



**SISKIYOU COUNTY**  
**Health and Human Services Agency**

**TERRY BARBER**  
*Director of Health and Human Services Agency*

**STEPHEN PERLMAN, M.D.**  
*Public Health Officer*

September 11, 2013

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Lori Wilson, Grand Jury Foreperson  
2012 – 2013 Grand Jury  
Siskiyou County Administrative Office  
P.O. Box 750  
Yreka, CA 96097

**RE: 2012/2013 Grand Jury Report – Elder Abuse**

Dear Grand Jury Foreperson Wilson:

The Health and Human Services Agency appreciates the opportunity to correspond with Grand Jury members and address specific questions related to elder abuse in Siskiyou County.

As requested, our Agency offers the following responses in accordance with Penal Code Sections 933 and 933.05 (a). The Agency has been asked to respond to Recommendations 1 through 5.

**Finding 1:** *The most overriding message that the Jury received during this investigation was the need for a Representative Payee program in Adult Protective Services. Without the RP program many senior citizens whose only impairment is the inability to manage their financial affairs could end up subject to conservatorship. This not only costs the conserved senior their right to self-determination, it also is far more costly to the county coffers.*

**Recommendation 1:** *The Human Services Agency should investigate the relative costs of Representative Payee versus Conservatorship and decide which is better for the individual and the county. If it is not feasible to have an in-house RP program, the HSA should investigate contracting with a private RP.*

**Finding 1: Partially Disagree**

The Agency acknowledges that money management and payee services are important services for some Siskiyou County residents. While Behavioral Health historically managed a payee program for mental health clients, the

program services were rarely extended to other community members. The Representative Payee program is a system used by the Social Security Administration for someone who cannot manage his or her money. Currently there is no funding available to develop a program that offers payee services to all adult county residents. The Agency encourages and assists individuals to obtain Representative Payee services, as appropriate, when they come to the attention of Adult Protective Services or Behavioral Health. The Agency only conserves individuals who require "conservatorship of the person" to protect their health and well-being. In some of those cases the Agency has also "conserved the estate" in order to manage the conservatees funds. Representative Payee services would not serve as an alternative to these conservatorships.

**Finding 2:** *The SA6 is doing a good job of make seniors aware of elder abuse, but the Jury believes they need include all ages in their awareness campaigns. Several recent cases of elder abuse have been reported to authorities by grocery clerks, pharmacy technicians and bank tellers, indicating that people are willing to get involved provided they know what to watch out for.*

**Recommendation 2:** *Elder Abuse awareness campaigns should include speaking with all segments of the community. In addition to talks given at senior citizen lunches, SA6 should also target service organizations, businesses and high schools. The more people who are watching out for our senior citizens the harder it becomes for those who prey on them. A booth at the county fair and pamphlets outlining the problems and possible solutions should also be considered.*

**Finding 2: Agree**

The Agency believes that the recommendation has been implemented. Elder abuse awareness campaigns which target a variety of ages are important and productive. The Health and Human Services Agency, Social Services Division, Adult and Children's Services, has an active and on-going outreach program that includes but is not limited to the following:

1. Informational booth at every Fairchild Medical Center Health Fair.
2. Mailers and e-mails sent out to all churches and community service groups offering to provide training on recognizing and reporting abuse. Attempts are made to encourage these same groups to develop a senior assistance volunteer program to help where other agencies are unable to help.
3. Radio public service announcements.
4. Articles in the newspaper. During the month of June there was as many as one article a week regarding various topics concerning elder abuse.
5. Window signs "See it. Hear it. Report it" provided to numerous businesses, agencies and private citizens throughout the County. Kiwanis assisted in the distribution of yard signs throughout the County.
6. Mandated reporter training offered to many agencies such as law enforcement, fire departments, ambulance companies and hospitals; however, few have responded to the offers.
7. Presentations at the Yreka Lions meeting and Steven Ministries of the Methodist Church in Yreka.

8. Presentations at all Community/Family Resource Centers on the following topics: "How to Hire a Caregiver"; "Financial Abuse Prevention"; "What is APS, When and How to Report"; and "Do you Need a Will, Power of Attorney or Trust".
9. Educational pamphlets were developed for distribution on the above mentioned topics.
10. Pamphlets on the above mentioned topics were made available at the Fair and Relay for Life events. These pamphlets were provided at the Sheriff's Office booth and Explorers booth.
11. Sign, ribbons, and banners utilized during the month of June for Elder Abuse Awareness day on June 15.

**Finding 3:** *Participation in the SA6 monthly meetings has dwindled from a high of 45 or so people to a core group of 8 – 10, and many agencies have stopped coming at all.*

**Recommendation 3:** *An attempt should be made discover why so many agencies have dropped out, fix those problems and get them involved again. Agencies that have ceased involvement due to territorial or philosophical disputes need to get over themselves and remember that compromise is not a dirty word. Cooperation, not competition is the key to combating elder abuse.*

Finding 3: Agree

The Agency agrees that monthly participation in SA6 has decreased. The Agency will implement the recommendation by analyzing the declining participation within the next three months.

**Finding 4:** *It is very important to have a permanent law enforcement representative on the SA6. A lot of the initial impetus for SA6 came from a detective with the Sheriff's office. Due to changes in shift and responsibilities he is no longer able to participate at the previous level.*

**Recommendation 4:** *The Sheriff's Office should assign a deputy or detective to attend the 1-hour per month SA6 meeting. It would also be nice if a representative of the Yreka Police Department also attended. Perhaps a rotation can be worked out allowing law enforcement personnel from other agencies to attend.*

Finding 4: Partially Agree

While the Health and Human Services Agency was required to respond to this finding and recommendation, it has no authority to implement the recommendation. The Health and Human Services Agency recognizes that it is beneficial to have the Sheriff's Office and/or other law enforcement representatives involved with SA6 or other elder abuse collaboratives, it is understood that law enforcement agencies must prioritize their limited resources as they see fit.

**Finding 5:** *While the emphasis on fighting elder abuse has been rightfully placed on its victims, it is also necessary to consider the perpetrators. Many elder abuse victims refuse to cooperate with authorities because they are protecting their relatives or friends. If some consideration was given*

Response to 2012 – 2013 Grand Jury  
RE: Elder Abuse  
September 11, 2013  
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*to helping the perpetrators overcome addiction, assistance with job hunting, etc., victims may feel less reluctance in coming forward.*

**Recommendation 5:** *As is the case with domestic violence, elder abuse can only be fought, and hopefully eradicated by paying attention to both the abused victim and the abuser. The safety of the victim must come first, but if nothing is done to improve the circumstances of the abuser then the vicious cycle will be perpetuated.*

**Finding 5: Partially Agree**

The Agency believes that this recommendation has been implemented. We recognize that it is important to ensure that needed services, such as employment/job skills assistance and treatment for addiction and alcohol abuse are available to our County residents. Our agency, among others, offers a variety of those services, but they are voluntary and adults can choose to participate or not. Many adults do not choose to participate. Whether or not "perpetrators" avail themselves of services offered is not within the Agency's control. It is not likely that having services available for perpetrators will make a substantial impact on making victims feel less reluctant to report elder abuse. This subject is a very complex societal issue.

Thank you for the opportunity to respond. Please do not hesitate to contact me at 841-2761 if you need further information or clarification.

Sincerely,



Terry Barber  
Director of Health and Human Services Agency

TB/slc

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Siskiyou County



Sheriff's Department

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JON LOPEY  
Sheriff

October 28, 2013

Siskiyou County Grand Jury  
Attn: Becky Sloan, Coordinator  
P.O. Box 750  
Yreka, CA. 96097

Subject: Grand Jury Response  
RE: Elder Abuse in Siskiyou County – Watchdog Recommendation(s)

Dear Ms. Sloan,

Included herein are our responses to the Grand Jury findings and recommendations as a result of the Watchdog Investigation they conducted on Elder Abuse in Siskiyou County.

