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2013 - 2014 SISKIYOU COUNTY GRAND JURY

FINAL



REPORT



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SISKIYOU COUNTY 2013 - 2014 CIVIL GRAND JURY MEMBERS



Serving on the Siskiyou County Civil Grand Jury for the past two years has been a special privilege that I would encourage every eligible resident of the County to experience. Seeing the nuances of local government from the inside, although not always favorable, is very educational and rewarding. Rewarding in the sense that it appears that (in most cases) we have many talented, educated, and dedicated people in positions of authority looking out for our interests.

The charge of the Civil Grand Jury is to keep government accountable to the people it represents ... that is, you and me. As such the Grand Jury is given broad authority to investigate and obtain information, interview and specifically look at any aspect of how local elected and appointed representatives undertake the responsibilities we allow them to exercise on our behalf.

California is one of only two states that constitutionally require Civil Grand Juries to be seated annually. Many states have found it “convenient” not to sanction a body with the specific authority and power to investigate government. The primary function of the Civil Grand Jury in California is to serve as a watchdog. The six main issues that confront jurors are:

- Examine how local government conducts business,
- Make a determination as to government’s effectiveness,
- Determine if services are being provided efficiently,
- To assure that money is spent appropriately,
- Consider citizen complaints.
- Review of all correctional facilities located in Siskiyou County.

The 2013-2014 Grand Jury accomplished a number of issues administratively early in the year in an attempt to enhance our ability to better respond to the issues with which we were confronted. These accomplishments include:

- Obtain a functioning permanent Jury room,
- Update computer hardware and software,
- Obtain Internet access in the Jury room,
- Creation of two brochures to be given to prospective jurors outlining expectations,
- Creation of a seventeen (17) minute slide presentation discussing Grand Jury process to be shown to community, civic and social groups.
- Posting of reports on the Siskiyou County web page as they are released,
- Setting the stage for published reports to be accompanied by responses.

This year’s Jury dealt with many pressing issues. However, our effectiveness was hampered by two main drawbacks. First the Jury lost several key members early in our term due to health and personal issues. Second two important issues came before the Jury late enough in our term as to not allow sufficient resources to be allocated to proper investigation and resolution. It is hoped that next year’s Grand Jury will follow through and complete those investigations. Although the power of the Civil Grand Jury is limited to mostly reporting our findings and recommendations, the real power of implementation and follow-through remains with you, the voter. Your response to the issues reported will, in most cases, result in an appropriate outcome.

In California we have the constitutionally mandated requirement to investigate our government. Serving on our Grand Jury causes me to be thankful that we live in a land where this privilege is a right and an expectation. In order to continue the Civil Grand Jury process citizens must step forward and serve. If you are a Siskiyou County resident for more than one year, have the ability to exercise good judgment, can maintain confidentiality, are willing to leave political motivations outside the Jury room, you and your talents can serve and make a contribution.

A special thanks to all of those who have served this past year and made significant contributions to our local governmental institutions. Civil Grand Jury duty is time consuming, tedious and at times divides yet together we were productive and successful.

To learn more about how you may be able to serve, please call 530/842-8005, or write to Becky Sloan, Civil Grand Jury Coordinator, PO Box 750, Yreka, CA 96097, or email Becky Sloan at bsloan@co.siskiyou.ca.us or send in the request form at the end of this year’s consolidated report.

Yours in service, STEVEN L. THORNBURG, Foreperson

2013/2014 GRAND JURORS

KELLY ATCHLEY

LINDA DILLEN

SCOTT FRICK

RUTH SIMPSON

ERIK BERG

MICHAEL DUNCAN

DONALD KAAE

MARK SUTHERLAND

MARTY BISHOP

ED FAWAZ

FRANK RIGHTMIER

JOYCE TICHOTA

BRENDAN BUTLER

MARK FERRANTE

JIM SOARES

STEVE THORNBURG



SISKIYOU CO. HEALTH & HUMAN SERVICES INFORMATIONAL REPORT



BACKGROUND

At the July 2, 2013 meeting of the Siskiyou County Board of Supervisors, the Supervisors heard the first reading of a revised ordinance slated to create a "Health and Human Services Agency" which would incorporate Public Health, Office of Emergency Services, Behavioral Health, Social Services, Health Dept. and Administrative Services all under one director. The reorganization of the County health and social services was stimulated by the need to cut costs in order to repay over billings made to the State. The Grand Jury decided to evaluate the newly consolidated Health and Human Services agency. The Grand Jury was aware the consolidation of the new agency was just evolving as we began this study.

Approach

Due to the number of agencies involved in the consolidation the Grand Jury decided to investigate how the change was affecting the now new divisions. The Grand Jury decided to conduct interviews in each of the divisions. The Grand Jury collected a published overview of the agency with each division's goals and services provided. Included in the publication is an organizational chart that is currently reviewed and revised each month. The organizational chart reviewed in this investigation was dated April 2014. The interviews were conducted with members from various levels of the organizational chart. Interviews were completed with teams of grand jury members; several of which were conducted on agency sites. The jurors were met with positive attitudes and enthusiastic cooperation.

The investigation included looking at the historical organization of the divisions. Former leadership and services provided were also reviewed. The historical information gave the Grand Jury members a better understanding of the purpose for creating a new agency and the effects the new agency structure would have on service delivery and county employees.

Discussion

Among the reasons the County offered to justify the consolidation was the ability to better serve clients receiving social

and health services. The Grand Jury was told that many of the County's clientele, under the former organizational structure, were required to access separate agencies and services to meet all their needs. By creating the new revised agency Health and Human Services will introduce "one stop shopping". It is the goal of this new effort to streamline processing, better coordinate services and improve tracking usage.

The Grand Jury sought to determine if this consolidation, in and of itself, created any new adverse issues. The only obstacle identified was the cumbersome interaction between the new computer system and the State mandated computer programs, and this has been resolved. The Grand Jury found that some of the divisions in the revised organization had little or no issues and generally were not sensing any negative effects in their operation. Some divisions came with existing issues and which are currently being addressed.

An open door policy has been initiated to allow for better inter agency communication. Regular staff meetings will also be used among the divisions for better evaluation of compliance and accountability. Increased coordination between service programs, combined with improved communication, will afford this new agency the opportunity to pursue new funding streams such as grants.

Conclusion

The Health and Human Services Agency is undertaking a large reorganization in bringing together health and social services that were formally separated. The timing of this investigation came at the infancy of this reorganization and the Grand Jury was only able to review the initial implementation steps. The Grand Jury believes that it is too early to see any outcomes that this new agency is having on the overall effectiveness and efficiencies of the individual divisions, and the services provided to its clientele. We would like to thank all those involved in the investigation for their help and cooperation. We recommend that within two years the Grand Jury consider a full watchdog investigation to better evaluate the results.





WATCHDOG: Siskiyou County Cemetery District



Winema Cemetery, Weed

INTRODUCTION

In California there are nearly 3,400 Special Districts. Special Districts are limited purpose local governments that are separate from cities and counties. Special Districts provide focused public services within their boundaries such as fire protection, parks and recreation, water supply, libraries, cemeteries and sanitation. Most special districts (85%) are single function districts such as a cemetery or fire protection.

There are two forms of special districts governance. Two-thirds of special districts are independent districts with independently elected or appointed boards whose directors serve a fixed term. The remaining one-third are dependent districts governed by either a city council or county board of supervisors. Each cemetery district in Siskiyou County is an independent district.

There are seven cemetery districts in Siskiyou County. The districts were formed primarily to oversee the care and maintenance of the cemeteries. These districts are Etna, Fort Jones,

Happy Camp, Henley Hornbrook, Lake View, Picard, and Shasta Valley. The largest district, Shasta Valley, controls seven cemeteries.

Each of the cemetery districts is governed by a volunteer Board of Directors, whose directors are appointed by the Siskiyou County Board of Supervisors.

State law requires that each of the districts charge an endowment fee in addition to the fees for the burial plots and services. This endowment fee must be safely invested in an endowment fund. The established endowment fund is held until such time as the district ceases to accept any more interments. The fund is then used to maintain the cemetery grounds.

BACKGROUND

The 2005-2006 Siskiyou County Grand Jury conducted a watchdog investigation of the Siskiyou County cemetery districts. In their final report the Grand Jury stated that some of the operating procedures, record keeping and adherence to the Brown Act requirements within the cemetery

districts were quite lax. They recommended that a future Grand Jury follow up on their findings. The 2013-2014 Grand Jury members decided to act upon the previous Jury's recommendation. The Jury decided to concentrate on just three of the seven cemetery districts in Siskiyou County. The Jury chose Shasta Valley as well as Fort Jones and Henley Hornbrook. Shasta Valley Cemetery was selected as the largest special cemetery district, while the Fort Jones Cemetery and the Henley Hornbrook Cemetery districts are representative of smaller special districts.

APPROACH

The Grand Jury interviewed cemetery district board members, district employees, and other county officials that deal with special districts. The Jury examined district documents pertaining to fees, policies and procedures, and employee relations. The Jury toured Evergreen Cemetery in the Shasta Valley District, the Fort Jones Cemetery, the Henley Hornbrook Cemetery and the adjunct facilities at each of these three locations.

In addition the Jury reviewed each district's response to recent correspondence by the Siskiyou County LAFCo designed to gauge interest in the potential consolidation of districts. The Local Agency Formation Commission (LAFCo) is a state mandated agency that oversees the boundary changes (i.e. annexation, detachment) to cities and special districts. There is a LAFCo in every county in California.

After World War II, California experienced dramatic growth in population and economic development. With this boom came a demand for housing, jobs, and public services. To accommodate this demand, the state approved the formation of many new local government agencies, often with little forethought as to the ultimate governance structures in a given region. The lack of coordination and adequate planning led to a multitude of overlapping, inefficient jurisdictional and service boundaries, and the premature conversion/loss of California's agricultural and open-space lands. Recognizing this

problem, in 1959, Governor Edmund G. Brown, Sr. appointed the Commission on Metropolitan Area Problems. The Commission's charge was to study and make recommendations on the "misuse of land resources" and the growing complexity of local governmental jurisdictions

The Commission's recommendations on local governmental reorganization were introduced in the Legislature in 1963, resulting in the creation of Local Agency Formation Commissions, or "LAFCo," operating in each county. As of July 1, 1994, LAFCos have the authority to initiate proposals that include the dissolution or consolidation of special districts, or the merging of an existing subsidiary district. Prior to initiating such an action, LAFCo must determine that the district's customers would benefit from the proposal through adoption of a sphere of influence or other special study.

DISCUSSION

Overall the three cemetery districts examined maintained their grounds admirably. The employees and volunteers contacted are dedicated, conscientious, and take pride in their physical plants.

Cemetery districts provide interment services primarily for residents within their geographic district. Fees for such interment were posted at each of the respective cemeteries. The option for a non-resident to be interred in a local cemetery district is mandated by state law. California Statutes and Codes 9060 – 9069 specify under what circumstances non-residents may be interred in district cemeteries. Requests for non-resident burials must meet all of the stipulations of these codes and pay a non-resident fee over and above the regular fee schedule. For each of the cemetery districts reviewed the fees relative to non-resident interment were also posted.

Each District also complies with State law and collects the mandated endowment fee to maintain the grounds when interments are no

longer being accepted.

Shasta Valley

The Shasta Valley Cemetery District oversees seven cemeteries; Edgewood, Evergreen, Gazelle, Little Shasta, Montague, Foulke, Yreka City and St. Joseph's. The administrative office for the District is housed at the Evergreen Cemetery in Yreka, and is run by an office manager. The District also employs a groundskeeper and occasional outside vendors by contract. The public can reach the cemetery district via a published phone number.

The District Board is served by five directors; all positions are currently filled. Meetings are held the third Wednesday of the month and agendas are posted in advance of the meeting in accordance with the Brown Act. There is a current policies and procedures manual for the District, and they maintain a fixed asset inventory. The decision to replace or dispose of an asset is authorized by the Board. Funds obtained through the sale of wood from tree removal are returned to the general fund budget. Employees receive training through an

annual conference, and through their insurance carrier.

All monies received, and warrants paid on behalf of the District are managed through the Siskiyou County Auditor's office.

On the issue of consolidation the Shasta Valley Cemetery District responded to Siskiyou LAFCo indicating an interest in exploring opportunities for consolidation.

Fort Jones

The Fort Jones Cemetery District oversees one cemetery at the end of Eastside Rd. in Fort Jones. The District employs one Manager and a part-time contract maintenance person between April and October. The manager's primary job responsibility is to care for the grounds, and the sale of plots. Outside contractors are hired to dig and fill in gravesites. The phone number for the cemetery is not published, but is available to the public on the shop wall at the cemetery.

