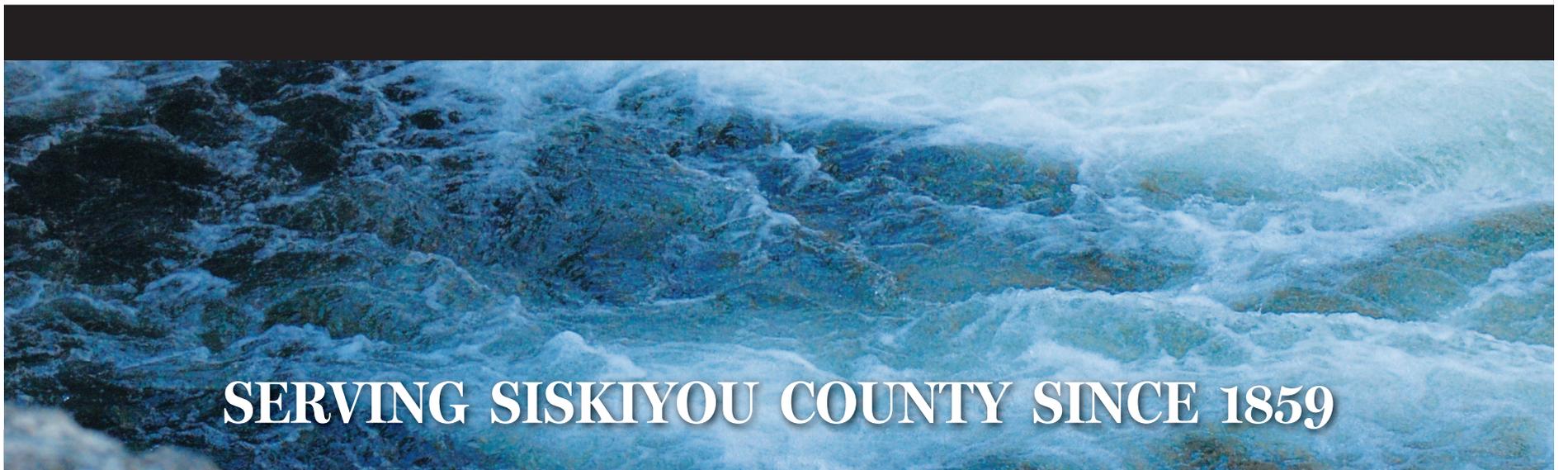


2016-2017 SISKIYOU COUNTY GRAND JURY FINAL REPORT



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SISKIYOU COUNTY CIVIL GRAND JURY RESPONSES RECEIVED

To the 2015-2016 GRAND JURY REPORT

Table of Contents

- Siskiyou County Special Districts
- Siskiyou County Jail
- The Next Step Program
- City of Montague
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Overall Introduction

The 2016-2017 Civil Grand Jury has chosen to publish the responses received after the printing of the 2015-2016 Civil Grand Jury final report. Information presented will include a brief introduction to the subject of the report, the finding(s) and recommendation(s) made in the Grand Jury report, and the responses received.

Pursuant to Penal Code 933.05, government entities may be required or invited to respond to the recommendations and findings of a Civil Grand Jury when requested to do so. In this way, agencies that fail to respond are brought to the attention of the public.

Additional detailed information can be found in the 2015-2016 Civil Grand Jury Report.

SISKIYOU COUNTY SPECIAL DISTRICTS Introduction

“The characteristics of a special district are that they are a form of government, are governed by a board, provide specific services and/or facilities, and have unique geographic boundaries.

The Grand Jury became aware that there have been, and continue to be, a significant number of unfilled special district board positions in Siskiyou County. The 2015-2016 Civil Grand Jury was concerned about these vacancies and investigated.”

Finding 1.

“Some boards are not aware of or in compliance with AB1234 ethics training.”

Recommendation 1.

“The Board of Supervisors should instruct County Counsel to ensure that all special district boards are aware of AB1234 ethics training requirements.”

Response 1.

“The Board of Supervisors partially disagrees. The County Counsel’s primary statutory role is to represent and advise the Board of Supervisors and County departments and agencies, and

dependent special districts within the county. While there is not statutory requirement that County Counsel represent or advise independent special districts, the Board agrees that supporting districts is important, including through County Counsel efforts and otherwise, to the extent feasible. The County currently offers annual training on variety of topics, including ethics training that is available to all special district board members. Each year the County Clerk also provides written information about the ethics-training requirement to those who attend the training, as well as the secretary of each district.