As mentioned in the Grand Jury Watchdog Investigation, Siskiyou County has a multi-disciplinary team comprised of members from the District Attorney's Office, Sheriff's Office, Victim-Witness, Northern Valley Catholic Social Services, Far Northern Regional Center, Family Resource Centers, Madrone Hospice, Fairchild Medical Center, and many other private individuals. This group is known as SA6 (Siskiyou Alliance Against Abuse of Aging and At Risk Adults). SA6 meets once a month and the Deputy Bob Buker is one of the founding members of this group.

Apparently the grand Jury's investigation revealed (Finding #3) participation in the SA6 monthly meetings has dwindled, specifically from about 45 members to a group of 8 to 10, with many agencies not coming at all anymore.

**RECOMMENDATION 3:** "It is very important to have a permanent law enforcement representative on the SA6. A lot of the initial impetus for SA6 came from the Sheriff's Office. Due to changes in shift and responsibilities, he (Deputy Buker) is no longer able to participate at the previous level."

**RECOMMENDATION 4:** "The Sheriff's Office should assign a deputy or detective to attend the 1-hour per month SA6 meeting...."

The Siskiyou County Sheriff's Office agrees with this finding and recommendation. The Sheriff's Office has assigned another Detective to the SA6, Detective Jacques Morlet. Detective Morlet will be attending the monthly SA6 meetings and other Elder Abuse meetings as required.

Secondarily, Department Administration will attend these meetings at least quarterly to offer any assistance we can to the process.



Lastly, we intend to bring specialized training back to our area this year to enhance our response capabilities to Elder Abuse issues in our County.

**FINDING #5:** “While the emphasis on fighting elder abuse has been rightfully placed on its victims, it is also necessary to consider the perpetrators. Many elder abuse victims refuse to cooperate with authorities because they are protecting their relatives or friends. If some consideration was given to helping the perpetrators overcome addiction, assistance with job hunting, etc., victims may feel less reluctance in coming forward.”

**RECOMMENDATION 5:** “As in the case with domestic violence, elder abuse can only be fought, and hopefully eradicated by paying attention to both the abused victim and the abuser. The safety of the victim must come first, but if nothing is done to improve the circumstances of the abuser then the vicious cycle will be perpetuated.”

The Siskiyou County Sheriff’s Office understands the philosophical view of providing assistance to the abusers with the goal of preventing elder abuse. It is not within the Sheriff’s Office purview to provide resources to an abuser; however, we can provide support and statistical data and referrals for assistance to the agencies who are able to provide such assistance.

The Sheriff’s Office and other law enforcement agencies will continue to work with Adult Protective Services, Behavior Health, and other members of SA6 to address these cases and how we can assure that individuals who are in danger of becoming victims of elder abuse receive the necessary resources to prevent, investigate, and respond appropriately to them.

The Sheriff’s Office welcomes the input and the time contributed by members of the Grand Jury and appreciates their willingness to serve.

Sincerely,

Jon E. Lopey, Sheriff – Coroner

BY:



John E. Villani  
Undersheriff



# POLICE DEPARTMENT

Brian Bowles, *Chief of Police*



September 10, 2013

The Honorable Laura Masunaga  
Presiding Judge  
Superior Court, State of California  
County of Siskiyou  
311 Fourth Street  
Yreka, CA 96097

Re: Response to the 2011/2012 Grand Jury Report by the City of Yreka, Yreka Police Department.

Dear Judge Masunaga:

On August 7, 2012, the Chief of Police of the City of Yreka received the Grand Jury's direction to respond to findings and recommendations, which were proposed to be included as part of the 2011-2012 Civil Grand Jury annual report pursuant to Penal Code Section 933(c).

Please consider this letter pursuant to Penal Code Section 933.05 as the City of Yreka and Yreka Police Department's response and comments relating to findings number 4 and 5 contained in the Watchdog Report on Elder Abuse in Siskiyou County.

First the City believes that the Grand Jury should be commended for its thorough and informative report on this important issue in Siskiyou County. As with many crimes that are under-reported, a report such as this serves to heighten our citizen's awareness and sensitivity to this issue. When elders understand that they have the support of the community they may feel more confident in coming forward when they are victimized. Likewise, a report such as this may assist elders in understanding the role of Adult Protective Services and a call to Siskiyou County's Adult Protective Services at (503) 841-4200 can prevent further victimization. The Watchdog Report does an exceptional job of explaining to elders the services and programs that are available to them.

In recognition of this problem, in 2010 Siskiyou County received a small grant from the National Committee for the Prevention of Elder Abuse to develop a multi-disciplinary team that includes members of the Sheriff's Department and Adult Protective Services to establish policies and procedures among all agencies involved and review elder abuse cases as well as develop a public awareness campaign, addressing mandated reporters, crime awareness, in-home health provider training, and fraud and scam awareness for elders. No doubt the County has made substantial progress toward these goals with the assistance of that funding. We concur with the report's empathic attitude that cuts to the budgets of the In Home Support Services has resulted in elder becoming more dependent on family, friends, neighbors and volunteers for help with the necessities of everyday living.

We are not aware of the source for the statement that Siskiyou County is estimated to have some of the highest levels of elder abuse in California, but whether or not this assumption is factual, we believe that the local, state and federal government should do everything within it's economic capacity to help alleviate further victimization of elders.

**Finding 4.** It is very important to have a permanent law enforcement representative on the SA6. A lot of the initial impetus for SA6 came from a detective with the Sheriffs office. Due to changes in shift and responsibilities he is no longer able to participate at a previous level.

**Response:**

The Yreka Police Department agrees with this finding, although as staffing levels decrease and calls for service reach all time highs, department heads must prioritize the limited staff they have available for 24-hour Police response to the citizens of Yreka. SA6 is a grant that Siskiyou County applied for and received. Therefore it is important that Siskiyou County take the lead role. The Department participated in the meetings quite frequently when the group was forming. However, as the group moved toward Team Case Review our participation declined. We are not interested in discussing active or pending cases in a public setting. The Yreka Police Department remains available to respond 24-hours a day to assist the public or other agencies with help on elder abuse issues and apprehend perpetrators of elder abuse.

**Finding 5.** While the emphasis on fighting elder abuse has been rightfully placed on its victims, it is also necessary to consider the perpetrators. Many elder abuse victims refuse to cooperate with authorities because they are protecting their relatives or friends. If some consideration was given to helping the perpetrators overcome addiction, assistance with job hunting, etc., victims may feel less reluctance in coming forward.

**Response:**

The local agency that provides the services contained in recommendation # 5 is properly directed to the Department of Human Services, the Yreka Police Department concurs with Finding # 5. Public awareness groups and county service providers should have an aggressive public awareness campaign for the victims as well as the perpetrators with services available in our area or a phone call away. The Yreka Police Department agrees to implement this recommendation by apprehending perpetrators and bring them to justice where the Court can assist them in overcoming their addiction and enforcing conditions of probation to seek and maintain employment.

Respectfully Submitted,



Brian B. Bowles  
Chief of Police  
City of Yreka

cc: Yreka City Council  
Yreka City Manager

## Elder Abuse in Siskiyou County matter:

**Recommendation #1** – The most overriding message that the Jury received during this investigation was the need for a Rep Payee program in Adult Protective Services. Without the RP program many senior citizens whose only impairment is the inability to manage their financial affairs could end up subject to conservatorship. This not only costs the conserved senior their right to self-determination, it also is far more costly to the county coffers.

### **RESPONSE TO RECOMMENDATION #1**

The Board of Supervisors concurs with the Grand Jury Recommendation #1.

**Recommendation #2** – Elder Abuse awareness campaigns should include speaking with all segments of the community. In addition to talks given at senior citizen lunches, SA6 should also target service organizations businesses and high schools. The more people who are watching out for our senior citizens the harder it becomes for those who prey on them. A booth at the county fair and pamphlets outlining the problems and possible solutions should also be considered.