The District Board is served by three Directors; all positions are currently filled. One of the Directors also serves

as District Secretary. Meetings are held as needed and agendas are posted publically in Fort Jones. Minutes are kept but not published. The District does not have formal written procedures. The Board establishes policy and the practical application of those policies are handled between employees. There is no written job description for the cemetery manager. The District maintains a fixed asset list. To date they have not had a need to dispose of assets. Junked machinery is parted out for newer equipment repair. Tree removal is handled in-house and the employees are allowed to keep the wood. Employees receive training through participation in the California Special Districts Association.

All monies received, and warrants paid on behalf of the District are managed by the Siskiyou County Auditor's office.

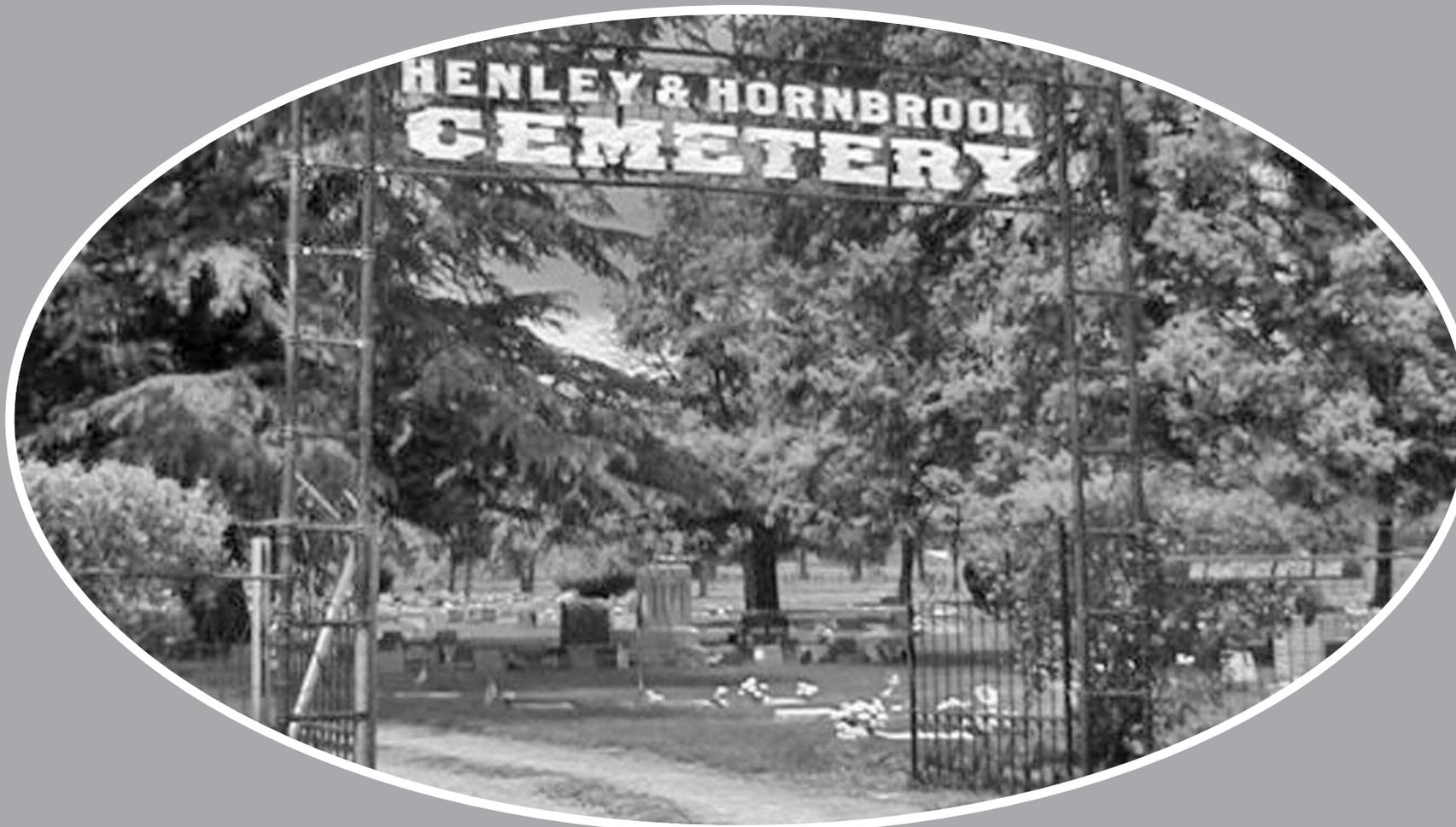
The Fort Jones Cemetery District is involved in an ongoing property line dispute with neighboring landowners.

The correct boundaries of cemetery property were not known until a recent survey of the land. Due to the uncertainty of the boundaries there have been issues involving tree falling, ongoing vehicle traffic and cattle roaming on what is believed to be cemetery land.

On the issue of consolidation the Fort Jones Cemetery district did not respond to the correspondence from Siskiyou LAFCo, and further indicated that they are not interested in consolidation.

Henley Hornbrook

The Henley Hornbrook Cemetery District oversees one cemetery on Oregon St. at Copco Wagon Trail in Hornbrook. The day to day operation is handled by a part time caretaker, a gatekeeper, and local contract and volunteer help for interments. The cemetery has an unpublished phone number; contacting the cemetery entails going to the cemetery or reaching the caretaker at home.





WATCHDOG: Siskiyou County Cemetery District



The District Board is served by five Directors; currently four positions are filled. Meetings are held on the first Monday of the month in the office and agendas are posted publically around the Hornbrook community. Formal minutes are not published. The District does not have formal written procedures. The caretaker operates from a handwritten sheet of rules and regulations inherited from the previous caretaker. There is no written job description for the caretaker's position. Training occurs solely on the job.

The District maintains a fixed asset list. To date they have only had to dispose on one piece of equipment. It was sold, with Board approval, to a volunteer for a nominal fee in exchange for volunteer services. Tree removal is handled by contract with professionals and the wood is given away.

All monies received, and warrants paid on behalf of the District are managed by the Siskiyou County Auditor's office.

On the issue of consolidation the Henley Hornbrook Cemetery District did not respond to the correspondence from Siskiyou LAFCo.

FINDINGS AND RECOMMENDATIONS

Finding 1

The Fort Jones Cemetery District does not have any written policies or procedures.

Recommendation 1

The Fort Jones Cemetery District should have a written Policy and Procedures manual that codifies the rules for (but not limited to) capital expenditures, bid processes, rudimentary Human Resources policies i.e. disciplinary procedures and grounds for termination.

Finding 2

The Henley Hornbrook Cemetery District does not have any formal written policies or procedures.

Recommendation 2

The Henley Hornbrook Cemetery District should have a written Policy and Procedures manual that codifies the rules for (but not limited to) capital expenditures, bid processes, rudimentary Human Resources policies i.e. disciplinary procedures and grounds for termination. Adoption of these written rules would help to insulate the boards from disputes that could end up in litigation.

Finding 3

The Fort Jones District has no written job description for the groundskeeper position. The current services provided by the groundskeeper are self directed.

Recommendation 3

While the current groundskeeper is highly motivated, very dedicated and runs the day-to-day operation extremely well, the duties and services provided are not recorded in any fashion. The Fort Jones Cemetery Board needs to draft a thorough and up to date job description outlining the groundskeeper's duties.

Finding 4

The Henley Hornbrook District has an incomplete and inadequate job description for the Caretaker / Superintendent position.

Recommendation 4

The Henley Hornbrook Cemetery board should draft a thorough and up to date job description outlining the duties of Caretaker/Superintendent position.

Finding 5

The Fort Jones Cemetery District does not have a public telephone listing. The phone number is only available on the outside of the cemetery shed.

Recommendation 5

The Fort Jones Cemetery district should publish a cemetery district phone number for the public.

Finding 6

The Henley Hornbrook Cemetery District does not have a public telephone listing. Contact is through the employees.

Recommendation 6

The Henley Hornbrook Cemetery District should provide and publish a cemetery district phone number for the public.

Finding 7

The Fort Jones Cemetery District is in an ongoing property line dispute with the neighboring landowners which has resulted in issues involving tree falling, ongoing vehicle traffic and cattle roaming on what is believed to be cemetery lands.

Recommendation 7

The Fort Jones Cemetery District Board, in conjunction with Siskiyou County Board of Supervisors, shall accurately determine all cemetery boundaries and assist the Cemetery District in reaching a property resolution to the satisfaction of all landowners involved.

(continued on page 8)





WATCHDOG: Siskiyou County Cemetery District



RECOMMENDATION #7

The Fort Jones Cemetery District is in an ongoing property line dispute with the neighboring landowners which has resulted in issues involving tree falling, ongoing vehicle traffic and cattle roaming on what is believed to be cemetery lands.

RESPONSE TO RECOMMENDATION 7

The Siskiyou Board of Supervisors concurs with the Grand Jury recommendation and will offer assistance to the Fort Jones Cemetery Board through the Public Works and/or Community Development Departments by means of existing files, surveys or geographic information systems (GIS). However, ultimately the resolution of any boundary dispute between the District and all landowners involved rest solely with those parties.

Finding 8

In 2013 the Siskiyou County LAFCo inquired each of the cemetery districts reviewed herein as to their interest in a potential voluntary consolidation of the cemetery districts. The Fort Jones and the Henley Hornbrook District Boards chose not to respond to the LAFCo inquiry. Further both Districts indicated to the Grand Jury that they are not interested in giving up local control of their districts.

Recommendation 8

The Fort Jones and Henley Hornbrook Cemetery District Boards should respond to the 2013 LAFCo letter expressing interest in the possible countywide consolidation of cemetery districts and state their justifications for remaining independent. As stated by Siskiyou LAFCo, "under certain circumstances LAFCo could force the consolidation of the districts." Should these districts wish to remain independent it is incumbent upon them to address this with LAFCo rather than ignore their correspondence.

Finding 9

Siskiyou County supports almost 100 special districts governing many



different entities, the lion's share of which are governed by appointed Boards. While this investigation examined just three such districts it is clear that how these districts operate varies dramatically. The one theme that is consistent across these districts is their statutory responsibilities. In addition to meeting the requirements of the Ralph M. Brown act with regard to public meetings, the districts also have fiduciary and legal responsibilities. As appointed Boards many of those who serve are not well versed on these requirements.

Siskiyou County, through the County Clerk, the Auditor and County Counsel, provides FREE yearly training seminars for those serving on such special district boards. Both day

and nighttime seminars are provided to accommodate working individuals. Presently participation of the board members in these seminars is dismal; only around twenty to twenty-five percent attend. All district board

members should make it a high priority to attend these training sessions every year. Laws change and attendance at a seminar presented years ago may not be sufficient to govern effectively given the frequency of law changes in California.

Recommendation 9

It is incumbent upon the Board of Supervisors, as the appointing body for most independent special district boards, to insure that those members,

who serve on behalf of the citizenry, are properly trained in their legal and fiduciary Board responsibilities. Newly appointed, and ongoing, Board members should be required to attend training annually to remain current with all laws defining and pertaining to Special District governance.

RESPONSE TO RECOMMENDATION 9

The Siskiyou Board of Supervisors concurs with the Grand Jury recommendation. The Auditor's Office has provided training workshops for all Special Districts regarding their fiduciary responsibilities and County Counsel provides legal advice on an ongoing basis. Individual Special

Districts should take responsibility for ongoing training opportunities that may be available through the appropriate authority.

REQUEST FOR RESPONSES

Pursuant to Penal Code section 933.05, the grand jury requests responses as follows:

From the following individuals:

Fort Jones Cemetery District

The Fort Jones Cemetery District is requested to respond to this report; recommendations 1,3,5,7,8

Henley Hornbrook Cemetery District

The Henley Hornbrook Cemetery District is requested to respond to this report; recommendations 2,4,6,8,

Siskiyou County Board of Supervisors

The Siskiyou County Board of Supervisors is requested to respond to this report;

Recommendations 7, 9

The governing bodies indicated above should be aware that the comment or response of the governing body must be conducted subject to the notice, agenda and open meeting requirements of the Brown Act.

Reports issued by the Civil Grand Jury do not identify individuals interviewed. Penal Code Section 929 requires that reports of the Grand Jury not contain the name of any person, or facts leading to the identity of any person who provides information to the Civil Grand Jury. The California State Legislature has stated that it intends the provisions of Penal Code Section 929 prohibiting disclosure of witness identities to encourage full candor in testimony in Civil Grand Jury investigations by protecting the privacy and confidentiality of those who participate in any Civil Grand Jury investigation.



