment on County Jail Populations." http://www.ppic.org/content/pubs/report/R_613MLR.pdf

inmates are typically assigned to jail support operations, such as working in the jail kitchen, assisting maintenance crews around the facility, and they are also assigned to work crews that assist the Lake County Department of Public Works. Transferring the few inmates out of our local county facility to a state run operation, would greatly hinder operations of our facility, and take away services being provided by those inmates to Lake County residents.

- R2 The Lake County Fire Chiefs Association and the Board of Supervisors should encourage and support any efforts made in the Middletown Rancheria a tribe in setting up another fire district.**

Response: The Lake County Sheriff has no response for this recommendation.

- R3 Lake County should pursue more options for warning systems such as the sirens used in the past and IPAWS. Investigations could include solar power options for the sirens and/or any other alternatives that would supplement the existing telephone and Internet systems.**

Response: Part of this recommendation has been implemented. IPAWS is the Integrated Public Alert Warning System which issues emergency alerts via cell phone, the Emergency Broadcast System, and the Emergency Alert System. As of the writing of this report, the Lake County Sheriff's Office, through a generous donation by the Lake Area Rotary Club Association (LARCA), has secured software and a contract to provide IPAWS alerts within Lake County. LARCA has agreed to fund an additional two years of IPAWS contract costs at approximately \$10,000 per year. This system is already activated and has been used on several occasions.

The issue of sirens is being addressed and preliminary research has been conducted by Cal Fire representatives. The initial estimate of the cost to install a siren system capable of reaching the Cobb and Middletown areas is over \$180,000. Clearly a system capable of serving all of Lake County would be very expensive. The Sheriff's Office supports this recommendation; however a funding source will need to be identified to pay for it.

CANINE UNITS IN LAKE COUNTY (pages 75-76)

Findings:

- F1 The officer is responsible for the care and continued training of the dog while it is in active service.**

Response: The Sheriff's Office agrees with the finding.

- F2 The dogs are retired when necessary due to energy levels, age, and other variables. When they are retired the handler has the option of purchasing the dog which they usually do.**

Response: The Sheriff's Office agrees with the finding.

- F3 Clearlake PD has three fundraisers a year in order to maintain a K-9 fund, which they used to pay vet bills and purchase new dogs.**

Response: The Sheriff's Office agrees with the finding.

Recommendations:

- R1 The BOS, the Sheriff's Department, and the Clearlake Police Department should ensure that there are sufficient funds available to replace the dogs as they retire.**

Response: The recommendation has been implemented. The Sheriff's Office maintains adequate funds for replacement of service dogs as they are removed from service.

In closing, I would like to again express my appreciation to the Grand Jury for their final report. This process serves to ensure that public servants are aware of the issues of our constituents and population we serve. I find these reports very insightful and helpful.

As you can see, many of the findings that were addressed in the Grand Jury's report have been, or are in the process of being rectified. We have provided training to identify responder's roles in the operation of

the EOC. We have identified key County leaders and assigned them roles in the EOC in the various branches. We have ensured that public employees complete required training in the Incident Command System. We are in the process of revamping the County's EOP. We have identified the roles and responsibilities of the various cooperators and stakeholders in the EOC.

The County's decision to appoint the Sheriff as the Director of Emergency Services and place the Office of Emergency Services under the direction of the Sheriff's Office has already proven to be a good decision. As I write this response, Lake County is in the beginning stages of the recovery process of our most serious fire of the 2016 fire season. The Clayton Fire, which started on August 13th, claimed several hundred structures including approximately 200 residences. The fire burned nearly 4000 acres and required the evacuation of the communities of Lower Lake, and a part of the Incorporated City of Clearlake east of Highway 53. During our response to this emergency, we already saw improvements due to lessons we learned in 2015, and changes that have been made. We were able to safely and efficiently evacuate an estimated 4000 residents. For those who were fortunate enough to have their homes spared, we were able to return them home in six days. During our response, we had no reported civilian injuries or fatalities. Our communication, cooperation and coordination with CalFire and our communities was greatly improved when compared with the 2015 season.

I would be remiss in my response if I did not recognize the efforts of the newly appointed Lake County Administrative Officer, Carol Huchingson. The CAO had a large role during the 2015 fire season, acting as the EOC Manager following the departure of the previous Emergency Services Manager. The CAO also filled the role of the recovery court later. Her experience and understanding in those positions gave her a greater understanding of the importance of the role of emergency services. The CAO has been very supportive, and continues to be so, in assisting the Sheriff's Department to fulfill its obligations in disaster preparedness preparation.

Respectfully submitted,



Brian L. Martin
Sheriff-Coroner
Emergency Services Director
County of Lake