### **RESPONSE TO RECOMMENDATION #2**

The Board of Supervisors concurs with the Grand Jury recommendation #2 and supports a comprehensive outreach program that targets all segments of the community including service organizations, business and high schools.

**Recommendation #3** – An attempt should be made to discover why so many agencies have dropped out, fix those problems and get them involved again. Agencies that have ceased involvement due to territorial or philosophical disputes need to get over themselves and remember that compromise is not a dirty word. Cooperation, not competition is the key to combating elder abuse.

### **RESPONSE TO RECOMMENDATION #3**

The Board of Supervisors encourages and supports cooperation and collaboration as an integral component of the county organizational culture for all internal and external agencies throughout Siskiyou County.

**Recommendation #5** – As is the case with domestic violence, elder abuse can only be fought, and hopefully eradicated by paying attention to both the abused victim and the abuser. The safety of the victim must come first, but if nothing is done to improve the circumstances of the abuser then the vicious cycle will be perpetuated.

### **RESPONSE TO RECOMMENDATIONS #5**

The Board of Supervisors concurs with Grand Jury Recommendation #5

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**Siskiyou County**



**Sheriff's Department**

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**JON LOPEY**  
Sheriff

October 28, 2013

Siskiyou County Superior Court  
Attn: Becky Sloan, Grand Jury Coordinator  
P.O. Box 750  
Yreka, CA. 96097

Subject: Grand Jury Response  
RE: Recommendations for the Siskiyou County Jail.

Dear Ms. Sloan,

Attached are written responses to the Grand Jury findings and recommendations to the Siskiyou County Jail. As mentioned in the attached responses, these findings have been agreed upon and have either been implemented, are in the process of being implemented, or cannot be implemented at this time due to monetary constraints.

The Sheriff's Office welcomes the input and the time contributed by members of the Grand Jury and appreciates their willingness to serve.

Sincerely,

Jon E. Lopey, Sheriff – Coroner

By:

A handwritten signature in black ink, appearing to read "John E. Villani".

John E. Villani  
Undersheriff

JV/attachments: 1. Siskiyou County Jail – Grand Jury Response (2 Pages)



**SISKIYOU COUNTY JAIL**  
**GRAND JURY RESPONSE**

**Finding #1: BOSS chair purchase**

**Recommendation 1: Recommended that the Board of Supervisors re-allocate sufficient funds to procure such equipment.**

The recommendation has not yet been implemented.

Jail staff has done further research regarding this equipment and its purchase. After further research it has been determined that while this piece of equipment would help the jail, it does not function in a way that would address all of the issues the jail would like to address with this equipment. Due to the price of this equipment and the limited uses jail staff is continuing to research other products that would better fit the needs of the jail.

This type of equipment is very expensive and jail staff wants to fully research this project prior to purchasing any equipment.

**Finding #2: Commissary System**

**Recommendation: The Grand Jury does not recommend any changes**

The Jail agrees with this recommendation.

**Finding #3: Inmate Clothing**

**Recommendation: Grand Jury would recommend additional laundry facilities but it is not feasible due to space constraints in current facility.**

The jail agrees with this recommendation.

The jail is also incorporating this recommendation into the design of the new jail project.

**Finding #4- Kitchen Walk-In Alarms**

**Recommendation: Kitchen walk-in alarms be repaired or replaced.**

This recommendation has not been fully implemented.

The jail is taking steps to diagnose and repair any malfunctions in the walk-in refrigerator and freezer. The current manual temperature checks are continued to ensure food safety. Public Health also regularly inspects the kitchen and has always found that current practices meet food safety standards.

**Finding #5- Jail Medical**

**Recommendation: Medical procedures seem to work well and no changes are recommended**

The jail agrees with this recommendation

**SISKIYOU COUNTY JAIL**  
**GRAND JURY RESPONSE**

Page 2

**Finding #6- Jail Design**

**Recommendation- Recommending altering the existing jail is impractical given its present age and design. The Sheriff and jail staff are commended for improvising and making do with the current situation.**

The jail agrees with the recommendation.

Jail staff will incorporate this finding as well as previous recommendations in the design of the new jail facility.

**Finding #7- Inmate Visitation**

**Recommendation- The obvious recommendation would be to provide alternate routes to visitation and individual secure cubicles for visitation, totally impractical in the current facility.**

The jail agrees with the recommendation

Jail staff is currently exploring procedural changes and visitation scheduled changes to mitigate current problems in the visitation area of the jail.

Jail staff will incorporate this finding in the design of the new jail facility.

**Finding #8- Jail Roof/ Windows/ Outdoor Recreation Yard**

**Recommendation- Continue maintenance of jail even though the facility is old and will eventually be replaced. The Grand Jury further recommends that the site selection, funding, design and construction of a new jail proceed with utmost haste.**

The jail agrees with the recommendation.

Jail staff is continuing to maintain the existing facility. Siskiyou County was selected to receive over 24 million dollars in AB900 grant funds to construct a new jail facility. The county as a whole is working very diligently to proceed with the new jail project. The project is proceeding on schedule.

**Finding #9- Alternative Sentencing Programs**

**Recommendation- It is recommended that CCP provide statistics in the success rate for these programs and the cost per successful rehabilitation.**

The jail agrees with the recommendation.

The Community Corrections Partnership board has approved positions in both the Sheriff's Office and the Probation Department to facilitate this recommendation. Probation's Crime Analyst position was recently filled and with cooperation from both departments' raw data is now being compiled and analyzed to produce accurate statistical information to determine future actions. It will take a few years to gather enough raw data to produce accurate statistics.

## County Jail Matter:

**Recommendation #1** - This equipment (Body Orifice Security Scanner) is fairly expensive so it is recommended that the BOS re-allocate sufficient funds to procure such equipment.

### **RESPONSE TO RECOMMENDATION #1**

The Board of Supervisors will direct staff to research costs for new technology to conduct body scans such as the BOSS (Body Orifice Security Scanner) system and concur with Grand Jury viewpoint that such equipment is fairly expensive. The reallocation of sufficient funds to purchase body scan technology will depend on costs however the equipment will be planned into the preliminary budget of the new jail facility.

**Recommendation #2** -The current process seems to be working well (Commissary Service) and the Grand Jury does not recommend any changes.

### **RESPONSE TO RECOMMENDATION #2**

The Board of Supervisors concurs with Grand Jury Recommendation #2

**Recommendation #3** – Normally the recommendation would be to add additional laundry facilities but that is not feasible in the existing facility as there simply is no room.

### **RESPONSE TO RECOMMENDATION #3**

The Board of Supervisors concurs with Grand Jury Recommendation #3 and additional laundry facilities will be planned into the preliminary budget of the new jail facility.

**Recommendation #4** – It is recommended that the alarms be either repaired or replaced. If the costs of repair or replacement cannot be diverted from normal operating funds the GJ recommends that the issue be brought before the BOS to obtain additional funds.

### **RESPONSE TO RECOMMENDATION #4**

The electronic temperature monitor and alarm system will be planned into the preliminary budget of the new jail facility. Jail staff should bring the costs of repair to the attention of the County Administrator however during the interim, it should be the responsibility of jail staff to monitor temperature of walk-in freezer on a daily basis and not fully rely on electric systems.

**Recommendation #5** – These procedures (Inmate health) seems to be working well and there is no recommended for change.

#### **RESPONSE TO RECOMMENDATION #5**

The Board of Supervisors concurs with Grand Jury Recommendation #5.

**Recommendation #6** – Recommending altering the jail is impractical given its present age and design. Again, the sheriff and his jail staff are commended for improvising and making do with the current situation.

#### **RESPONSE TO RECOMMENDATION #6**

The Board of Supervisors concurs with Grand Jury Recommendation #6.

**Recommendation #7** – The obvious recommendation would be to provide alternate route to the visitation area and individual secure cubicles for visitation; again, totally impractical in the present facility.