Deadwood Conservation Camp Report



INTRODUCTION

The 2013-2014 Siskiyou County Civil Grand Jury conducted a watchdog investigation of the Deadwood Conservation Camp in accordance with Penal Code Section 919(b). This section of the penal code requires the Civil Grand Jury to conduct an annual inspection of every detention facility within Siskiyou County.

BACKGROUND

The Deadwood Conservation Camp was established by the State of California in 1961 and opened on June 1, 1962. The camp is jointly operated by the California Department of Corrections and Rehabilitation (CDCR) and the California Department of Forestry and Fire Protection (CAL FIRE). The primary mission of the camp is to provide inmate fire crews for fire suppression principally in the Siskiyou County area. In addition to fire suppression, inmate hand crews provide a work force for flood control, conservation projects, and community services. In-camp facilities include a CAL FIRE vehicle shop where the inmate crews repair and restore State, Federal and Volunteer Fire Department vehicles. There is also a CAL FIRE wood shop where inmates build cabinets for State, Federal and local governmental entities.

The CDCR is responsible for the selection, supervision, care and discipline of all inmates. CAL FIRE maintains the camp, supervises the

work of the inmate fire crews as well as the responsibility of the fire crews when they are working on a CAL FIRE project. CDCR employees may accompany the fire crews to provide security and care of the inmates while they are out of camp on fire, floods or other emergencies. The inmates must have twenty four (24) hour per day supervision while away from camp. The Deadwood Conservation Camp is located north of Fort Jones.

The camp is staffed by six (6) Correctional Officers, one (1) Correctional Sergeant and one (1) Correctional Lieutenant referred to as the CDCR Camp Commander. In addition to the CDCR staff the camp is also staffed by CAL FIRE with eight (8) Fire Crew Captains, one (1) Heavy Equipment Operator, one (1) Stationary Engineer and one (1) Assistant Chief referred to as the CAL FIRE Division Chief.

The Deadwood designated camp capacity is eighty eight (88) minimum security inmates. All inmates must be convicted felons and male. These inmates are broken down into four (4) fire crews of seventeen (17) men each for a total of sixty eight (68) inmates. The remaining twenty (20) inmates serve as cooks, clerks, grounds keepers, porters, camp maintenance workers and skilled shop workers.

Inmates who are selected for the fire camps go through a CDCR

classification system that insures that no inmate shall have a history of any sex crimes, murder, escape, arson or a history of violence. All inmates are then trained at the California Correction Center near Susanville before being assigned to the Deadwood Conservation Camp. Most of the inmates at the Camp are serving time for alcohol, drug or property related crimes. The average inmate serves approximately the last nine (9) months of their sentence at the Camp. Inmates are paid for their work. The majority are laborers who receive \$1.45 per day. Skilled workers can earn up to \$2.56 per day. Skilled inmates include mechanics, clerks, plumbers, welders, carpenters and electricians. The lead cook can earn up to \$3.90 per day.

While assigned to a crew fighting fires or any other declared emergency an inmate may earn \$1.00 per hour. All monies earned by the inmates are deposited in an inmate trust fund. These funds can then be used to assist their families, saved for their release or used to purchase items from the Camp Canteen.

In their leisure time inmates may participate in hobby crafts, softball, basketball, horseshoes, reading or other approved activities. Spiritual services are provided by community volunteers.

Inmates at the Camp live in open dormitories. They eat in a dining hall staffed by inmate cooks and

supervised by CDCR employees. The Camp is supervised by CDCR employees around the clock, seven (7) day a week.

APPROACH

On March 11, 2014 members of the 2013-2014 Grand Jury toured the Deadwood Conservation Camp. This tour was lead by employees of CDCR and CAL FIRE. During the course of the tour numerous employees as well as inmates were spoken to in order to get a better understanding of the workings of the Camp.

DISCUSSION

During the 2013 calendar year the Deadwood Conservation Camp crews provided a total of 133,160 hours of work to Federal, State and local governments for various work projects as well as conservation projects. In addition to these hours the inmate work crews provided a total of 56,960 hours of fire fighting time. These figures which were compiled through December 31, 2013 are estimated to have saved California taxpayers a total of \$3,974,972.00.

As noted earlier the Deadwood Conservation Camp has a cabinet shop which produces various wood products as well as cabinets for Federal, State and County entities. A mechanics shop services CAL FIRE vehicles as well as Siskiyou County Volunteer Fire Department vehicles. The Deadwood Camp also partners with The College of the Siskiyous in

Weed where they have played an important role in the building, maintenance and support of the College of the Siskiyous Fire Training Center. The crews also provide fire prevention at the campus by clearing brush as well as providing trail maintenance.

In addition the fire crews partner with and support ongoing projects which include the Klamath National Forest, Castle Crags State Park, Shasta Valley Fish and Wildlife Refuge, Siskiyou County Fairgrounds, Scott Valley Adopt - A - Highway, local public schools, cemetery districts, Siskiyou County Fire Safe Council, the cities of Weed, Etna, Fort Jones, Mt. Shasta and Yreka, the Iron Gate and Mount Shasta fish hatcheries, the Lake Siskiyou Recreation Area as well as various other projects.

The Deadwood Conservation Camp provides further economic benefits to the local community through local vendor purchases. From July 1, 2012 through June 30, 2013 CAL FIRE and CDCR spent in excess of \$294,715.00 for goods and services from local vendors. The payroll of the CDCR and CAL FIRE camp employees that reside in the area of Yreka and Fort Jones was in excess of \$1,000,000.00. CDCR and CAL FIRE employees also volunteer at local schools, youth sporting events, charitable organizations, religious institutions, etc.





Deadwood Conservation Camp Report



As of March 3, 2014, the Camp has completed work projects totaling 286.75 acres. These projects by name are as follows: Highway 97 Brushing, Siskiyou 96 Brushing, Hammond Ranch Brushing, Mt Shasta FSC (2), Mt Shasta FSC 3, Soap Creek Ridge Fuel Break, Mott I-5, Siskiyou I-5 Brushing (2), Castle Crags 2012 (3), Mt Shasta Fish Hatchery (3), C.O.S. Bear Trail, Jack (Thinning and Piling), Mott Airport, Quartz Hill Lookout, Lake Siskiyou Logging, Butte Valley Wildlife, Highway 89 Brushing, Cal Trans I-5 Project, Big Springs Elementary, Juniper Flat Fuel Break, Quartz Valley School, Cal Trans Highway 89, Mt Shasta Fish Hatchery Fence, Weed Sons Ball Field and Cal Trans Highway 97.

Upcoming projects for the remainder of 2014 include the Southeast Mt Shasta Fuel Break, Northeast Mt Shasta Fuel Break, Greater Weed Fuel Break, Pleasant Valley Water Tank, Hammond Ranch Water Tank, Juniper Flat Fuel Break, Black Mountain Fuel Reduction, South Weed Fuel Break, Mt Shasta Fuel Break, Meadow Restoration, Butte valley Shaded Fuel Break, Etna Cemetery, Weed Fuel Reduction (2), Klamath River Fuel Reduction Project, Mt Shasta Fuel Reduction (Spring Hill), McCloud Snow Removal, McCloud Station maintenance, and Weed Dogwood Ridge Shaded Fuel Break.

During the course of the tour all of the camp buildings as well as the grounds appeared to be extremely well maintained. In short, the camp was clean, quiet and in good order. The members of the Grand Jury that attended this tour were provided lunch in the dining hall. All members were fed a meal consistent with one that would be provided to an inmate fire crew while fighting fires. The food was excellent.

The camp currently has two water sources (springs) that in a normal year provide approximately 13 gallons per

minute. Due to the drought last year these springs only provided approximately 3 ½ gallons per minute. With the expected continuance of dry weather it may be possible that the camp could run short of water during the remainder of 2014.

Since the passage of Assembly Bill 109 (AB109) it has become harder for the CDCR to find and select inmates that meet the requirements of working at a fire camp. In the future this may affect either the type of inmate sent to a fire camp or the number of inmates eligible to be sent to a fire camp.

FINDINGS and recommendations

FINDING #1

During the course of the investigation it was learned that the Deadwood Conservation Camp may have difficulty supplying adequate water from their springs for the balance of 2014.

RECOMMENDATION #1

The Deadwood Conservation Camp is a valuable asset for Siskiyou County. It is incumbent upon the Board of Supervisors and other appropriate agencies to be aware of the potential water shortfalls at Deadwood and work in conjunction with the camp to insure ongoing water services for the inmates this year.

RESPONSE TO

RECOMMENDATION #1

The Board of supervisors acknowledges that the Deadwood Conservation Camp is a valuable asset for Siskiyou County and is aware of the potential water shortfalls at Deadwood. The County will work in conjunction with CalFire and other entities to ensure adequate water supply for the camp. Since the Grand Jury Tour of Deadwood Camp on March 11, 2014, the following water saving measures have been implemented:

New aerators have been placed on all faucets and new low flow shower heads have been installed in all

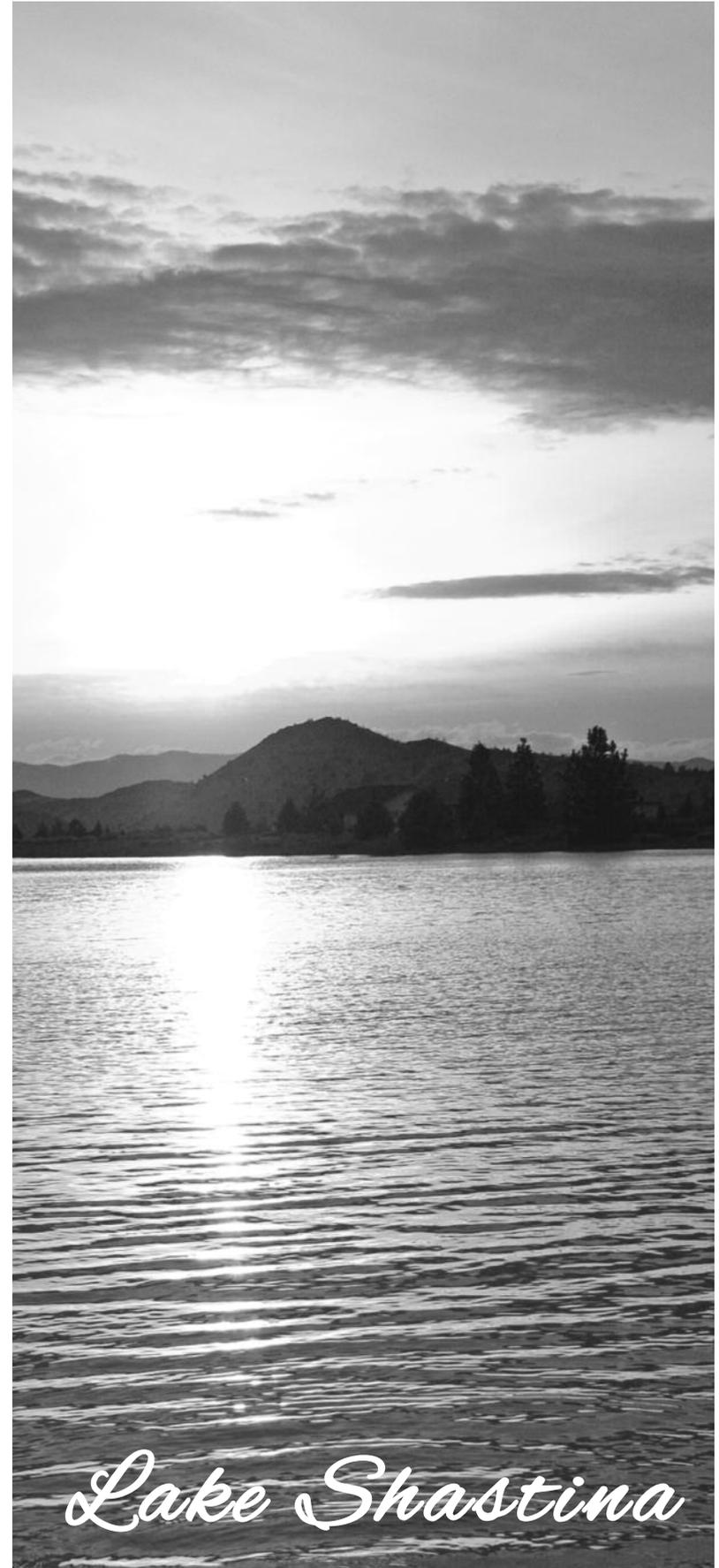
showers; a new pressure regulator has been placed on the dorm showers and new 1.5 GPF valves have been installed on the lavatory. The camp has reduced watering the lawn and nonessential flora; measuring devices have been placed on the holding tanks and a drop test of the well that is now supplying the majority of camp water has been completed. A water flow meter that was installed in the dorm supply line to check the daily usage of the dorm has dropped usage from 3500 gallons per day to below 2000 gallons in the dormitory alone. This was achieved through inmate awareness, low flow heads and regulator installation. Should drought conditions worsen and more water is needed then a larger pump will be purchased for the well and in a worst case scenario, water will be hauled for holding tanks as is the case for other Conservation Camps within the State.