Independent special districts can also avail themselves of and are encouraged to use self-study materials available through the Institute for Local Government. That organization presents the required AB1234 ethics training in a self-study format at <http://www.ca-ilg.org/post/ab-1234-self-study>.”

Finding 3.

“Training sessions offered by County agencies for the benefit of district board members are not well attended.”

Recommendation 3.

“The Board of Supervisors should direct those offices currently providing training for special district board members to develop a comprehensive curriculum to be offered in one session, on a weekday with alternate sessions offered during non-working hours.”

Response 3.

“The Board of Supervisors disagrees. The Board disagrees because three departments already provide training opportunities for special districts. Also, see the Response to Recommendation #1.

Each year a Special District Seminar is hosted by County Counsel and the County Clerk. While the Auditor has not provided training since 2014, future trainings are anticipated and the office has provided individual training as needed. The Auditor reports that when offered, training is well attended. All such training is offered as courtesy to help support independent special districts, and is not mandated by law.

Specifically, the County provides information on the Brown Act, Conflict of Interest, Form 700 filing requirements and notification processes, overview of election processes and appointment processes, financial matters such as sales & use tax, imprest and revolving accounts, debt, capital assets, payroll, special assessments, grant management, GASB 54, audits, tax information, endowments, accounts payable and receivables processing, budgeting, Financial Transaction Reporting, Ethics & Responsibility, etc.

For the joint training, the Clerk’s Office typically provides a 45 day to 60 day notice to the districts of the training and sends reminders to each district and to each office holder. Despite continuing County efforts to voluntarily conduct training for independent special districts in Siskiyou County, attendance has significantly waned over the past 16 years and some historically offered training sessions have been discontinued due to poor attendance. For example, the last after-hours session offered by Clerk and County Counsel had less than 10 attendees. It was discontinued after it was determined to be fiscally irresponsible due to the expense of renting a facility and paying staff overtime. In addition to the County training opportunities, the County Clerk encourages special districts to become familiar with the California Special Districts Association, a

valuable resource that provides training in such areas of New Board Member Orientation, Ethics Training, preparing agendas, best practices in managing districts and dealing with personnel issues, etc.”

Finding 4.

“Training sessions offered by County agencies, the County Clerk, County Counsel, and the Auditor, do not include management functions and responsibilities.”

Recommendation 4.

“The Board of Supervisors should direct those offices currently providing training for special district board members to develop a comprehensive curriculum to be offered in one session, on a weekday with alternate sessions offered during non-working hours.”

Response 4.

“The Board of Supervisors partially disagrees. See R-1 and R-3 responses. The Board of Supervisors partially agrees because comprehensive training opportunities are already provided to help support special districts. The County will continue to provide training support as requested and to the extent feasible and in light of affected special district interest and participation.”

Finding 5.

“There appears to be limited coordination among county agencies providing education and training for district board members.”

Recommendation 5.

“The Board of Supervisors should direct those offices currently providing training for special district board members to develop a comprehensive curriculum to be offered in one session, on a weekday with alternate sessions offered during non-working hours.”

Response 5.

“The Board of Supervisors partially agrees. See R-4 response.”

Finding 6.

“The prohibitive cost of financial audits consumes a large portion of some district budgets.”

Recommendation 6.

“The Board of Supervisors should exercise any influence they possess with the State Assembly to support the County Auditor’s efforts to pass AB2613.”

Response 6.

“The Board of Supervisors agrees. The Board of Supervisors regularly evaluates and makes collective decisions on whether or not to support or oppose pending legislation. In part, the Board relies on the Department Heads to bring the legislation to their attention. The County Auditor did not request a letter of support from the Board of Supervisors; however, it was pleased to learn that the legislation was signed by the Governor in August.”

Finding 7.

“Proposed AB2613 is designed to alleviate some of the burden regarding financial audit costs for some of the districts.”

Recommendation 7.

“The Board of Supervisors should exercise any influence they possess with the State Assembly to support the County Auditor’s efforts to pass AB2613.”

Response 7.

“Board of Supervisors agrees. See R-6 response.”

**SISKIYOU COUNTY JAIL
Introduction**

“According to Penal Code Section 919(b), the Siskiyou County Civil Grand Jury is required to inspect the conditions and evaluate the management of all correctional facilities in Siskiyou County on an annual basis. An inspection of the Siskiyou County Jail was conducted and information was presented by representatives of the Sheriff’s Department on January 8, 2016...