#### **RESPONSE TO RECOMMENDATION #7**

The visitation area and individual secure cubicles will be reconfigured as part of the preliminary planning for the new jail facility.

**Recommendation #8** - The Jury commends that the maintenance be continued even though the facility is old and will eventually be replaced. The jury further recommends that the site selection, funding, design and construction of a new jail proceed with utmost haste.

#### **RESPONSE TO RECOMMENDATION #8**

The Board of Supervisors concurs with Grand Jury Recommendation #8 and site selection for a new jail facility has been completed and the county is in initial stages of selection an architectural firm for design services. Final construction will be dependent on available funding and future resources for operation.

**Recommendation #9** – It is recommended that CCO provide statistics on the success rate of these programs and the costs per successful rehabilitation.

#### **RESPONSE TO RECOMMENDATION #9**

The Board of Supervisors concurs with Grand Jury Recommendation #9.



# COUNTY OF SISKIYOU PROBATION DEPARTMENT

CHIEF PROBATION OFFICER TODD HEIE

ADULT DIVISION  
805 JUVENILE LANE  
YREKA, CA 96097  
(530) 841-4155  
FAX (530) 841-4157

MEMO TO: SISKIYOU COUNTY GRAND JURY

FROM: TODD HEIE  
CHIEF PROBATION OFFICER

TH

DATE: SEPTEMBER 19, 2013

RE: RESPONSE TO SISKIYOU COUNTY GRAND JURY  
REPORT: SISKIYOU COUNTY PROBATION

JUVENILE DIVISION  
269 SHARPS ROAD  
YREKA, CA 96097  
(530) 841-4180  
FAX (530) 841-4188

## Response to Recommendation #1:

With regards to contracting with other Counties to place minor's in our juvenile hall, the idea has been considered numerous times over the years. We actually did have a contract with Modoc County a few years ago but they only used it for one minor. The primary problem is that most Counties do not have general fund dollars sitting around to pay the \$100.00 average daily cost to house a minor in another County. Even if they did, the amount of revenue would nowhere near balance out the cost of staffing the currently empty pod, which has been estimated to be in excess of one million dollars per year. Nonetheless, I meet regularly with the Chief Probation Officers' of neighboring Counties and will certainly keep my ears open for any interest in housing their youth in our juvenile hall.

CHARLIE BYRD  
YOUTH CORRECTIONS  
CENTER  
269 SHARPS RD.  
YREKA, CA 96097  
(530) 841-4185  
FAX (530) 841-4188

## Response to Recommendation #2:

As referenced above, it has been estimated that it would cost over one million dollars per year to open the currently unused pod in the juvenile hall. You essentially have to double your juvenile hall staff, as minimum staffing requirements would apply to each pod at all times. We would also be extremely hard pressed to keep an appreciable amount of youth in a second pod given the lack of need and money for other Counties to place their youth in our facility. Also, if the idea were to only open the second pod every time the population exceeds 20 minor's, it would create a logistical nightmare as far as staffing goes. In other words, it would have to either always be open and staffed, or not at all. Each pod contains 20 beds, and our population has been as low as six youth in recent months. Nonetheless, I will continue to brainstorm ways of utilizing the space which, it is my understanding, cannot be re-purposed until at least 10 years after the grant was awarded. Re-purposing the facility is also extremely problematic as there are strict rules on not mixing adults with juveniles within a facility.

DEPT. MAILING  
ADDRESS:  
805 JUVENILE LANE  
YREKA, CA 96097



## **Board of Supervisors Response to the FY12/13 Grand Jury**

### **Juvenile Hall matter:**

**Recommendation #1** – Continue encouraging surrounding counties to share costs and utilize the additional housing available at the CBYCC.

#### **RESPONSE TO RECOMMENDATION #1**

The Board of Supervisors is open to contracting with neighboring counties in leasing out unoccupied space at the Juvenile Hall.

**Recommendation #2** – As future budgets will allow, increase staffing in order to provide full and complete occupancy of the entire facility.

#### **RESPONSE TO RECOMMENDATION #2**

The Board of Supervisors will review juvenile hall staffing during fiscal year budget deliberations as appropriate.



**Board Members:**  
**Mrs. Charnna Gilmore, President**  
**Mrs. Tammi Bennett**  
**Mrs. Christine Hullquist**  
**Mr. Scott Pynes**  
**Mrs. Jennifer Thackeray**

# Scott Valley Unified School District

*"To ensure high levels of learning for all students."*

11918 Main Street / PO Box 687  
Fort Jones, CA 96032  
PHONE (530) 468-2727 / FAX (530) 468-2729

**Dr. Bryan Caples, Superintendent**

Dear Siskiyou County Grand Jury Members,

Please accept this correspondence as my response to the Watchdog Report of Scott Valley Unified School District published in the 2012-2013 Siskiyou County Grand Jury Report. Although I appreciate the process the Grand Jury uses to inform the public regarding watchdog reports, I was, to say the least, a bit confused and dismayed when I reviewed the findings regarding Scott Valley Unified School District. The majority of the "findings" are things that are out of the district's control and/or things that the district is already doing.

My responses are as follows:

## Finding #1:

I am not sure how to respond to this "finding." Recommendation number one simply asks us to continue doing something that we are already doing. Recommendation number one states that the district should continue to keep on top of its policies and procedures, adding to and modifying them as necessary. Approximately every three months the school Board adopts, revises, and reviews school district policies (as noted by SVUSD Board meeting minutes). I find this "finding" to be arbitrary in nature as it is an act that the school district has been doing every three months since unification six years ago. If there is a problem or issue that needs to be addressed (as noted in the paragraph under the Findings and Recommendations section of the report) we are more than happy to address it. Otherwise, I find it hard to understand how we can fix something that is not broken.

## Finding #2:

Once again, I find it hard to understand why finding number two is an issue. The fact that none of the SVUSD Board members have teaching or school administrative experience is inconsequential. Each and every one of our Board members meets the legal criteria for Board membership. At the current time there are no laws in place stating that school



Board members have teaching or administrative experience. On a personal note... I believe the fact that not one of our Board members has "educational experience" provides them the opportunity to provide us with a "fresh perspective" on educational matters and issues. Once again, I fail to see why finding number two is presented as a finding.

Finding #3:

Finding number three, once again, in my opinion, is capricious in nature. The finding simply states that the District must be constantly aware of where funds are and where they are not. The District employs a highly trained and capable Chief Business Official that spends eight to twelve hours a day working on financial matters and keeping me "aware of where funds are and where they are not." I, along with my CBO and the Board are constantly aware of the educational funding (or lack of funding) and expenses of the district. The district and school sites have done an excellent job (as noted by our financial records) working through the statewide "fiscal crisis" by providing top-notch educational opportunities for our students (as noted by our school's high API scores).

Finding #4:

Recommendation number four requests that the District track all students in the community to assure they receive the education necessary for success in adulthood. SVUSD does an excellent job of tracking students that remain in the community. SVUSD has very few truancy problems due to the fact that students who show signs of truancy are referred to our District Advisory Committee (DAC) and/or our local School Attendance Review Board (SARB). The DAC and the SARB work closely with truant students and their parents/guardians to ensure that student truancy issues are resolved. However, when students move out of the school district it is impossible to track their academic performance and educational paths. Furthermore, there are no processes, procedures, or mandates in place that enable and/or require California school districts to perform such tasks.

Finding #5:

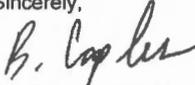
Finding number five seems to be more of a complaint against a "cross section" of parents in our community. Whether or not these facts are true I don't believe the school district has any jurisdiction and/or recourse against parents that choose to raise their children with values that are contradictory to the mission of the school system. Furthermore, reporting that 90% of Etna High School students drink and smoke marijuana (oftentimes at school) is not only offensive to our staff and community members, it is, in my opinion, extremely irresponsible to publish it as fact. I can't conceive any rational person believing this statement to be factual. My only wish is that you had spoken to the principal and counselor at Etna High School because they are two "community experts" whose opinions on this matter would have been accurate and without error.