REQUEST FOR RESPONSES

Pursuant to Penal Code section 933.05, the grand jury requests responses as follows from the following governing bodies:

Siskiyou County Board of Supervisors
The governing bodies indicated above should be aware that the comment or response of the governing body must be conducted subject to the notice, agenda and open meeting requirements of the Brown Act.

Reports issued by the Civil Grand Jury do not identify individuals interviewed. Penal Code Section 929 requires that reports of the Grand Jury not contain the name of any person, or facts leading to the identity of any person who provides information to the Civil Grand Jury. The California State Legislature has stated that it intends the provisions of Penal Code Section 929 prohibiting disclosure of witness identities to encourage full candor in testimony in Civil Grand Jury investigations by protecting the privacy and confidentiality of those who participate in any Civil Grand Jury investigation.



Lake Shastina



Siskiyou County Fish and Game Commission



INTRODUCTION

The 2013-2014 Siskiyou County Civil Grand Jury conducted a watchdog investigation of the Siskiyou County Fish and Game Commission. Based on our research it was determined that a watchdog had never been conducted on this commission.

A watchdog investigation examines the accountability and efficiency of county government and that county monies are being handled appropriately.

BACKGROUND

The Siskiyou County Fish and Game Commission was established on July 21, 1953 by the enactment of Siskiyou County Ordinance # 259. The purpose of this commission as stated in Section Five of the ordinance states: "The members of the Commission shall devote time and thought to the best methods for the propagation and protection of fish and game in the State of California and of the County of Siskiyou. The Commission shall be one advisory body and shall make such recommendations to the Board of Supervisors as they deem to be reasonable, and proper, necessary or advisable."

In 1992 the Siskiyou County Fish and Game Commission ordinance was rewritten as follows:

SISKIYOU COUNTY, CALIFORNIA CODE OF ORDINANCES

TITLE 4 – PUBLIC WELFARE, MORALS, AND CONDUCT

CHAPTER 2 – FISH AND GAME COMMISSION: FISHING

ARTICLE 1: FISH AND GAME COMMISSION

SECTION 4-2.101 - FISH AND GAME COMMISSION CREATED.

There is hereby created and established a Fish and Game Commission of the County.

SECTION 4-2.102 -

APPOINTMENT OF MEMBERS

The Fish and Game Commission shall consist of five (5) members. One member from each supervisorial district shall be selected by the Supervisor from that district. All members of the Commission shall be citizens of the United States and residents of Siskiyou County.

SECTION 4-2.103 - TERM OF OFFICE

Each member of the Commission shall serve a term of four (4) years, or part thereof, at the pleasure of the Board, which shall have the right at any time during the term, to remove a member from the Commission by an affirmative vote of at least three (3) members of the Board. The term of each member of the Commission shall coincide with the term of the member of the Board of Supervisors responsible for his or her appointment. Vacancies or reappointments will be posted and public input solicited.

SECTION 4-2.104 - OFFICERS

The officers of the Commission shall be Chairman, Vice Chairman, Secretary, and Treasurer or Secretary/Treasurer. The officers shall be elected at the first Commission meeting in January of each year.

SECTION 4-2.105 - MEETINGS

Permanent meeting places within each supervisorial district shall be established and a date and time for such meeting shall be set. Meetings will be rotated among each district. All meetings shall be open to the public.

SECTION 4-2.106 MEETING AGENDAS

Commission meetings shall be conducted on an agenda basis. Items for the agenda shall be submitted to the Chairman ten (10) days prior to the scheduled meeting. The agenda shall be sent to each Commissioner one week prior to the meetings and to the media from each supervisorial district. A majority vote of the Commission shall allow late or emergency items to be considered.

SECTION 4-2.107 – COMPENSATION

The members of the Commission shall serve without compensation, except for necessary travel expenses to and from meetings related to the business of the Commission. Any other personal expenses must be authorized by the Board of Supervisors prior to each individual event or any event the Commission may wish to hold. All expenses and expenditures shall be reported by the Treasurer or Secretary/Treasurer at all monthly Commission meetings. The Board may authorize employment or part-time help for the Commission to carry out its functions.

SECTION 4-2.108 – DUTIES

The members of the Commission shall devote time and thought, with consideration of public input, to the best method for the propagation and protection of fish and wildlife in the State and County. The Commission shall be one advisory body and make such recommendations to the Board of Supervisors as it may deem to be reasonable and proper, necessary or advisable.

The Siskiyou County Fish and Game Commission is funded by 50% of all fish and game fines levied in Siskiyou County. Per state law these funds shall be deposited in a county fish and wildlife propagation fund. These funds shall then be expended for the protection, conservation, propagation and preservation of fish and wildlife.

APPROACH

During the course of the investigation interviews were conducted with all members of the Siskiyou County Fish and Game Commission as well as the County Supervisor who acts as the liaison between the Commission and the Board of Supervisors.

Members of the Grand Jury also attended a public meeting of the Siskiyou County Fish and Game Commission.

Siskiyou County Fish and Game Commission agendas, minutes and ordinances were reviewed. State of

California Fish and Game Code sections 12009(b) (2), 13003, 13100 and 13103 were also reviewed.

FINDINGS AND Recommendations

During the course of the investigation it was determined through interviews that the Siskiyou County Fish and Game Commission meetings are held approximately every three (3) months. These meetings which are open to the public are not posted publicly. In order to be notified of a meeting you must be on the commission's e-mail list.

R1.

It is recommended that all meetings be publicly posted 72 hours in advance as to comply with the Brown act as it pertains to meetings open to the public.

It was determined through interviews that neither the members of the Commission nor the supervisor interviewed had ever seen or read the Siskiyou County Ordinances that apply to the Siskiyou County Fish and Game Commission.

R2.

It is recommended that all persons appointed to the Siskiyou County Fish and Game Commission as well as the Board of Supervisor liaison be given a copy of all applicable County Ordinances and California Fish and Game codes when appointed.

Based on interviews and documents (Siskiyou County Fish and Game Commission Minutes and Siskiyou County Fish and Game Commission Agendas) it was determined that funds were inappropriately spent. These expenditures which were recommended by the Commission and authorized by the Board of Supervisors included youth hunts for waterfowl and youth hunts for pheasants on private lands. These expenditures appear to be in direct conflict with Siskiyou County Fish and Game Commission Ordinances and State of California Fish and Game Code sections 13100 and 13103. None of these expenditures listed above protect, conserve, propagate, or preserve fish and wildlife.

R3.

It is recommended that all expenditures from the County of Siskiyou Fish and Wildlife Propagation fund comply with the Siskiyou County Fish and Game Ordinances as well as State of California Fish and Game Codes 13100 and 13103.

The Siskiyou County Fish and Game Commission Ordinance states in Section 4-2.103 that, "Vacancies or reappointments will be posted and public input solicited." During the course of the interviews it was determined that all Commissioners were approached by a Supervisor and then appointed. No record could be found that any opening on the Commission had been posted.

R4.

All vacancies or reappointments must be posted.

Pursuant to Penal Code section 933.05, the grand jury requests responses as follows:

From the following governing bodies: Siskiyou County Board of Supervisors.

The governing bodies indicated above should be aware that the comment or response of the governing body must be conducted subject to the notice, agenda and open meeting requirements of the Brown Act.

Reports issued by the Civil Grand Jury do not identify individuals interviewed. Penal Code Section 929 requires that reports of the Grand Jury not contain the name of any person, or facts leading to the identity of any person who provides information to the Civil Grand Jury. The California State Legislature has stated that it intends the provisions of Penal Code Section 929 prohibiting disclosure of witness identities to encourage full candor in testimony in Civil Grand Jury investigations by protecting the privacy and confidentiality of those who participate in any Civil Grand Jury investigation.



Siskiyou County Fish and Game Commission



RECOMMENDATION #1

It is recommended that all meetings be publicly posted 72 hours in advance as to comply with the Brown Act as it pertains to meetings open to the public.

RESPONSE TO RECOMMENDATION #1

The Board of Supervisors concurs with the Grand Jury Recommendation #1. The County will remind Fish and Game Commission to send County Clerk all agendas, at least three days prior to all meetings in order to comply

with the Brown Act. Furthermore, the proper inquiry and response for this particular issue should have been the County Clerk and not the Board of Supervisors.

RECOMMENDATION #2

It is recommended that all persons appointed to the Siskiyou County Fish and Game Commission as well as the Board of Supervisors liaison be given a copy of all applicable County Ordinances and California Fish and Game codes when appointed.

RESPONSE TO RECOMMENDATION #2

The Board of Supervisors concurs with the Grand Jury Recommendation #2 and County staff will provide a copy of all applicable county ordinances and state statute at the time of appointment to the Siskiyou County, Fish & Game Commission.

RECOMMENDATION #3

It is recommend that all expenditures from the County of Siskiyou Fish and Wildlife Propagation fund comply with

the Siskiyou County Fish and Game Ordinances as well as State of California Fish and Game Codes 13100 and 13103.

RESPONSE TO RECOMMENDATION #3

The Board of Supervisors concurs with Finding #3 and will have County staff review applicable codes and ensure compliance. The Board of supervisors will take the appropriate actions should the determination be made that Commission expenditures is out of compliance.

RECOMMENDATION #4

All vacancies or reappointments must be posted.

RESPONSE TO RECOMMENDATIONS #4

The Board of Supervisors does not concur with Finding #4 as a review of County Clerk records indicate that all vacancies or reappointments were posted and input solicited. According to the Office of County Clerk when contacted by the County Administrator regarding Grand Jury Finding #4, Notices of Vacancies (NOV) are posted at the courthouse, library branches, and on the Board of Supervisors website. In addition, press releases announcing the vacancy are sent to area newspapers. The County Clerk also sends a letter to the incumbent officeholder asking him/her to let the County Clerk know if he/she is interested in being considered for reappointment. The Office of County Clerk will continue to follow its routine process in filling scheduled and unscheduled vacancies on boards and commissions and the Siskiyou County Fish and Game Commission is no exception.



Juanita Lake



Review of the City of Weed

Administration of Community Development Block Grant Loans



Photo by Bob Wagner

BACKGROUND

Community Development Block Grants (CDBG) are awarded to local jurisdictions on a competitive bid basis by the State of California, using taxpayer funds. These grants provide funding for local jurisdictions to make loans to both individuals and businesses. Most cities and the County have these

programs. These loans target individuals and businesses that would not normally qualify for loans by traditional lending institutions. Individuals must have incomes that do not exceed the guidelines of the various programs. Businesses have other requirements one of which is job creation. Interest rates, if any, and repayment terms may

vary from monthly payment to all payments being deferred until a future date. Loan repayments by borrowers are used to replenish the loan fund (revolving funds) and are available for new loans to new borrowers.

You may or may not agree whether taxpayer subsidized loan programs are

an appropriate use of tax dollars. The focus, however, of this report is not to judge the programs but to review how the programs are operated and administered.

The City has over seventy (70) outstanding loans totaling approximately 3.3 million dollars according to their

“2012-2013 Annual Recap”. This is equivalent to approximately \$1,000 for each person in the City. The categories of loans are Economic Development Block Grants (EDBG) and Community Development Block Grants (CDBG), which can either be deferred or non-deferred.



Review of the City of Weed Administration of Community Development Block Grant Loans



Most local jurisdictions use an outside organization to help process and administer some portions of the loans. The City of Weed has several contracts with Great Northern Corporation (GNC) to assist with the City loan program. GNC is paid by the City based on a percentage of the loan grant and in some cases hourly rates for services. Generally these contract percentages and rates are set in accordance with guidelines provided by the State CDBG programs.

APPROACH

Several methods were used to gather information in reviewing the operations and administration of CDBG/EDBG loan programs. The Grand Jury had eighteen (18) interviews with sixteen (16) individuals who included elected and appointed City officials along with City staff and GNC staff. The City provided documents, which included CDBG/EDBG loan guidelines, GNC contracts, State reporting forms, a State loan monitoring report, loan payment summaries and annual City audits.