Concerns have been raised about overcrowding in the Siskiyou County Jail. Staff report that if a new jail is not built soon, there is a possibility that the safety of jail staff and inmates may be compromised. Jail staff, law enforcement and the Board of Supervisors (BOS) are addressing this concern by pursuing various funding sources.”

Finding 1.

“The County Board of Supervisors and the Siskiyou County Sheriff are to be commended for continuing to explore funding options for a new jail, and for continuing to inform the public about progress in that direction.”

Recommendation 1.

“The Board of Supervisors and the Sheriff should continue to keep the residents of Siskiyou County informed about progress being made in this endeavor in a timely manner as events unfold.”

Response 1.

Siskiyou County Sheriff: response requested, but not received.

Response 1.

“The Board of Supervisors agrees with the recommendations. The Board of Supervisors has endeavored to keep the public well informed about the proposed new jail project as information becomes available. Since January 2016, the Board has publicly discussed the proposed new jail eleven times. In addition, individual Board members have participated in numerous community meetings.”

Finding 3.

“The existing jail does not appear to meet the current needs of the county.”

Recommendation 3.

“If the tax increase does not pass, the Grand Jury expects to hear what plans the Board of Supervisors and the Sheriff have to deal with current and potential future overcrowding in the jail.”

Response 3.

Siskiyou County Sheriff: response requested, but not received.

Response 3.

“In the event the sales tax initiative does not pass, the Board of Supervisors will work with the Sheriff to address concerns related to on-going jail operations.”

THE NEXT STEP PROGRAM**Introduction**

“Next Step is an intensive outpatient treatment program primarily provided to adult substance using women who are pregnant and/or parenting children under 18... Treatment includes assessments, referrals, access to treatment and recovery services, case management, parenting and other services specific to women.

This is the first time Next Step has been the subject of a Grand Jury Report.”

Finding 2.

“Next Step is applying for Drug Medi-Cal certification, which will provide funding for medical review of treatment plans, case management, family counseling and additional staffing.”

Recommendation 2.

“The Civil Grand Jury is recommending the Board of Supervisors assist Next Step as needed during the application process for Drug Medi-Cal certification”.

Finding 3.

“There is no transitional housing or detox housing available for women in Siskiyou County.”

Recommendation 3.

“The Civil Grand Jury is recommending the Board of Supervisors assist Next Step and Behavioral Health Services to explore the possibility of providing transitional and/or detox housing for women in Siskiyou County upon request.”

Invited Response 2 & 3.

“The Board of Supervisors agrees with both recommendations. On September 6, 2016, the Board of Supervisors unanimously approved Health and Human Services’ request to submit a Drug Medi-Cal application. The application was formally submitted in early October and is currently under review. The County Administrator has discussed the Grand Jury’s recommendation with the Health and Human Services Director and offered support as needed. The Board will consider further

requests for support for transitional housing and/or detox housing.”

CITY OF MONTAGUE PROPERTY CODE ENFORCEMENT**Introduction**

“The 2014-2015 Civil Grand Jury received a complaint regarding property code enforcement. That jury started an investigation but was unable to complete the investigation within their year of service. The complaint was refiled and the 2015-2016 Civil Grand Jury investigated the complaint...”

A complaint was received from a Montague resident that a fire on a neighboring derelict property resulted in damage to his property. He further stated the City of Montague failed to enforce ordinances that could have prevented the catastrophic loss.”

Finding 1.

“The City of Montague has had minimal success enforcing ordinances regarding property cleanup.”

Recommendation 1.

“City of Montague officials need to enforce the existing property abatement codes.”

Response 1:

“We, the City of Montague Council Members do agree with finding F1.”

“The City has been without a permanent Code

**PLUTO CAVE**

Enforcement Officer since May 1, 2016. A temporary code enforcement officer has stepped in and proactively enforced existing ordinances and issuance of citations. The City is currently in the process of filling the vacancy. A new job description for the position has been created as to state clearly what duties are mandated for the position moving forward.

The City held a Public Hearing – Marijuana Abatement, September 19, 2016, Ordinance 8.08.050 and all addresses cited were properly notified and have complied.

Planning Commission met November 4, 2016 and identified eight properties that need to be cited for abandonment of vehicles and accumulation of trash on property. Public Hearing Notices will be mailed to property owner's week of November 21, 2016.