Finding #6:

Recommendation number six requests that all critical school and district personnel should become familiar with the CISD and CISM procedures. Unfortunately, the Grand Jury did not speak to the most "critical personnel" about CISD and CISM procedures and training. The district superintendent and the district's head counselor (along with two principals) have been trained in and are familiar with the CISD and CISM procedures. In the event that a traumatic event takes place in one of our schools the superintendent (with the assistance of the district head counselor and principals) is responsible for orchestrating any and all critical incident stress management procedures and debriefings. It is my belief that finding number six is unfounded.

I appreciate the fact that the Grand Jury spent time and energy investigating SVUSD and that the narrative portion of the report was, for the most part, accurate. However, I must respectfully disagree with all six of the findings brought by the Grand Jury.

Sincerely,

A handwritten signature in black ink, appearing to read "B. Caples". The signature is written in a cursive, flowing style.

Dr. Bryan L. Caples  
District Superintendent



**Scott Valley  
Unified School District**



October 17, 2013

Siskiyou County Administration  
Attention: Becky Sloan  
P.O. Box 750  
Yreka, CA 96097

RE: Scott Valley Unified School District Watchdog Report by 2012-2013 Siskiyou County Civil Grand Jury

Dear Civil Grand Jury, County Administrator, Board of Supervisor's and County Counsel;

On behalf of the Scott Valley Unified School District Board of Trustees and pursuant to the requirements of California Penal Code Section 933C, I have enclosed our required responses to the 2012-2013 Final Report of the Siskiyou County Civil Grand Jury.

We have carefully reviewed the Grand Jury's findings, and recommendations in accordance with subdivision (b) of Section 933 and have enclosed our responses within.

Respectfully submitted,

Charnna Gilmore  
Scott Valley Unified School District  
Board of Trustee, Board President

Cc: Dr. Bryan Caples, Superintendent, Scott Valley Unified School District  
Debbie Miller, Principal, Etna Elementary School, Fort Jones Elementary School  
Allen Carver, Principal, Scott Valley Jr. High, Scott Valley Community Day School  
Bruce Bishop, Principal, Etna High School, Scott River High School  
Kermith Walters, County Superintendent, Siskiyou County Office of Education  
Jennifer Thackeray, Scott Valley Unified School District, Board of Trustee  
Christine Hullquist, Scott Valley Unified School District, Board of Trustee  
Tammi Bennett, Scott Valley Unified School District, Board of Trustee  
Scott Pynes, Scott Valley Unified School District, Board of Trustee

## **RESPONSE TO GRAND JURY REPORT**

Report Title: Scott Valley Unified School District Watchdog Report

Report Date: 2012-2013

Notice and Receipt Date: August 21, 2013

Response Date: October 20, 2013

### **FINDINGS AND RECOMMENDATIONS:**

- I (we) agree with the Findings and Recommendations: None
- I (we) disagree wholly or partially with Findings and Recommendations:  
Finding 1, Finding 2, Finding 3, Finding 4, Finding 5, Finding 6

We, the Scott Valley Unified School Board, understand and appreciate the purpose and the intention of the Siskiyou County Civil Grand Jury and reporting process. It assures the community for which we serve that we are performing the duties of a school board, in a manner accordance to federal and state policies. We viewed this process as an opportunity to be analyzed and to get direct feedback and possible criticism on areas, which we may have fell short on and/or areas needing improvements.

It is appears that Scott Valley Unified School District (SVUSD) may have been chosen for this process as a result of our unification process.

We thank you for your comprehensive look at our school district, and your recognition of the many fine programs and services we offer for our students, employees and communities. We would also like to thank you for your recognition of our exemplary test scores, which are a reflection of the hard work of our students, their teachers and other school employees, and the dedication and expertise of our administration.

The last section of the report has six findings and subsequent recommendations. It is this portion of the report, which we are responding to, pursuant to the requirements of California Penal Code Section 933C, and would like our response noted and accompany all future use of the said Grand Jury report.

**FINDING 1:** *“After unification, one of the most difficult tasks was taking the various policies and procedures from each of the individual school and writing a single, comprehensive set of policies and procedures. Whenever a new State or Federal law or regulation is enacted, that must be incorporated into the District’s policies and procedures. The California School Board Association may also send out new policies, which must be reviewed and adopted into the District policies and procedures. The Superintendent oversees the revisions and presents them to the School Board for review and ratification. Revising and rewriting policies and procedures is a continuous process.”*

**RESPONSE:** Reviewing policy and procedures is a constant and continual activity within the Scott Valley Unified School District. It involves the Superintendent, the District staff, teachers, classified staff, community members and the SVUSD Board. SVUSD has and still does, subscribe to the California School Boards Association’s recommended policy program, ***Gamut Online***, which allows us to incorporate all mandated State and Federal regulations into our board policies. We can and do revisit, revise and/or replace policies as needed or as set by law.

There is no finding stating SVUSD is not actively “revising and rewriting policies and procedures” as this process is done on a continual basis, therefore we reject this finding.

**RECOMMENDATION 1:** *“The District should continue to keep on top of its policies and procedures, adding to and modifying them as necessary.”*

**RESPONSE:** As stated above, our District employs the services of the California School Board Association, using the state-of-art ***Gamut Online*** system to assist our District with board policy management.

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**FINDING 2:** *“The current School Board does not have anyone with teaching or administrative experience; consequently the Board lacks someone who understands the more complex issues regarding school administration and educational programs who can review the budget and other accountability documents and understand what is going on behind the scenes.”*

**RESPONSE:** School boards throughout California are made up of elected community members and are designed to be nonpartisan. The SVUSD Board of Trustees is comprised of five members, all serving four-year terms. Terms are staggered to keep experienced members on the Board at all times.

Currently, the only requirement to run for the elected position of SVUSD Board Trustee is as follows: at least 18 years of age, a citizen of the State of California, a resident of the Scott Valley School District, a registered voter and eligible under the state constitution to be elected to public office. From that point, it is up to the Scott Valley community to elect a person they see fit for the position.

Again, there is no finding, as the Scott Valley Unified School District cannot, nor will ever control, nor be accountable for the state and/or county election process. We reject this finding.

**RECOMMENDATION 2:** *"Short of electing a Board member with these qualifications, the Board must rely heavily on the District Superintendent and his staff."*

**RESPONSE:** SVUSD does not have any control, nor should it, on the Siskiyou County election process. The SVUSD Board of Trustees will continue to oversee the activities of the District, using their own personal and professional backgrounds and will work together with the Superintendent, along with the entire, dedicated staff, who have all been hired in their respected fields, to aid in making decisions and policies which will reflect our District mission statement set forth; "To ensure high levels of learning for all students".

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**FINDINGS 3:** *"The District budget is fairly fluid as revenues may be promised from State and Federal agencies but it is often uncertain when the District will actually receive the monies."*

**RESPONSE:** As with any California school district, it is imperative that boards of trustees rely on experts in the field for advice on budgeting matters related to revenue and expenditure projections as well as cash flow. The SVUSD board is in constant dialog with their Chief Business Official as to the fiscal standing of the school district. The Chief Business Official relies on the Siskiyou County Office of Education, the California Department of Education, and School Services of California for assumptions in projecting revenue and cash flow. This process is the recommended procedure by the Fiscal Crisis and Management Team, an agency formed by the State of California through Assembly Bill (AB) 1200 to monitor the fiscal health of school districts.

As required by law, SVUSD provides periodic fiscal reports to the Siskiyou County Office of Education for review. Through AB 1200, the Siskiyou County Office of Education is required to review and verify the reports and provide certification to the State as to the district's financial standing. SVUSD has always maintained a positive certification.

Again, there is no finding as all proper procedures are in place and being adhered to. We reject this finding.