Due to the large number of loans, the Grand Jury reviewed primarily loans from the Economic Development Block Grant program (EDBG). The City has approximately twenty EDBG business assistance loans, totaling approximately 1.1 million dollars. The Grand Jury selected a sampling of about 30% of the City EDBG outstanding loans for review. Copies of files on these loans were requested by letter from the City and in part said "including but not limited to original, loan committee, correspondence and work files". Also requested by letter was, "City monitoring of borrower in regards to employees hired, financial review and collection activity". The Grand Jury review and this report have relied on the City furnishing all documents requested.

DISCUSSION

The City Council members of The City of Weed had a varying understanding of the CDBG/EDBG programs. The Grand Jury concluded that a better understanding of how these programs work and are administered is needed. The City Council is involved with approving CDBG/EDBG grants, guidelines and administration contracts but not approving actual loans. Below are some examples of the City Councils involvement and motivation in regards to the EDBG sampled loans.

- City Council approves the State loan grants and administration contracts with

GNC for the EDBG loan program from time to time. Last GNC contract was approved by City Council in August 2012

- The Council approves City EDBG guidelines; the latest was in August of 2013.

- A normal requirement of EDBG "Business Assistance Loan" is that the borrower must create one full time job for each \$35,000 of loan funds. It is a very significant part of the program and apparently a major reason for the City to have this program. The City is also motivated by the EDBG program which should add to the economic activity within the City.

The Grand Jury found job generation projections from EDBG borrowers, but found little reporting on actual jobs created or job duration. The Grand Jury found business revenue projections from EDBG borrowers, but did not find reporting of actual business revenue generated. It is difficult to understand why the City would implement a program of this magnitude without having a monitoring or reporting process to record job generation and business revenue benefits to the City. The Grand Jury found in general, that the City is not aware of successes or failures of the program.

It should be noted that of the EDBG business assistance loans sampled over 80% had significant issues with borrowers not making payments which results in default of borrower obligations.

The City has the responsibility to fund the loans, collect loan payments, maintain payment records and most loan monitoring activity. The City relies heavily on GNC for direction, expertise, loan processing, and some administration. GNC contracts are detailed and include a "Hold Harmless" provision which varies per contract. In part this provision says GNC "shall hold harmless, defend and indemnify" the City for GNC services under the contract. The performance of GNC is an important part of the loan process in order to make the City loan program successful.

In regards to EDBG loans, the State of California requires, in most cases, that loans be approved at the state level prior to being approved at the local level. If the State agrees with the proposed loan

it will issue an approval letter outlining, among other things, conditions that the borrower needs to meet.

In accordance with City guidelines a Loan Advisory Board should be created. The City of Weed has created two loan advisory boards; however the City has called them Loan Committees (LC). They have one LC for individual loans and one for business assistance loans. Each LC has three members. Some of the City's LC members serve on both committees. Their task, under the City EDBG business assistance loan guidelines is that, "members are responsible for reviewing each loan application funding proposal and making recommendations to" the City. The City guidelines outline qualification for the members, "LC members can be from local financial institutions, the lender, or other interested parties who have the professional capacity to review and evaluate commercial loans". The LC cannot make significant changes to State approval conditions. The LC "may request additional information and or attach contingencies for final approval and loan closing". The LC depends on City staff and GNC for specific direction and information in performing their function. They have a varying understanding of what their responsibility is and how the system works.

It is unclear to the Grand Jury who or what has final approval of loans or modification of loans. We were given the understanding that it is unusual for City staff to attend LC meetings and that GNC manages the meetings. Below are some general comments about LC involvement in regards to the EDBG sampled loans, tens of thousands of dollars are involved for each example below.

- A loan was approved by the LC with City staff attending the meeting. The loan documents were executed by the borrower on the same day as the LC approval. The loan agreement included a provision, not in the LC approval. "All or a portion thereof the loan may be waived by approval of the Weed City Council". The borrower has three prior loans that they were not making payments on. It appears the LC was not aware of this.

- LC approved a loan with principal and interest payments and with the City in first position on real estate security. The borrower did not make any

payments the first year. The City instead has accepted interest only payments for the last seven years. According to documents in the file, the City's first position was subject to a judgment filed against borrower.

- The LC approved a loan with real property as security. According to the appraisal in the file, the loan would have been well secured. However, documents in the file indicate the loan was made for one half of the approved amounts with personal property as security. The borrower has made some payments, however none for approximately the last eight years.

- A loan agreement which required three real estate parcels as security for the loan was executed by the borrower. Only two parcels were secured as collateral. The parcel the business was to be conducted on was not secured. The State approval letter indicated the real estate security was to be a "First Deed of Trust". According to the documents in the file, the property that was secured was junior to other deeds of trust. No LC approval was found nor borrower application or property appraisal. The Loan went in to default and the LC approved a loan payoff for pennies on the dollar (approximately 10% of the outstanding loan). No comments were made in the LC loan settlement minutes about loan collateral issues.

The payment terms of EDBG loans are spelled out in the initial loan documents. We were led to believe that the LC has the authority and the responsibility to approve modifying loan terms on existing loans. The Grand Jury found varying procedures in regards to existing loan terms being changed. The Grand Jury saw little formality or clear records of these loan modifications. The process seems to be that the borrower would request a change in their terms and payments and the City would approve the request. We did not find documentation of any significant financial information being submitted from the borrower to support the request, nor did we find a request from the City to furnish such information. This modification approval process may not be beneficial to the City. Below are some general comments in regards to existing loan modification procedures on EDBG sampled loans.

- The borrower has three existing loans (approximately 150,000 dollars). During the first four years of these loans

the borrower made sporadic payments based on payment extension requests. According to documentation in the file the City apparently granted these requests. We did not find any LC actions on these requests. Payments then stopped for approximately seven years.

The borrower then requested scheduled payments to be reduced to less than 20% of the original agreed loan payments. Staff attended the LC meeting where the LC approved this request with a reduction in interest rates and change in terms.

- A borrower with two large loans (several hundreds of thousands of dollars) did not make any payments for approximately 3 years after the loan was funded. The borrower then requested the loan be restructured. The borrower apparently had entered into a lease. The terms of this lease apparently caused some difficulty for the borrower to operate in the City of Weed area. We did not find a copy of this lease in the files or any record of a City review of this lease prior to or after funding. The City staff attended the meeting where the LC approved that the borrower could take all the business equipment and relocate out of the county. The equipment, as well as some real estate, was collateral for the loan (appraisals in the file indicate that collateral was several hundreds of thousands of dollars, well in excess of the loan amount). The LC minutes indicates that borrower is allowed, "to relocate with the understanding that the city will be paid as scheduled beginning when the plant is in full operation with cash flow sufficient to handle the payment". No payments have been made for the last four years. This begs the question. How do you compute a payment date based on this provision? How is this action beneficial to the citizens of Weed? How is this generating employment or business revenue for the City?

In 2012 the State of California conducted a monitoring of one of the loans made by the City. The State indicated some 20 issues in regards to this loan. Some of the issues are similar to what has been raised in this report. As a result of this monitoring, the City in 2013 has returned to the State over \$62,000 of grant funds. This was potential loan funds that could have benefited others.

(continued on page 16)



Review of the City of Weed Administration of Community Development Block Grant Loans



For the fiscal year 2012 an annual City wide independent audit, in their findings, noted some inadequate documentation issues were found in regards to the City CDBG program.

We tried to make an assessment of the fairness of this program. We concluded that the implementation of this program was too varied and could cause criticism in several forms. If terms change and delinquencies are not appropriately addressed then some of these loan funds simply become grants. If the City suffers losses in the loan program it reduces loans to other potential borrowers. It does not reflect on the City financial condition, but only shows as a footnote in the audit report.

FINDINGS AND RECOMMENDATIONS

FINDING 1

The Grand Jury review was not scientific but it uncovered a number of weaknesses in the CDBG/EDBG loan program.

RECOMENDATION 1

The City Council should commission an independent audit to determine if or how extensive these issues are within the CDBG/EDBG loan program. They should include a review of the obligations and performance of administration contractors and others involved in the program.

FINDING 2

In approximately half of the EDBG loans reviewed, the Grand Jury found concerns about the loan restructuring.

RECOMMENDATION 2

The City should review these particular EDBG loans, perhaps engage independent legal expertise and determine if a better course of action should have been taken or can be taken now. The review should include administration contractors and others involved in the EDBG/ CDBG loans and process. If the City has the possibility of loan losses, this could reduce the amount of loss to taxpayer funds funded programs.

FINDING 3

There appears to be a lack of concern by the City to pursue EDBG loan collateral. The Grand Jury could not find a policy, procedure or threshold that the City is using in this regard. For loan programs

to be legitimate this process has to occur when necessary. The Grand Jury could not find retrieval of loan collateral on EDBG loans reviewed.

RECOMMENDATION 3

The City needs to review its procedures and if one does not exist, it should create one that follows City guidelines. When necessary the City should retrieve collateral on non-performing loans.

FINDING 4

The Grand Jury found little evidence of City monitoring, regarding the requirement of EDBG loans to create local jobs. The public has a right to know how effective a major City loan program like the EDBG is on jobs and business revenue.

RECOMMENDATION 4

The City should create a report showing the effectiveness of job creation and economic creation under the City EDBG loan program. This report should be available for distribution within the city and to the public at least on an annual basis.

FINDING 5

The Grand Jury could not determine what the final approval or loan modification process was. The Grand Jury concluded that it is important to know who the responsible parties are so inquiries can be made. This should avoid confusion that was evident during our visits.

RECOMMENDATION 5

The City should review its CDBG guidelines as adopted. If the guidelines are not clear the City should modify or create additional polices and determine specific responsibilities.

FINDING 6

When loan modification requests are made by the borrower, the city appears to not review current financial statements/information from the borrower. The lack of this information should make it difficult to reach a proper decision. It seems that a prudent lending procedure is to know the financial condition of the borrower. This should be especially true for non-performing loans. Included in the guidelines is the responsibility of the borrower to furnish annual financial information. The files included little information of that kind.

RECOMMENDATION 6

Requests for CDBG/EDBG loan modifications from the borrower should be accompanied by current financial statements/ information along with revised projections for the business. The City should follow the guidelines requiring annual financial statements/information from borrowers. A performance history on the existing loan should be reviewed along with possible modifications of collateral prior to any action.

FINDING 7

The Grand Jury found that LC lacks training and understanding regarding CDBG/EDBG City guidelines. The LC would benefit if they knew the status of loans and the outcome of loans they approve. The LC would also benefit if they were more included in the loan process. The LC is an advisory board and should be independent

RECOMMENDATION 7

LC should be given training and gain an understanding of CDBG/EDBG guidelines. Reports showing status of existing loans, borrower performance history, job creation and economic contribution should be reviewed with the LC periodically. They should also be made aware of any request for modification to existing loans if they are not a part of this process. The City should encourage them to ask questions and request information that would help them in their process. The LC needs better inclusion in the process.

FINDING 8

The Grand Jury found varying opinions from LC on what their responsibility is, who they work for, who appointed them and what the City expects of them. They should understand that they represent the City of Weed and that GNC is a contracted consultant to the City.

RECOMMENDATION 8

Information should be given to all LC members. It should include their responsibilities, who appointed them, who they work for, what GNC's role is and who they can go to for questions, requests and information. .

FINDING 9

LC members do not have terms and are not required to file conflict of interest forms. Their responsibility as LC

committee members is to deal with many individuals and businesses in the City. They should disclose their financial activity.

RECOMMENDATION 9

The City should set terms of 2 or 4 years in order for LC members to be reviewed by the City on a periodic basis. Members should be appointed based on the qualifications outlined in the City CDBG/EDBG guidelines. Members should also be required to file conflict of interest forms on an annual basis.

FINDING 10

LC members do not see or approve LC meeting minutes.

RECOMMENDATION 10

Prior LC minutes should be presented to the LC and approved by the members at each meeting. These minutes should be clear, complete, and reflect the full intentions of the LC. An LC meeting minute book should be kept.

FINDING 11

City Council needs appropriate orientation and a better understanding of City CDBG/EDBG guidelines and program. They have varying opinions on how the program works, and how they are administered.

RECOMMENDATION 11

Annual orientation session for all City Council members should be required to cover CDBG/EDBG Guidelines and programs.

FINDING 12

CDBG /EDBG program appears to lack transparency. Of those interviewed few within the City seem to clearly understand the program.

RECOMMENDATION 12

Appropriate reporting should be developed and made available to City administration and citizens of Weed. City Council should appoint a CDBG commissioner to help carry out this task along with giving oversight on the program activities.

FINDING 13

The City CDBG/EDBG programs need help with their implementation.

RECOMMENDATION 13

City should seek assistance from appropriate State CDBG/EDBG departments. Additional training on program management, loan monitoring, procedures, collateral retrieval, loan modifications and delinquent payments would be beneficial. It may be helpful for the State to know the City's current situation so help could be more targeted.