Emergency Abatement Meeting held November 8, 2016 for a property that has trees, debris and materials remaining from structure fire that deem hazardous and unsafe. City obtained quote from contractor to clean up trash, tires and other various debris. Clean up scheduled for week of November 14, 2016. Administrative costs and cost of removal of debris which are charged against the owner (Section 10.04.130) that are not paid within thirty days of the date of the invoiced charges, or the final disposition of an appeal therefrom, such costs shall be assessed against the parcel of land (Government Code, Section 38773.5) and shall be transmitted to the tax collector for collection and/or a lien may be placed on the parcel."

Finding 2.

"The City of Montague has failed to investigate other resources to assist with code enforcement."

Recommendation 2.

"The City of Montague should contact other agencies to determine if any type of code enforcement assistance is available. For example, area fire agencies could be contacted to see if abandoned properties might be used for firefighter training."

Response 2:

"We, the City of Montague Council Members do agree with finding F2."

"The Sheriff's Department has been contacted to assist the City with enforcing towing of abandoned vehicles and during Abatement

Process at cited locations. The City has reached out to the attorney who has been involved with the Public Hearing process and proper enforcement of existing ordinances related to nuisances.

The City has reached out to the State of California Franchise Tax Board for 2017 to verify the process available to garnish taxes for residents past due and/or unpaid citations issued.

Public Works Department has an ongoing City Wide Brush Pile twice a year that is available to residents at no cost for tree limbs and other brush materials. The Montague Fire Department has been contacted regarding what land or properties would be suitable for fire training. If property/land has been vacant due to an improvement loss and/or not cleaned up by the land owner or homeowner the fire department cannot perform or consider training on site until a contractor has remove all materials and debris from the facility."

CITY OF ETNA

Introduction

"The Civil Grand Jury received a complaint alleging a potential violation of the Brown Act in regards to city staff meetings. It was also alleged that the city was negligent regarding required reporting to the State of California,



ETNA MUSEUM

State Water Resources Control Board (State Water Board) resulting in substantial costs to the city. The complainant also reported a lack of transparency by the City Council regarding approval of the Dollar General Store Project."

Finding 1.

"A lack of sufficient training for city employees and city council members regarding policies and procedures for managing city government has resulted in substantial cost to the citizens of Etna."

Recommendation 1.

"Provide city staff and council members better training in policies and procedures including the Brown Act."

Response 1.

Mayor of Etna: Response requested, but not received.

Response 1.

Etna City Council: Response requested, but not received

Finding 2.

"There appears to be a lack of communication among city council members, city staff and the public."

Recommendation 2.

"City council should create adequate avenues of communication to ensure city government transparency."

Response 2.

Mayor of Etna: Response requested, but not received.

Response 2.

Etna City Council: Response requested, but not received.

Finding 3.

"Supervision of City employees is inadequate."

Recommendation 3.

"The city council should pursue recruitment of a city manager to take on the responsibility for city operations and supervision of employees."

Response 3.

Mayor of Etna: Response requested, but not received.

Response 3.

Etna City Council: Response requested, but not received.



SISKIYOU COUNTY CHILD PROTECTIVE SERVICES

SUMMARY

Child abuse or neglect is a serious public health problem with substantial consequences for both the individuals affected and society as a whole. There have been major strides in this area in recent years, but continued efforts are needed to ensure the safety of all children. Siskiyou County community members have an important role in protecting children from abuse and neglect. If child abuse or neglect is suspected, a report should be filed with qualified and experienced agencies that will investigate the situation.

BACKGROUND

One of the duties of the Siskiyou County Civil Grand Jury is to review the function and operations of county departments. In carrying out this responsibility, the 2016-17 Grand Jury elected to examine Child Protective Services (CPS) which operates under the Social Services (SS) division of the Siskiyou County Health and Human Services Administration (HHS).

METHODOLOGY

The grand jury interviewed several staff members from SS and CPS. In addition, the following documents were provided and reviewed:

- The Structured Decision Making System, Policy and Procedures Manual, California Department of Social Services (SDM)

- The Indian Child Welfare Act (ICWA)
- Child Abuse Central Index (CACI) report
- CA Child Welfare Indicators Project (CCWIP) Siskiyou County participation rates of alleged and substantiated abuse cases according to age and ethnicity

Online information included:

- Siskiyou County CPS website
 - CA Welfare and Institution codes and Penal codes
 - CA Department of Social Services website