**RECOMMENDATION 3:** *"Due to the fluid nature of educational funding, the task is daunting to assure that all expenses are adequately funded. The District must be constantly aware of where funds are and where they are not."*

**RESPONSE:** The district will continue to adhere to the procedures already in place to ensure fiscal solvency.

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**FINDINGS 4:** *"Although the District reports that 100% of the Etna High School students graduate, other students may follow a drop out path and simply disappear from the statistical radar. Often these youth begin the process with academic and attendance difficulties. They may be placed in the Continuation High School, go into Independent Study or a Charter School, or they may be Home Schooled. Unless the student remains in the District and County programs, they can drop out of any academic program and not be tracked. If a student remains in the District programs, truancy issues can be identified and addressed. Twelve years ago the District had a lot of truancy, but with the institution of SARB (Student Attendance and Review Board) with the District Attorney's Office, truancy for the District students now is minimal."*

**RESPONSE:** There is no requirement for school districts to "track" students who move to a charter school or independent study. Those decisions generally are made by the parents and are out of the control or jurisdiction of the Scott Valley Unified School District. All students who enter into the Scott River High School or Scott Valley Community Day School (both continuation schools) are "tracked" and all information from their educational experience is incorporated into the overall accountability for the entire District. We would like it noted, our School Attendance Review Board (SARB) Coordinator was not contacted to provide information for this report.

As important as the Scott Valley youth is to all, the law still holds parents accountable for truancy, therefore we reject this finding.

**RECOMMENDATION 4:** *"It is essential that all children and youth in the community be tracked no matter which academic path they choose, to assure they receive the education necessary for success in adulthood."*

**RESPONSE:** There is no requirement, mandates or methods for school districts to track students who are enrolled in other forms of education. The choice for a student's education entity is a parent's decision to make. Public school systems, such as SVUSD cannot assure the educational quality of outside organizations, entities or services, such as Independent Study, charter schools and/or home schooling, nor is it possible to track their progress to insure success.

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**FINDINGS 5:** *"During the course of this investigation, one compliant was heard repeatedly: some parents work against the school and the teachers, enabling inappropriate behaviors from their children including behavioral problems, lack of initiative in regard to academic tasks, disciplinary issues and substance abuse. In*

*addition, for many years adolescent alcohol and marijuana use have been significant issues in Scott Valley. To the detriment of students, a cross-section of adults (parents and others) in Scott Valley provides alcohol to their children and the friends of their children. The only change that has occurred in Scott Valley in recent years is that parents or other adults will make sure the students who are drinking remain at the party house where the alcohol is provided, rather than the student leaving and being involved in an accident. According to some community experts, 90% of the High School students are drinking and smoking marijuana. Often students attend classes under the influence. This certainly presents a profound conundrum for the Scott Valley community: so many community members work tirelessly on behalf of the students of Scott Valley, yet other community members (across all socio-economic levels) are actively working to destroy the lives of students, putting them in immediate physical danger, impairing the students' ability to benefit from their education, and creating addicts and alcoholics out of the youngest members of the community."*

**RESPONSE:** The only "profound conundrum" in this finding is the finding itself. Not only do we reject this finding, we find it irresponsible for a body such as the Grand Jury to report such reckless findings as fact. It is an insult to our community, our schools, our parents and more importantly, our students.

We find the statement "according to some community experts, 90% of the High School students are drinking and smoking marijuana" to be in direct contradiction to numbers provided by the California Department of Education through the California Healthy Kids Survey (CHKS). This report is the largest statewide survey of resiliency, protective factors, and risk behaviors in the nation and the survey is conducted specific to each school district. The CHKS has led to a better understanding of the relationship between students' health behaviors and academic performance. This report is public information and can be accessed at <http://chks.wested.org>.

Drug and alcohol issues have been and will continue to be a concern of the entire Scott Valley Unified School District, as it is with all Siskiyou County schools, and school districts across the nation. As shown in your report, there are many influencing factors to this national problem. As a District, we have board policies, athletic codes, student counseling programs, parent sponsored committees and groups, community activities and more, all supporting and encouraging positive lifestyle behaviors, both at school and at home.

Scott Valley Unified School District cannot be accountable for parents' discretion, choices and/or decisions once the student/child is at home or away from school or away from school sponsored events. Accountability for such behavior, noted in this finding would be best served being directed to the Siskiyou County Sheriff and/or the Etna City Police and/or Siskiyou County Child Protective Services. All of these entities have been contacted by our District to assist in situations, which we control and have the authority over the student to do so.

The SVUSD has strict and severe punishment for students found in violation of the District's No Drug and Alcohol policies. These policies are enforced at all school sites. Counseling, loss of privilege, and suspension are all active measures already in place and are utilized without hesitation or reservation when the need arises.

On occasions, when a situation warrants Board involvement, and in extreme situations, expulsion may be determined.

In all situations, parent/guardian involvement is immediate along with any and all appropriate city, county and/or state agencies, including law enforcement.

In addition to the active measures and policies within each school site and throughout the entire district, principals, school counselors, teachers, secretaries, aids, coaches and staff have an array of methods of promoting and encouraging positive lifestyle choices both at school and home. Methods of communication such as newsletters, parent Back-to-School nights, assemblies, websites, ancillary services, bulletin boards and an array of daily communication are used by the entire staff. It is a commitment to our students, which the entire District embraces as a team and works actively to assure the message of positive choices as it relates to drug and alcohol use are heard clearly by both student and parents.

We reject this finding.

**RECOMMENDATION 5:** *"Although the schools have some ability to address these issues by offering counseling, suspending the student, taking away school privileges, expelling a student and working with Law Enforcement and County Juvenile Probation to deal with the more recalcitrant students. More must be done within the adult community so that some parents and other adults do not easily undermine these efforts. The School Board and the District Administrators must get more involved with this very serious problem. The adults that provide the substances should be rigorously prosecuted."*

**RESPONSE:** There is no ability of either the SVUSD Board and/or the District Administrators to "rigorously prosecute" adults within our community. We have and will continue to work to identify parents and adults, who may be actively "undermining" efforts to keep our students safe, however there is no jurisdiction to issue penalty and/or punishment to offenders and we must continue to rely on the involvement and enforcement capabilities of local law agencies and/or county youth services.

Although we recognize this is an ongoing issue that all communities and districts across the nation face, we, as a Board and District, feel there are active measures in place, and will continue to search out new and innovative ways to promote positive lifestyle choices both at school and at home. However, it must be recognized, promoted and understood that parents still and always will have a significant role in the overall success of our students.

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**FINDINGS 6:** *“Approximately 12 years ago the County Office of Education employees and the other agency employees worked to develop Critical Incident Stress Management (CISM) and Critical Incident Stress Debriefing (CISD) procedures for implementation in all of the county schools. The CISD and CISM intervention protocols are research-based best practices for responding to traumatic events. CISD and CISM are a structured process for helping those involved in a critical incident to share their experiences, vent emotions, learn about stress reactions and symptoms and be given referrals for further help, if required. When asked, critical school personnel were unfamiliar with the CISD and CISM procedures, despite having had several traumatic events that have occurred in the Scott Valley communities over the past several years.”*

**RESPONSE:** SVUSD currently has a process in place when notified by Emergency Medical Service regarding what is known as a “Terrible Ten”. Although, as a District, we must deal with the unique circumstances of each event, living in a small and very engaged community, our CISM/CISD resources are very accessible and have been utilized on several occasions. Our critical school personnel and administration collaborate on a monthly basis with mental, health, religious and medical teams.

Etna High School was subject to a recent event therefore we feel it is worth noting, that neither the Siskiyou County Office of Education’s school psychologist, the Etna High School counselor, the Etna High School principal, or the Etna High School secretary were contacted or interviewed about our critical incident management or procedure.

**RECOMMENDATION 6:** *“All critical school and district personnel should become familiar with both the CISM and CISD procedures. These procedures should implemented when traumatic events occur in the Scott Valley communities.”*

**RESPONSE:** We will continue ensure proper training on our procedure effectiveness for dealing with future traumatic events.