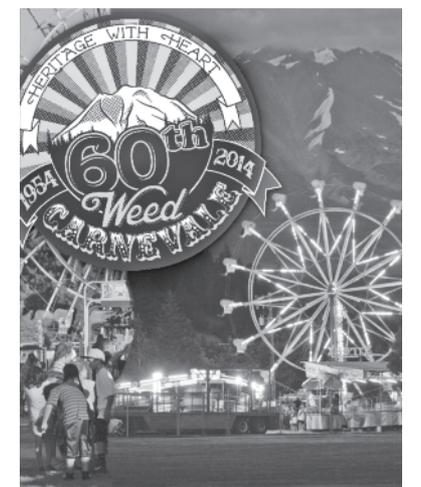
REQUEST FOR RESPONSE

Pursuant to Penal Code section 933.05 the Grand Jury requests responses as follows from the following governing bodies:

The City of Weed is requested to respond to this report recommendations number 1 thru 13

The governing bodies indicated above should be aware that the comment or response of the governing body must be conducted subject to notice, agenda and open meeting requirements of the Brown Act.

Reports issued by the Civil Grand Jury do not identify individuals interviewed. Penal Code Section 929 requires that reports of the Grand Jury not contain the names of any person, or facts leading to the identity of any person who provides information to the Civil Grand Jury. The California State Legislature has stated that it intends the provisions of Penal Code Section 929 prohibiting disclosure of witness identities to encourage full candor in testimony in Civil Grand Jury investigations by protecting the privacy and confidentiality of those who participate in any Civil Grand Jury investigation





LAKE SHASTINA POLICE DEPARTMENT



The Chief was hired on January 2, 2013 for the police and fire departments. He has approximately twenty-three (23) years of experience as a law enforcement officer. His experiences include being a Deputy Chief at Cal Fire.

A binder was provided to the Grand Jury pertaining to the operation of the department. Items in the binder consisted of; the Disciplinary Policy, Personnel Complaint Procedure, Citizen's Complaint Form, Monthly Duty Scheduling from February 2013 forward, Certification from the Commission on Peace Officers Standard Training (POST), as well as copies of the current range qualifications for the sworn officers and Arrest Statistics for the year ending 2012.

It was learned that officers had not qualified with their weapons since 2010, as well as other administrative issues had not been addressed.

The CSD Board could not recall if, and when, the last written complaint was brought to them against the police department. The department does not have litigation cases pending.

Based on the statistics provided, the CSD has a low crime rate. Major felony crimes are rare. Traffic violations involve speeding and parking. There are numerous calls regarding dogs barking.

Due to the limited calls for service and the nature of calls, officers receive little on the job training. Officers are invested in the community and attend events in support. The CSD Board members, when interviewed, did not have a working knowledge of the police departments' budget. The CSD Board members also were not aware of their terms of office.

control kennel area, located in the district's maintenance yard. There is one kennel structure with four separate covered housing units. Each unit has an igloo shaped dog house. The structure has a concrete floor, chain link sides, top and gates. There is a separate two unit housing structure which is not in use due to age and defects. The kennel lacks protection from adverse weather conditions. Liquids that drain from these units have been known to back up and cause unsanitary issues with the housed animals.

The police department's current budget is approximately \$327,000 with a projected deficit of \$25,000 by the end of the fiscal year in June 2014. The District must use a portion of their monetary reserves to pay the bills that keep the police department functioning. These reserves will not be sufficient to make up the annual deficit beyond the next three years.

Each parcel in the district is assessed an annual fee of \$65.00 for police services. This rate has been in effect for over a decade. Even though the CSD has managed to reduce expenses, more expense cuts may not be possible if the CSD desires to maintain the current level of police services. In 2004 a ballot measure to increase funds for the department failed by a small margin.

There are plans for an increase in the annual assessment in next years' election. This would be a measure slated for the November 2014 ballot. The monetary increase to be requested in this ballot measure is unknown at this time. The fee increase would provide sufficient funding for the police department.

The department receives \$100,000.00 for the Community Oriented Policing Services (COPS) program. The funds are on a year to year fiscal basis. These funds are used by the department for various expenses. If these funds are no longer become available this will likely cause an elimination of a full time officer and possibly the Community Service / Animal Control Officer.

Introduction

In 2013-2014 Siskiyou County Civil Grand Jury elected to do a Watchdog investigation of the Lake Shastina Police Department.

BACKGROUND

Lake Shastina is a Community Service District. It is not an incorporated city. The law allows residents of an unincorporated area to initiate the formation of a Community Service District (referred to as CSD). The Community Service District was created to provide an alternate method of providing services in unincorporated areas (Government code Sections 61000-61850).

A Community Service District is authorized to provide a wide variety of services, including water, garbage collection, wastewater management, security, fire protection, public recreation, street lighting, mosquito abatement, conversion of overhead utilities to underground, library services, ambulance services and graffiti abatement.

In January of 2013, the CSD combined the police and fire departments into one Department of Public Safety. The consolidation of these two departments was primarily due to financial concerns and a cost saving measure. The police and fire department are housed in the same building but in separate areas.

APPROACH

Members of the Grand Jury interviewed the Public Safety Department and Community Service District personnel.

The Grand Jury toured the police department section of the Public Safety Building. The building was built in the early 1970's with additions added in subsequent years. The heating/cooling system will be updated as well as double paned windows. The rooms are adequate for the size of this department. They were observed to be clean; no major defects were noted. There was easy access for the general public. Personnel were satisfied with their working space. The Grand Jury toured the animal

control kennel area. During the course of the interview it was related that the CSD and police department have a good working relationship with outside law enforcement agencies in the area. It is important to the CSD to maintain their own police department.

FINDINGS/RECOMMENDATIONS

FINDING 1

The police department's budget is not fully funded by the current parcel fees assessed to the property owners. The current fee has not been increased for several years. The department is currently using reserve funds to balance their budget.

RECOMMENDATION 1

(The CSD continue its efforts to place a ballot measure for the November 2014 ballot to increase parcel fees.

Note: Since the writing of the original report such a ballot measure has been placed on the upcoming June 2014 ballot.)

The Board took the funding matter to the voters in the June 3, 2014 election and additional funding was not approved by the voters.

FINDING 2

(Some CSD Board members do not have a working knowledge of their term.)

RECOMMENDATION 2

The CSD Board members need to be made aware of their term of office.

CSD Board members have been made aware of their terms of office and expiration of terms.

FINDING 3

The CSD Board members did not know the annual police department's budget.

RECOMMENDATION 3

The CSD Board members should be made aware of the Public Safety Department's annual budget.

FINDING 4

The animal control kennel is in need of repairs and is inadequate in inclement weather.

RECOMMENDATION 4

The animal control kennel should be brought up acceptable minimum standards as mandated by State and County codes.

FINDING 5

The Police Department currently does not have a Policy Manual.

RECOMMENDATION 5

A Policy Manual should be made available to all employees.

RECOMMENDATION 6

The 2014/2015 Grand Jury should follow-up on the progress of the Police Department.

RESPONSE REQUESTED

Pursuant to Penal Code section 933.05, the grand jury requests responses as follows from the following individuals:

The Police Chief is requested to respond to Findings 3 and

4. Pursuant to Penal Code section 933.05, the grand jury requests responses as follows from the following governing bodies:

The CSD Board is requested to respond to Findings 1 and 2.

The governing bodies indicated above should be aware that the comment or response of the governing body must be conducted subject to the notice, agenda and open meeting requirements of the Brown Act.

Reports issued by the Civil Grand Jury do not identify individuals interviewed. Penal Code Section 929 requires that reports of the Grand Jury not contain the name of any person, or facts leading to the identity of any person who provides information to the Civil Grand Jury. The California State Legislature has stated that it intends the provisions of Penal Code Section 929 prohibiting disclosure of witness identities to encourage full candor in testimony in Civil Grand Jury investigations by protecting the privacy and confidentiality of those who participate in any Civil Grand Jury investigation.



City of Fort Jones

Administration of Community Development Block Grants



BACKGROUND

Many cities in Siskiyou County have Community Development Block Grant programs (CDBG). The programs enable citizens who would not normally qualify to receive loans for necessary home improvements.

You may or may not agree whether taxpayer subsidized improvement/loan programs, are an appropriate use of tax dollars. The focus, however, of this report is not to judge the programs but to review how they are operated and administrated.

The Grand Jury decided to review CDBG programs within Siskiyou County and elected to do a review of the City of Fort Jones process, in an attempt to provide insight into these programs and the way they are managed for the citizens of Fort Jones.

APPROACH

The Grand Jury used both the interview process and the reviewing of documents provided by the City of Fort Jones. City employees, elected officials as well as loan committee members were interviewed. These interviews along with the documents mentioned provided an overview of the loan programs purpose and implementation.

DISCUSSION

The funding for the loans is primarily derived from grants originating mostly from the Federal Department of Housing and Urban Development (HUD). Funds are made available by the State of California to local jurisdictions through a competitive grant program. The city uses the grant money to fund loan programs.

Many cities and counties contract with outside organizations to act as an advisor/facilitator/manager. The organization staff has the expertise to find grant money and channel it to client cities. These organizations provide many services that the city could not perform with existing staff, managing applications, qualification, improvements, inspections and etc. The City of Fort Jones until recently used such an organization, but has canceled this arrangement and elected to hire staff (CDBG manager) and run the programs themselves. They now have the sole responsibility to manage these programs.

Although a city may use (CDBG) funds for both commercial and personal loans, Fort Jones makes loans almost exclusively for home improvement. According to their "Housing Rehabilitation CDBG Assistance Program Guidelines" furnished to the jury by Fort Jones, improvements range from a new roof to a complete reconstruction of the home. The guidelines also indicate that to be eligible for a loan, certain requirements must be met. For example, generally the applicant must be the owner/occupant or the owner/investor and certify that the property is not for sale. Because these loans are primarily for low income families there is an income limit associated with eligibility. Income must meet certain criteria in relationship to the city's Area Median Income (AMI). Home owners must provide income documentation. A credit report is also required. To be eligible, the property must be within the Fort Jones city limits.

Generally payments and interest rates are determined by the amount of the loan and the borrowers' income in relationship to the AMI. A borrower may qualify for zero percent (0%) interest and deferred principle payments, while other borrowers may pay modest interest rates (below market rates) and principle payments. Again this is based on borrowers' income in relationship to the AMI. Lower income individuals will be given better terms than individuals with higher income. Owner/investors may pay a different interest rate and principle payments. The elderly or disabled fall into a different category and under different regulations. It should be clear that this is only a general description of the loan program. Those requesting more information should contact the City of Fort Jones.

The loan program is administered by the City Clerk Office. Loan applications are received at the city, reviewed by city staff and checked to see if they meet current guidelines. The applicant information and proposed improvements are then checked and reviewed. The proposed loan is then submitted to the loan committee for review and approval. The members of the loan committee (three) are appointed by the City Clerk.

They have the final responsibility for the approval of all loans. If approved the city staff then arranges for funding, improvements and conducts the final inspection. The City Council is not involved, other than approving the grants from the state and guidelines under which the program should operate.

The City of Fort Jones, which has a population of less than 1,000 people, is like most small cities that have limited resources, revenues and staffing. Generally the City Clerk or City Treasurer becomes the financial manager, bookkeeper and administrator.

Fort Jones is not required by law to have an independent annual audit, due to their size, or elect to have one. Fort Jones therefore does not have the guidance that outside auditors may bring them. The staffing in Small cities sometimes doesn't allow for cross training or even some separation of responsibilities and job duties. These cities need to rely on a small core of individuals that support the necessary city activities. CDBG programs are involved and take a significant amount of time to procure grants, implement, and process applications, approve loans, and supervise improvements and do inspections along with having program expertise. Cities that manage CDBG programs without an advisor organization need to be properly staffed and have sufficient expertise to navigate these programs.

We found the City of Fort Jones to be cooperative and willing to provide information that we requested. We also found that the attitude of the city was to help their citizens the best way possible. The people we talked to seem to have the same general opinion, that the program has benefited the citizens, the city and the community.

FINDINGS AND RECOMMENDATIONS

FINDING #1

Those responsible for the loan program are proud of their work and consider the program a benefit to the citizens of Fort Jones. We did however find that some of the loan committee members have little knowledge of the scope of the program or understand some of the details. They also did not have information on administration issues

and results of the CDBG program, mostly in regards to success and failures. In addition, no formal meeting minute were kept. The loan committee is not well informed on the adopted guidelines.