DISCUSSION

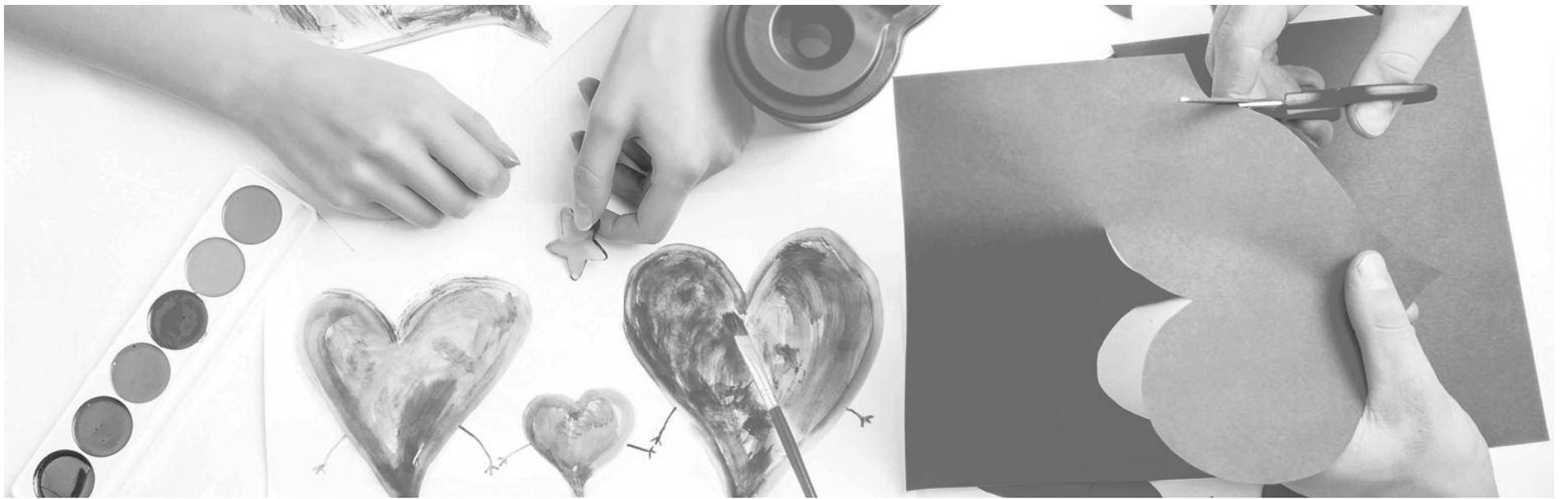
Child Protective Services is the major system of intervention for child abuse and neglect in California. Existing law requires intervention and the provision of services to abused and neglected children and their families. It is the legal obligation of Siskiyou County through CPS to investigate allegations of child abuse or neglect as defined by Penal Code (PC) 11165.6, Welfare & Institutions Code (W&I) 300 and the California Department of Social Services Division 31-100 regulations.

CPS provides 24/7 emergency responses to reports of child abuse or neglect. Child abuse reports are received from the general public, schools, law enforcement, hospitals, physicians and other mandated reporters. The Siskiyou County CPS agency receives an average of 55

complaints a month. At the time of this report, there are 133 active cases, 17 of which are out of county. Youth are ordinarily transitioned out of the program at age 18; however, foster youth are eligible to receive extended services until age 21. Currently in Siskiyou County, seven youth are participating in this extended foster care program.

Allegations are screened by an emergency response system to assess risk to the child. CPS staff utilize a computerized process to determine whether a child is in imminent danger. If so, CPS must respond within 24 hours. For reports involving concerns such as neglect, filthy homes, no power or food, or noxious odors, a CPS investigation begins within three days. For a child at risk, but not in immediate danger, an in-person response is required within 10 calendar days.

All types of child abuse are found in Siskiyou County: neglect, sexual abuse, trafficking, exposure to domestic violence, and emotional and physical abuse. Ninety percent of abuse cases in Siskiyou County involve neglect which occurs when the person responsible for the child fails to meet the child's basic needs. General neglect is the failure to provide adequate food, clothing, shelter or supervision, without physical injury to the child. A majority of the neglect cases in the county are the result of parental substance abuse. When CPS



substantiates cases of physical abuse, the results are reported to the Child Abuse Central Index (CACI), which employers can access when considering job applicants.

Prior to a home visit, a social worker will investigate the family history: prior law enforcement involvement, drug/alcohol issues, employment, transportation issues and any previous CPS history. An investigative social worker from the Emergency Response Unit is sent to the home to investigate allegations of abuse and assess the safety of the child in the home. As part of the social worker's investigation of the complaint, CPS uses the Structured Decision Making (SDM) tool, which is an evidence-based, internationally accepted practice that ensures every worker is assessing the same items in each case. The SDM responses to these items lead to specific decisions regarding child safety. The SDM is utilized from the initial investigation until a permanent placement decision is made for a child.