## Office of Public Administrator matter:

**Recommendation #1** – Dedicated space and adequate storage should be assigned to the APA. Every effort should be made to find this space in the existing courthouse rather than waiting for the new courthouse to be built at some future date.

### **RESPONSE TO RECOMMENDATION #1**

The Board of Supervisors will direct staff to review space needs of the Assistant Public Administrator with the District Attorney's Office and determine if dedicated space and adequate storage is available at the existing courthouse.

**Recommendation #2** – The training provided to both the PA and the APA should meet those enumerated by the state in Chapters 2 and 3 of the Standards and Certification Plan for CA State Assoc of PA, Guardians and Conservators. At present only the PA is required to meet these training standards.

### **RESPONSE TO RECOMMENDATION #2**

The Board of Supervisors will discuss training standards as provided under the Standards and Certification Plan for California State Association of Public Administrators with the District Attorney and prioritize as appropriate.

**Recommendation #3** – Standard competitive bidding guidelines and County accounting procedures should apply when outside assistance is required in dealing with indigent cases.

### **RESPONSE TO RECOMMENDATION #3**

The Board of Supervisors concurs with the Grand Jury Recommendation #3 in applying standard competitive bidding guidelines and County accounting procedures when outside assistance is required in handling with indigent and interstate cases.

**Recommendation #4** – The County should investigate whether the functions of the PA would be better handled by the civil attorneys in the Office of the County Counsel.

### **RESPONSE TO RECOMMENDATION #4**

The Board of Supervisors will consult with County Counsel and District Attorney as to the functions of the Public Administrator could operate under the Office of County Counsel.



**COUNTY OF SISKIYOU**  
**OFFICE OF THE DISTRICT ATTORNEY**

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J. KIRK ANDRUS, DISTRICT ATTORNEY

September 30, 2013

Honorable Laura Masunaga  
Presiding Judge  
Siskiyou County Superior Court

**RE: Response of the District Attorney requested by the 2012/2013 Grand Jury**

Your Honor,

Pursuant to Penal Code § 933.05, the Office of the District Attorney submits the following responses as requested by the 2012/2013 Siskiyou County Grand Jury.

1. **OFFICE OF THE PUBLIC ADMINISTRATOR:** The Grand Jury has recommended that:
  - a. Dedicated space and adequate storage should be assigned to the APA. Every effort should be made to find this space in the existing courthouse rather than waiting for the new courthouse to be built at some future date.
  - b. The training provided to both the Public Administrator and the APA should meet those enumerated by the state in chapters 2 and 3 of the Standards Certification Plan for the California State Association of Public Administrators, Guardians and Conservators (CSAPAPG). At present only the Public Administrator is required to meet these training standards.
  - c. Standard competitive bidding guidelines and County accounting procedures should apply when outside assistance is required in dealing with indigent and intestate cases.
  - d. The County should investigate whether the functions of the Public Administrator would be better handled by the civil attorneys in the Office of County Counsel.

**The District Attorney agrees with in part with the recommendations and disagrees in part.**

**Recommendation #1 had been implemented and will, ideally, be augmented.**  
Regarding the space and storage requirements of the Assistant Public Administrator, I agree wholeheartedly that more space is necessary for optimal functioning of this position. However,

the Grand Jury interviewers got the wrong impression in one important regard. The interview room in which they met with the APA was not the APA's office or work space. That room simply housed the file cabinet in which APA records are kept. The APA has a separate workspace in which to fulfill her duties. Because her work space was insufficient to receive visitors such as those from the Grand Jury, they utilized the break room/copier room for the interview. That said, the Office of the District Attorney occupies cramped quarters in the county Courthouse which former Grand Jury reports have described as having an "obvious lack of space" (2010/2011 Final Report) and having inadequate areas for office work and storage. Dedicated space and storage has been assigned to the APA. I have inquired with the CAO as well as the Superior Courts in an effort to secure additional space in the courthouse for the operations of the Office of the District Attorney.

**Recommendation #2 had already been implemented.** The training for the APA should certainly meet the standards described, and the Office of the District Attorney has constantly complied with these requirements. This governing board requires an initial certification based upon 40 credit hours of training within the first 4 year period and an additional 20 hours of training within 2 years of applications for recertification. During the Grand Jury inquiry the APA was in compliance with these requirements, having attended the training sanctioned by the governing organization. However, due to record-keeping problems by the CSAPAPG, the APA was unable to provide proof of compliance to the Grand Jury since the CSAPAPG was unable to provide such confirmation to its members at that time. Nevertheless, APA certification and training are up to date and complete and the organization seems to have addressed their record-keeping problems.

**Recommendation #3 has not been implemented.** Estate Sale planner services are not currently put out for competitive bid. After looking into the matter initially, the former APA was aware of only 2 people in the area who perform these services. One has since retired. The APA utilizes the services of the other.

**The District Attorney has no opinion regarding recommendation #4.** The County of Siskiyou can certainly explore whatever options it feels are warranted. Public Administrator functions are provided in a number of different ways by a number of different departments in counties across California. The current system works well for the County of Siskiyou. County Counsel provides legal services to the APA, as they do to other clients in this department and other county departments. However, APA functions are not attorney functions and do utilize attorneys to provide these services would be an inefficient use of resources. The Office of the District Attorney provides what would be considered civil functions in several areas. Public Administrator duties, while civil, require little litigation. It is a function which could comfortably abide in any of several departments. As a practical matter, as the job of the APA is not a full-time position, changing departments would represent a significant inefficiency. Adding duties to another department would likely require adding an employee to that department without a corresponding reduction in the DA's office as this office could not function without the legal secretary work also performed by the APA when time permits. If the recommended investigation is conducted, the District Attorney believes that APA duties will be shown to be best left to this department.

2. **ELDER ABUSE IN SISKIYOU COUNTY:** The Grand Jury has requested a response to the following finding: “While the emphasis on fighting elder abuse has been rightfully placed on its victims, it is also necessary to consider the perpetrators. Many elder abuse victims refuse to cooperate with authorities because they are protecting their relatives or friends. If some consideration was given to helping the perpetrators overcome addiction, assistance with job hunting, etc., victims may feel less reluctance in coming forward.

**This finding is too vague for a specific response.**

From the perspective of the District Attorney, the perpetrators of elder abuse are always “considered.” We consider their psychological manipulation of their vulnerable victims and how to prove the abuse they inflict—which can be physical, sexual, emotional or financial. We also consider how to prove the very difficult cases. After cases begin we consider how best to fulfill the aims of the Criminal Justice System to 1) punish offenders, 2) deter future crime, and 3) rehabilitate the guilty. The following points of emphasis may be useful:

- Assisting perpetrators in overcoming addiction, finding jobs, and learning to be productive members of society is not the direct responsibility of the District Attorney’s Office. It is, however, a byproduct of the caring professionalism that we preach and practice in this office.
- The emphasis on fighting elder abuse is enforced in this office by educating the community via radio, local newspapers, and even in the Jefferson Backroads publication. Furthermore, elder abuse prevention information is disseminated to service organizations, senior fairs, health fairs and to veteran’s organizations. The District Attorney’s office has one dedicated employee in the Victim/Witness Unit who has the grant-funded function of providing services and outreach to this traditionally underserved population—the elderly.
- The DA Diversion program, though excluding anybody who does an act of violence upon a vulnerable victim, was designed to divert deserving people out of the criminal justice system and provide them with the tools to succeed and abandon their criminality.
- There are numerous programs available to anybody who makes the effort to locate them, including Drug/Alcohol Counseling through the Behavioral Health Department, Anger Management classes available at all Family/Community Resource Centers, Job Skills/hunting can be assisted through EDD (located in the Human Services building on Main St.) and Personal Preference, among the many service available before one resorts to criminal conduct against an elderly person.
- The reluctance to cooperate with law enforcement when it comes to any family related elder abuse cases, whether financial or physical, primarily come down to psychological issues and unhealthy family dynamics. The impact upon victim reports from the effort to educate the community about services available to perpetrators may have some impact, but also may mislead some

victims whose victimization is so severe that only a state prison sentence is warranted for the malefactor.