RECOMMENDATION #1

Each of the loan committee members should be fully orientated with an understanding of all phases of the program, including current CDBG guidelines. Formal minutes should be kept of each meeting. These minutes could be shared with interested parties such as City Council and serve as an informational source for referencing activities of the committee and the program. Loan committee should be included in administration issues and approve default actions, collection difficulties and modifications on existing outstanding loans. The committee should be included in periodical reports and issues as they occur. With this involvement the loan committee members should have more information to make better decisions.

FINDING #2

The City is dependent on the City Clerk to maintain loan records. It was unclear as to whether any other person is familiar with the loan records and tracking system to follow each loan. If the City Clerk was unable to perform these duties it might impose a hardship on the City to maintain the current record keeping. This city is also at a disadvantage by not having an advisor organization, or an independent auditor to help support the loan program if needed.

RECOMMENDATION #2

A documented tracking and record keeping system should be in place, with at least two staff members having a working knowledge of the system to allow information to be retrieved at any time.

FINDING #3

As of the date of our review the city had over \$2,000,000 of loans outstanding (about 3 dozen) and over \$650,000 of funds were available to loan, a large amount for a small City. The entire program, as well as most other city administration efforts, is operated by one small department with little opportunity for oversight. Program record keeping is done by the City Clerk's Office and there is apparently only annual sharing of

information with the City Council. In addition they do not have the benefits of an independent auditor or an advisor organization to assist them.

RECOMMENDATION #3

The City Clerk and staff should be commended for their handling of the loan program. The City Council should make sure they review and approve guidelines for these loan programs as required and take part in any orientations that are given. The City Council should consider appointing a commissioner, to help oversee the process of these CDBG loans. One who is not involved in any other capacity in regards to this program. This person should report at least bi-annually to the City Council. The City Clerk Office should have the same reporting responsibility. Perhaps the City Treasurer could also be a candidate for oversight. Basically the program is administered by one department and needs checks and balances.

REQUEST FOR RESPONSES

Pursuant to Penal Code section 933.05 the Grand Jury requests responses as follows from the following governing bodies:

City of Fort Jones

The City of Fort Jones is requested to respond to this report recommendations number 1, 2 and 3.

The governing bodies indicated above should be aware that the comment or response of the governing body must be conducted subject to notice, agenda and open meeting requirements of the Brown Act.

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Public Safety Realignment & Post Release Community Corrections Partnership (PRCCP) (AB 109)



INTRODUCTION

The 2013-2014 Siskiyou County Grand Jury elected to do a review of the Post Release Community Supervision (PRCS) (AB109) state mandated program to provide insight of how it affects the county residents.

BACKGROUND

Implementations of the Realignment Legislation began October, 2011; known as Assembly Bill 109 (AB109). The State of California was mandated by federal court order to reduce its overall prison population, of the thirty-three (33) prisons, to 137.5% capacity so that the required level of medical and mental health care could be provided. To accommodate the population reduction, AB109, or Public Safety Realignment was enacted. The law changed the landscape of California criminal justice by shifting what previously had been State responsibilities to the Counties. Public Safety Realignment created a new offender status for felons released from prison in which the offense was a non-violent, non-serious, or non-high risk sex crime. The Probation Department is the designated agency responsible for post-release supervision.

Inmates currently in state prison will not be released until their sentence has been completed. Offenders will then be released under the Post Release Community Supervision mandated state program managed by the Probation Department.

APPROACH

The Grand Jury was provided an overview of the AB 109 program by the Probation Department and Community Services Council (CSC).

DISCUSSION

Funding for AB109 is provided by a permanent revenue stream to the county through Vehicle License Fees and a portion of the State sales tax. Allocations are determined based on the most recent county population data published by the Department of Finance.

The only allocation that is temporary is the allocation of these revenues to each county. This one-time allocation for 2011-12 came at the request of the counties, who wanted to be able to assess whether the initial distribution of funds reflects the number of offenders they receive.

A distribution of \$400 million was

provided to the counties in 2011, growing to more than \$850 million in 2012 and more than \$1 billion in 2013-2014.

For fiscal year 2011-12, Siskiyou County received \$592,352 (nine months of funding from October 2011 through June 2012). The funding included: Post Release Community Supervision/local incarceration of \$445,000, AB109, one time only planning grant, \$100,000, AB109 training and implementation activities (one time) \$31,400 and District Attorney/Public Defender (PRCS representation) \$15,951, for a total amount of \$592,352.

For the fiscal year 2012-13, Siskiyou County was targeted to receive a total of \$989,000, from July 1, 2012 – June 30, 2013, as follows, \$898,000 for Post Release Community Supervision/local incarceration and \$100,000 for the AB 109 Planning Grant.

The following trailer bills were signed to secure sufficient funding for counties:

AB 111, as of March 2011 (2011 Realignment Legislation Addressing Public Safety) gives counties additional flexibility to access funding to increase local jail capacity for the purpose of implementing Realignment.

AB 94, as of May 2011, (2011 Realignment Legislation Addressing Public Safety) comes into effect upon the passage of AB 111. This bill authorizes counties who have received a conditional award under a specified jail facilities financing program to relinquish that award and reapply for a conditional award under a separate financing program.

AB 118 (2011 Local Revenue Fund) outlines the financial structure for allocating funds to a variety of accounts for realignment. Directs the deposit of revenues associated with 1.0625 percent of the state sales tax rate to be deposited in the fund established a reserve account should revenues come in higher than anticipated. It implemented sufficient protection to provide ongoing funding and mandated protection for the state local government.

The reallocation formulas will be developed more permanently using appropriate date and information for the 2012-13 fiscal year and each fiscal

year thereafter.

Implementation will provide sufficient protection for ongoing funding and mandated protection for the state and local government.

SB 87 will provide all counties with a one-time appropriation of \$25 million to cover costs associated with hiring, retention, training, data improvements, contracting costs, and capacity planning pursuant to each county's AB 109 implementation plan.

AB 109's Executive Committee for Community Corrections Partnership (CCP) is comprised of the following: Chief Probation Officer (Chair), a Chief of Police, Sheriff, District Attorney, Public Defender, a Court Executive Officer designated by the presiding judge and a representative from either the County Department of Social Services, Mental Health, or Alcohol and Substance Abuse Programs.

The responsibility of the CCP Executive Committee includes:

- Development submission of Local Realignment Plan
- Continuous quality improvement
- Community resource planning and sustainability
- Collection of baseline data to measure desired outcomes
- Analysis and maintenance of services for adult offender population
- Funding responsibility with AB109
- Evaluation of local programs efficiency, modifications and effectiveness of programs

The Executive Committee from the Community Corrections Partnership (CCP) hired the Community Services Council with the development of the Realignment Plan to recommend a countywide programming plan for the realigned population for adoption by the Board of Supervisors. The Realignment Plan focuses on reducing recidivism and reduction of the in-custody jail population. The plan includes evidence based programs, day reporting centers, drug courts, residential multiservice centers, mental health treatment programs, electronic and GPS monitoring programs, counseling programs, educational and work training

programs.

The Probation Department currently has fifty (50) post release convicts in Siskiyou County. There are currently seven (7) Probation Officers in the county supervising a total of seven hundred and fifty (750) offenders of multiple types of caseloads. It is incumbent upon the County to continue to recruit and maintain qualified personnel.

The Probation Department provides the state mandated Post Release Community Supervision program at the Siskiyou County Probation Department in an efficient way, with the limited space available. It was apparent during the tour by the Grand Jury that the Probation Department provides an opportunity with a variety of programs for the post release convicts to learn from in order to prepare for and mainstream back into the community.

FINDINGS/RECOMMENDATIONS FINDING 1

The Probation Department has limited space with the current and future increase of post release convicts in the current location. A larger Day Reporting Center is needed to provide room to hold classes and to have private meeting rooms for counseling services that are held there.

RECOMMENDATION 1

The Board of Supervisors should combine the Probation Department into one location, possibly in the normally unused wing of the Juvenile Hall. This would decrease the cost of paying for a building needing significant repairs, and provide the space needed.

RESPONSE TO RECOMMENDATION #1

The Board of Supervisors does not concur with Grand Jury Recommendation #1. The Board does concur with the Finding # 1 in that the "Probation Department has limited space with the current and future increase of post release convicts. A large Day Reporting Center is needed to provide room to hold classes and to have private meeting rooms for counseling services that are held there." Grand Jury Recommendation # 1 states that "the Board of Supervisors should combine the Probation Department into one location possibly in the normally unused wing of the Juvenile Hall."

This would decrease the cost of paying for a building needing significant repairs, and provide the space needed. This recommendation is problematic for several reasons. First, it is highly unlikely that adequate space is available and a space study would be required prior to moving forward. More concerning and not acceptable is placing adult offenders in close proximity or under the same roof as juvenile offenders which could have disastrous consequences. The current jail facility (if a new Jail is built) may be a more appropriate Day Reporting Center; however, this site has its own set of problems including grant conditions may prohibit its use and the renovation and future operational costs. The real issue is that county governments across the state were ill-equipped in terms of capital infrastructure and other resources to manage the implementation of AB 109. Siskiyou County will continue to lobby for increased funding from the State to successfully implement the provisions of AB 109 for purposes of improving its capital infrastructure to county facilities including the Probation Department.

REQUEST FOR RESPONSES

Pursuant to Penal Code section 933.05, the grand jury requests responses as follows:

From the following governing bodies: The Board of Supervisors is requested to respond to Finding 1.

The governing bodies indicated above should be aware that the comment or response of the governing body must be conducted subject to the notice, agenda and open meeting requirements of the Brown Act.

Reports issued by the Civil Grand Jury do not identify individuals interviewed. Penal Code Section 929 requires that reports of the Grand Jury not contain the name of any person, or facts leading to the identity of any person who provides information to the Civil Grand Jury. The California State Legislature has stated that it intends the provisions of Penal Code Section 929 prohibiting disclosure of witness identities to encourage full candor in testimony in Civil Grand Jury investigations by protecting the privacy and confidentiality of those who participate in any Civil Grand Jury investigation.



Sexual Assault Response Team (SART)



INTRODUCTION

The Siskiyou County District Attorney's Office manages the Sexual Assault Response Team (SART) as one unit of the Office for Victims of Crime. The Office for Victims of Crime reports to the U.S. Department of Justice, Office of Justice Programs.

BACKGROUND

In 2005/06 SART was established in Siskiyou County to assist the victims of crime. SART is a multidisciplinary team providing victim centered response with high quality care to survivors of sexual assault. A collaborative resource team addresses the physical, emotional, financial and legal needs of the victims and their families.

In its capacity the Sexual Assault Team (SART) assists crime victims with support in accessing services available within the community. Specifically the unit strives to enhance its immediate response to victims, provide safety for the victims, reduce victim trauma, encourage use of local services and increase involvement of resource agencies with serving crime victims.

In all cases involving victims of crime there are highly trained advocates assigned to assist victims through the criminal justice system and to ensure that victims receive the services and support they are legally entitled to.

SART teams are composed of representatives from agencies that serve victims of sexual assault. These agencies consist of Victim Advocates, Law Enforcement agencies, Domestic Violence Advocates, Fairchild Medical Center, Mt. Shasta Mercy Medical Center, Siskiyou County Human Services Department, Adult and Children's Services, and the District Attorney's Office. Sky Lakes Hospital, in Klamath Falls, Oregon has a Registered Nurse available for assistance in the Butte Valley area of Siskiyou County. These specialized teams develop crisis procedures and protocols that meet the specific needs of the victims.

The SART teams receive specialized training in collection of evidence and standards of care which increases the reporting and conviction rates of sexual assaults.

A SART Advisory Board meets quarterly to review cases that are investigated. Currently the Advisory Board consists of representatives from the District Attorney's Office, Sheriff's Office, Domestic Violence, Adult and Children's Services and a community member.

APPROACH

The Siskiyou County Grand Jury elected to do a review on the Sexual Assault Response Team (SART) in an attempt to provide insight of this program and how it serves the citizens of Siskiyou County.

Information was provided by the District Attorney's Office which manages the SART program. The Grand Jury was provided an overview of the program.

DISCUSSION

Funding is sought through the use of grants and reimbursements to offset the financial operating cost to the District Attorney's Office. Currently, grant funding is difficult to obtain. Various county agencies provide funding for this program that the District Attorney manages for the SART program. These agencies include the District Attorney's Office, the Sheriff's Office, Yreka Police Department, Probation Department and the Human Services' Department. However each Department provides only \$1,000 annually to the SART program.

These funds are used for forensic training for Registered Nurses, forensic examinations and specialized equipment and supplies required to perform the examinations as well as use of a hospital examination room.