- Finally, it is important to recognize that we don't know who the perpetrators are until their crimes are reported. Until that time it is their responsibility to take advantage of community resources and deal with their problems rather than abuse other human beings. After that time, they will be acted upon by the criminal justice system in a manner that is consistent with principles of punishment, deterrence and rehabilitation and is congruent to their crimes which we can prove.

Thank you for the opportunity to respond and for the work of the 2012/2013 Siskiyou County Grand Jury.

Very Truly Yours,

A handwritten signature in black ink, appearing to read 'J. Kirk Andrus', written over a horizontal line.

THE HONORABLE J. KIRK ANDRUS  
SISKIYOU COUNTY DISTRICT ATTORNEY

**BRIAN L. MORRIS**  
COUNTY COUNSEL

**DENNIS M. TANABE**  
DEPUTY COUNTY COUNSEL

**DANA L. BARTON**  
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**NATALIE E. REED**  
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**STACEY L. CLOUGH**  
LEGAL OFFICE COORDINATOR

**LORI A. HEIE**  
SENIOR LEGAL SECRETARY

**Office of County Counsel**  
**COUNTY OF SISKIYOU**

P.O. Box 659 • 205 Lane Street  
Yreka, California 96097

**MEMORANDUM**

**To: Hon. Laura Masunaga, Presiding Judge, Siskiyou County Superior Court  
Tom Odom, Siskiyou County Administrative Officer**

**From: Brian L. Morris, County Counsel**

**Date: October 8, 2013**

**Subject: Response to 2013 Siskiyou County Grand Jury Report**

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In the 2013 Siskiyou County Grand Jury Report, the County Counsel was asked to respond to Finding 4 in the review of the Public Administrator:

*Finding 4: The District Attorney's office primarily handles criminal procedures and complaints. It is unclear why the civil function of the Public Administrator is assigned to this office.*

Response: The County Counsel agrees that the District Attorney's office primarily handles criminal procedures and complaints.

The County Counsel disagrees that it is unclear why the civil function of Public Administrator is assigned to the District Attorney's office and offers the following explanation and clarification.

Under the default provisions of state law, the Public Administrator is required to be an elected official. Pursuant to Government Code Section 24009(b), the Public Administrator may be changed to an appointed position upon approval by a vote of the people. An alternative is to seek special legislation that would authorize the Board of Supervisors to make the Public Administrator an appointed position, which the Legislature has done for 13 other counties (most of which are rural).

The Office of County Counsel currently provides legal services in support of the District Attorney's functions as the Public Administrator. Given the County Counsel's role as legal advisor to the Public Administrator, it would not be appropriate for the County Counsel to be appointed Public Administrator.

While District Attorneys have traditionally served as Public Administrators through California history, there has been a trend in recent years to move the Public Administrator function from the District Attorney's office to other county agencies. The most common approach is to consolidate the Public Administrator function with the Public Guardian and/or assign the function to a county's social services agency. Regardless of where the Public Administrator is housed, legal services for the Public Administrator are frequently provided by the County Counsel.

Whether Siskiyou County should restructure the functions of the Public Administrator is a policy decision that should be made by the Board of Supervisors in consultation with the District Attorney and any other county departments that would be affected.

Below are examples of how other counties have transitioned the Public Administrator function from the District Attorney to other departments.

**Amador County** – The Public Administrator, Public Conservator, and Public Guardian operate under the supervision of the Department of Social Services.

**Glenn County** – The county has a stand-alone Department of Public Administration and Guardian.

**Lake County** – The Adult Services Division of the Department of Social Services includes the Public Administrator.

**Monterey County** – The county's Health Department includes the Bureau of the Public Administrator/Public Guardian.

**Sonoma County** – The Public Administrator is consolidated with the Public Guardian and Public Conservator in the Aging and Adult Services Division of the county's Human Services Department.

**Tuolumne County** – The county has consolidated the offices of Public Guardian and Public Administrator.

**Ventura County** – The Public Administrator is housed in the county's Human Services Agency.

# CITY OF DUNSMUIR

"Home of the Best Water on Earth"



October 21, 2013

County of Siskiyou  
County Administrative Office  
P.O. Box 750  
201 Fourth Street  
Yreka, CA 96097

Re: Civil Grand Jury Report

Dear County Administrator,  
The City of Dunsmuir participated in a Grand Jury Investigation in fiscal year 2012-2013.

The Grand Jury investigation was sparked by a complaint of a lien filed against a commercial property for back sewer and garbage utility charges while the property was in foreclosure and about to be sold.

The City of Dunsmuir routinely files liens for utility accounts that are 90 days past due or over \$300, but this case was different. A lien was filed against the property because of a rumor circulating of an eminent sale. There was an outstanding utility bill of over \$7,000. The utility bill was paid in escrow and a clean title was passed to the new owners.

The city was sued in small claims court by the previous owners. The city provided documentation to the court to substantiate the charges. There was a problem with the labeling on one spreadsheet. The court questioned if the city could charge sewer and garbage on a vacant structure. The court found in favor of the previous owners and the city was asked to return the money that had been paid through escrow. The decision by the court was based on utility bills outstanding on a foreclosure; consequently the city is to write off all utility bills remaining unpaid as of the transfer of a foreclosed commercial property.

It is very important to communicate our collection process to our customers. A handout detailing utility rates, due dates and lien procedures has been made available as a direct result of this investigation. A copy of the information sheet is attached.

Sincerely,

A handwritten signature in black ink that reads "Brenda Bains".

Brenda Bains  
City Manager  
City of Dunsmuir

# CITY OF DUNSMUIR

"Home of the Best Water on Earth"



## Welcome to the City of Dunsmuir!

We are happy you are here and would like to provide you with information you may need.

The City of Dunsmuir is responsible for Streets & Roads, Buildings & Grounds, Water, Sewer and Garbage.

City Hall is responsible for preparing utility bills each month for water used, sewer connections and garbage pickup.

New accounts require a deposit when you open a utility account. The deposit is \$175.00. Deposits are refunded for 1) account closure and 2) three years of regular on time payment.

### **Utility charges are as follows:**

**Water: \$22.00 for 7,500 gallons water, additional use is billed per 750 gallons**

**Sewer: \$40.08 per month**

**Garbage: \$23.48 per month**

Utility bills are generated each month by the City and are printed and mailed from an outside agency. You should expect to receive your bill by about the 5th day of each month.

Utility bills are due by the 25th of each month and can be paid at City Hall, 5915 Dunsmuir Avenue, by mail, by automatic debit to your checking or savings account and online by credit card at [ci.dunsmuir.ca.us](http://ci.dunsmuir.ca.us).

A 10% late charge will be assessed on the 26th. Accounts outstanding on the 14<sup>th</sup> day of the following month, will have water service discontinued until the past due balance on the account is paid.

**Utility accounts that remain outstanding with a balance of \$300.00 or more will have a lien placed against the property.**

**Dog Licenses:** Licenses are valid from July 1 to June 30 each year. Fees are \$5 for neutered dogs and \$10 for non-neutered dogs. Senior citizen fees are \$4 for neutered and \$8 for non-neutered. Any licenses not paid by August 1 will be \$15. Rabies clinics are held each year in the spring.

**Public safety** services are provided by the Dunsmuir Fire Department 235-2551 and the Siskiyou County Sheriff's Department 235-2320 Dispatch.

**Building permits** are issued by the City of Dunsmuir for all building projects within the City limits. Please call or stop by City Hall if you have any questions.

**City Council, Planning Commission and The Dunsmuir City Code** information is available on line at [ci.dunsmuir.ca.us](http://ci.dunsmuir.ca.us)

Please call City Hall (530) 235-4822 for any other information you may need.

*Created 10/11/13*