There are currently four Registered Nurses in the county trained to do forensic examinations of sexual assault victims. The cost for training a Registered Nurse is \$2,000. The

training is conducted at the California Clinical Forensic Medical Training Center (CCMTC) at UC Davis in Sacramento, CA. Although the initial cost of training for the Registered Nurses is covered the nurses are not reimbursed for their out-of-pocket expenses of gas, lodging and meals. Furthermore the nurses are required to take a leave from their paid positions at work to attend this training.

Providing examinations to sexual assault victims is a highly sensitive and emotional process. It is a challenge to keep nurses willing to provide this service. The County agencies and Registered Nurses involved with SART are dedicated to provide the services needed to assist victims. Siskiyou County is fortunate to have the SART program available to assist with sexual assault victims of crime.

The exact number of sexual assault cases was not provided to the Grand Jury. The Grand Jury was informed that more children are sexually assaulted in Siskiyou County than adults.

FINDINGS AND RECOMMENDATIONS FINDING #1

Costs for examination rooms are expensive.

RECOMMENDATION #1

The Board of Supervisors should discuss the use of a room in a county owned building that does not have public access to use as an examination and interview room. A private non-intrusive space properly equipped would enable the victim the privacy and emotional comfort needed. For example, such a space has been designated in Happy Camp however there is no certified nurse in that area to provide examinations.

FINDING #2

The District Attorney's Office currently seeks outside funding via grants to offset the financial cost of operating the SART program.

RECOMMENDATION #2

The Board of Supervisors should provide appropriate funding as needed to the District Attorney's Office for the SART program. This would put less strain on the various county agencies currently providing financial support to the SART program.

FINDING #3

Registered Nurses currently donate their time for training.

RECOMMENDATION #3

The Board of Supervisors should reimburse for out of pocket expenses for registered nurses while receiving the required forensic training to assist sexual assault victims.

REQUEST FOR RESPONSES

Pursuant to Penal Code section 933.05, the grand jury requests responses as follows from the following individuals:

The District Attorney's Office

And from the following governing bodies:

The Siskiyou County Board of Supervisors.

The governing bodies indicated above should be aware that the comment or response of the governing body must be conducted subject to the notice, agenda and open meeting requirements of the Brown Act.

Reports issued by the Civil Grand Jury do not identify individuals interviewed. Penal Code Section 929 requires that reports of the Grand Jury not contain the name of any person, or facts leading to the identity of any person who provides information to the Civil Grand Jury. The California State Legislature has stated that it intends the provisions of Penal Code Section 929 prohibiting disclosure of witness identities to encourage full candor in testimony in Civil Grand Jury investigations by protecting the privacy and confidentiality of those who participate in any Civil Grand Jury investigation.

RECOMMENDATION #1

The Board of Supervisors should discuss the use of a room in a county owned building that does not have public access to use as an examination and interview room. A private nonintrusive space properly equipped would enable the victim the privacy and emotional comfort needed. For example, such a space has been designated in Happy Camp however there is no certified nurse in that area to provide examinations.

RESPONSE TO RECOMMENDATION #1

The Board of Supervisors concurs with Grand Jury Recommendations #1 and has provided and fully equipped an interview/office at the request of the District Attorney prior to the Grand Jury report.

RECOMMENDATION #2

The Board should provide appropriate funding as needed to the District Attorney's Office for the SART program. This would put less strain on the various county agencies currently providing financial support to the SART program.

RESPONSE TO RECOMMENDATION #2

The Board of Supervisors concurs with Grand Jury Recommendation #2 and staff will seek out applicable funding sources that may fund the SART program.

RECOMMENDATION #3

The Board of Supervisors should reimburse for out of pocket expenses for registered nurses while receiving the required forensic training to assist sexual assault victims.

RESPONSE TO RECOMMENDATIONS #3

The Board of Supervisors concurs with Grand Jury Recommendations #3 and, will direct staff to seek out applicable funding sources that will reimburse out of pocket expenses for registered nurses receiving the required forensic training to assist sexual assault victims.



SISKIYOU COUNTY JAIL



Mossbrae Falls

INTRODUCTION

The Siskiyou County Grand Jury inspects the conditions and management of all correctional facilities in Siskiyou County on a yearly basis as directed by Penal Code Section 919 (b). A watchdog report of the Siskiyou County Jail was conducted.

BACKGROUND

On October 17, 2013, the Sheriff, as well as his personnel, gave a presentation to the Grand Jury. The presentation provided the Grand Jury with information regarding the current county jail and the new proposed county jail in 2018.

DISCUSSION

As the deficiencies of the current jail have been repeatedly documented by previous Grand Juries little has changed. This watchdog report focuses on the plans for the new Siskiyou County Jail. Siskiyou County was awarded an AB900 grant for the construction of a new county jail. The County received twenty-four million, one-hundred forty thousand dollars (\$24,140,000) for this project. There is a five percent local match

required by the County which is in the amount of one million, two-hundred seven thousand dollars (\$1,207,000).

AB900 jail construction will be a design, bid, build project. Completion date is set for 4/28/2018. Staffing/occupancy will be within 90 days of completion. The new jail site is on a 27.28 acre parcel on N. Foothill Drive (across from Meek's Lumber). As required by the grant 7.8 acres shall be deeded to the State of California.

The current jail has a maximum bed capacity of one-hundred seven (107) on a daily basis. The new jail will initially have one-hundred fifty (150) beds. The needs assessment shows a projected bed need of two-hundred seventy nine beds (279) in 2020 and three hundred three beds (303) in 2030. The new jail design allows for future expansion.

It is difficult to commit to staffing numbers until the design of the facility is further along. Tentatively eight to ten additional staff may be needed.

Only felony prisoners are being detained. There is no room for misdemeanor prisoners. When the jail reaches its one hundred seven (107) bed maximum, a decision is made by the supervisors of the jail as to which felon will be released.

CONCLUSION

It is imperative that the Board of Supervisors work with the Sheriff's Department to make sure that the new jail is constructed.

RESPONSE TO SISKIYOU COUNTY JAIL REPORT

The Board of Supervisors concurs with the Grand Jury conclusion to continue to work closely with the Sheriffs Office in the construction of a new jail facility. To date, the County has purchased property for the new facility and retained the services of an architectural firm that is well versed in the design of new jails.

However, securing and maintaining a stable revenue source for construction and facility operations remains a serious obstacle for

counties throughout California. For example, the Santa Barbara Grand Jury recently warned its Board of Supervisors that extra revenues could prove fickle as they are dependent on property, sales, and hotel taxes and on an improving overall economy. Siskiyou County does not have the revenue base as other California counties may possess. If a county such as Santa Barbara is concerned about additional revenue sources and stability, Siskiyou County fiscal future is much bleaker. At this time, Siskiyou County does not have adequate financial reserves or sufficient fund balances to offset unforeseen contingency costs during construction nor does the county maintain extra revenue streams that are stable to fund operations once the facility is constructed.

Therefore, while the Siskiyou County Board of Supervisors recognizes a need for a new jail facility and is working closely with the Sheriffs Office to fulfill that need, the fact remains financial resources are not yet available to meet this need and any future long or short term revenue growth does not indicate that fiscal picture will significantly improve.



Siskiyou County



Request for Grand Jury Information & Application

- I am interested in knowing more but I am not sure if I qualify.
- I would like to know more. Please send me information.
- Yes I think I would like to serve. Please send me information and an application.

Name _____ Email _____

Address _____ Phone _____

Return this form to, or call, or email:

Siskiyou County Administration Becky Sloan

Civil Grand Jury Coordinator, 1312 Fairlane Rd., P.O. Box 750, Yreka, CA 96097

530/842-8005

Fax: 530/842-8013

Email: bsloan@co.siskiyou.ca.us



JUVENILE HALL

Charlie Byrd Youth Corrections Center



INTRODUCTION

The Grand Jury is required to inspect the conditions and management of all correctional facilities in Siskiyou County on a yearly basis pursuant to Penal Code section 919(b). A watchdog report of the Charlie Byrd Youth Corrections Center was conducted.

BACKGROUND

The 2013-2014 Siskiyou County Civil Grand Jury toured the Charlie Byrd Youth Corrections Center which is located at 269 Sharps Road in Yreka, CA. on January 9 2014. The facility was completed in 2005 and opened in January 2006. During the course of the inspection the following information was obtained.

APPROACH

The Charlie Byrd Youth Corrections Center is operated by twelve (12) full time staff members and nine (9) extra help employees.

The facility's maximum capacity is 40 juveniles. The building consists of two twenty person housing units. Currently only one unit is being utilized. On January 9, 2014 only 11 minors were in custody. The average daily population for this past year was 8.76. The classification for the juveniles is color coded to alert the staffing to the current judicial status of the juveniles. Each minor is given an orientation booklet that outlines the rules and procedures in the facility. If a grievance is filed by a housed minor, there is a grievance policy and procedure.

Mental health services are available. The facility contracts with change to outside agencies utilizing grant

funding for therapists, equine therapy, individual and group counseling and case management. Religious services are held on Sundays.

Substance abuse counseling is available along with drug and alcohol education. Searches are conducted in the cells for contraband at least twice a week.

Visitation days are Tuesdays and Thursdays from 4 p.m. to 4:50 p.m. and 6 p.m. to 7 p.m. and Sundays from 2:30 p.m. to 3:25 p.m. and 3:30 p.m. to 4:30 p.m. Each visitor may stay the entire length of the visit. The visits are under staff observation.

There is zero tolerance for gang behavior in the hall. This includes no signing, no slang, tattoos must be covered, and no talking about gang affiliation. Since the last inspection there have been no suicides, deaths or escapes. There have been two (2) assaults, juvenile on juvenile as well three (3) assaults on officers.

Recreational activities are scheduled for after school from 3 p.m. to 4:30 p.m. and after dinner from 6 p.m. to 8 p.m. Recreational activities include: watching TV, reading books, hacky sack, playing board games, writing letters, talking with each other – all inside the day room. There is an indoor recreation room for volleyball and basketball. The outdoor recreation yard is one-half grass, one-half asphalt with a basketball hoop. This allows for running games like flag football, basketball, walking, jogging, Frisbee, etc. A fenced garden area is in the same location and minors are given the opportunity to work in the garden with volunteers' supervision. Volunteers from the community are screened to assist in the gardening experience for the minors.

This facility has a fully staffed kitchen. The kitchen is clean and well maintained. There is a full time cook. Juveniles are allowed to work in the kitchen, with earned good behavior, to assist with meals and cleanup. An inventory of knives is taken after every meal. Knives are stored in a locked cabinet. Cleaning chemicals are kept in various janitorial closets, which are also kept locked. The kitchen has video monitoring and a panic button. The minors eat in the day room.

The minors earn points for good behavior. When they have points, they can "purchase" commissary items, use an MP3 player, or have extra game time. Points are lost when they misbehave. Telephone privileges are available during any free time for up to 15 minutes.

Minors have access to computers during education times. The computers and internet access are provided through the Siskiyou County Office of Education.

Minors are given their personal mail to open in front of an officer. The officer does not read it but is there to make sure there is no contraband contained inside the mail.

The Siskiyou County Office of Education provides the education at the facility on a year-round basis; the J. Everett Barr School. All minors who have not completed high school must attend classes. School is held every weekday with the exception of holidays.

Minimal vocational classes are available. There is a culinary arts program. The school also has several life skills courses. G.E.D. certificates as well as classes to bring students up to speed upon their return to school are offered.





RESPONSE TO FORT JONES GRANTS

Recommendation #1

The loan committee members will be given additional orientation on all phases of the program. They will be included in any administration issues and asked to review and approve any default actions, collection difficulties and modifications on existing outstanding loans. They will be included in any reports. Any CDBG training opportunities will be shared with them.

Formal minutes are taken at all Loan Committee meetings and are shared with interested parties.

Recommendation #2

The Deputy City Clerk is fully trained in the record keeping requirements of the CDBG program. Staff from the State CDBG program has recently completed a monitoring visit for the 2008 and the 2009 Grants. They had no issues with the loan records or the record keeping systems. Each grant is monitored as it closes and the 2012 grant will be monitored in 2015. As required by the CDBG Program, an annual Grantee Performance Report is prepared and submitted at a public hearing for the City Council's approval.

Recommendation #3

Current Program Guidelines were approved by the City Council on July 2, 2012 and by the State of California Department of Housing and Community Development (HCD) on November 15, 2012. There have been no changes since then. If any changes are contemplated, the process is that they be approved first by our City Council at a Public Hearing and then submitted to the State for approval.

The City Council will appoint a Commissioner to help oversee the process of these loans. This Commissioner and the City Clerk shall report at least bi-annually to the City Council on the workings of the CDBG program.