The safety of the child is the social workers' primary issue. The SDM tools guide the social worker to assess the child's safety in the home. Safety concerns can include: physical or sexual abuse of the child by someone in the home, failure to protect the child, failure to provide proper supervision for the child, and failure to provide basic provisions such as food, clothing, shelter, or necessary medical treatment. SDM removes bias and cannot be manipulated. If the case is inconclusive, unfounded, or is not able to be substantiated, it is considered closed. If the case is substantiated, the social worker evaluates the family for support programs and

may work with the family in a Family Maintenance Program (FMP). Family Maintenance services are provided to families in which children can reside safely in their own home, but where ongoing supervision is required. These services can be provided on a voluntary basis or may be ordered by the Court. The social worker completes six-month evaluations until the case is closed.

Social workers face many challenges in the course of an investigation. For instance, a parent or custodian is not required to allow a social worker into their home even when the social worker is accompanied by law enforcement. In fact, the presence of law enforcement may elevate the parent's anxiety and/or defensiveness. The social worker's job is not to cause anxiety or concern, but to help and offer services with the goal of keeping the family together, or achieving safe reunification of the family. The investigator often goes to the home alone, and is not always comfortable in the situation. The CPS investigator wears a protective vest, carries a cell phone and stays close to the home's exit. If investigators feel unsafe, they may leave the home at any time with the full support of their supervisor.

If it is determined that a child cannot remain safely in the home, a parent may voluntarily assign a child to foster care. If the child is removed from the family, the child may be placed with a friend or relative after a background check determines the person and home are suitable for the child. If there is no family or non-relative extended family member available to care for the child, the child is placed in a foster home through Children First Foster

Family Agency, the primary foster family agency in Siskiyou County. (Remi Vista Inc. Youth and Family Services currently provides one foster home in the Siskiyou County area.) Children are sent to other counties when there are no local foster families available.

Once a child has been removed from home, the law requires that a petition be filed in Juvenile Court within two business days and heard at a detention hearing within three business days. Attorneys are appointed to represent the parents and the child. It may take several hearings to agree on the best case plan for ensuring the child's safety and future reunification. The court may order drug testing and parenting and/or anger management classes for the parent. If the court has ordered drug testing, the test takes place prior to any visitation with the child. If the test is positive, the visit is canceled. Parental visitation is monitored by CPS staff and takes place at Behavioral Health. CPS reports that drug testing costs \$300,000 a year which is covered by Medi-Cal.

When children are temporarily placed in out-of-home care, parents may receive family reunification services for up to 18 months. The goal is to return children to their own home when it is safe to do so. As the family progresses in reunification, CPS may allow visitations off-site, increasing the visit times and lengths. This transition process then leads to the reunification of the child in the family home full time.

Permanency planning allows parents up to twelve months to show the court they can provide a safe environment for their child. The child is either returned home during that period,

or further hearings are set to establish a permanent plan for the child. The permanent plan, in order of preference, is adoption, guardianship or long-term foster care. The court oversees every step in the process.

Native American children receive specialized consideration when they are removed from their home. CPS is governed by the Indian Child Welfare Act (ICWA) of 1978. This Act addresses the best interest of Native American children through promotion of stability and security of federally recognized Indian tribes and their families. ICWA establishes minimum federal standards for the removal of Native American children from their families, and the placement of such children in foster care or adoptive homes which reflect the unique values of the Native American culture. CPS provides assistance to the tribes in the operation of children and family service programs. Further, ICWA requires that the preferred placement of a Native American child in foster care be the home of the child's extended family, or an approved foster home as specified by the child's tribe. The *goal* of family maintenance and reunification for a Native American child is placement with his/her family or tribal community. Currently there are only two licensed tribal foster homes in Siskiyou County.

Generally, only about 10% of CPS cases in Siskiyou County are new to the system. In fact, many of the cases have been in the system for more than one generation. During the period 2005-2015, the Child Welfare Indicators Project reported that approximately 20% of abused children in Siskiyou County are one year old and under.

The jury found morale high at Siskiyou County CPS. Investigators are dedicated and very committed to their work and feel supported and appreciated by their supervisors and co-workers. Supervisors consider the current CPS staff to be "amazing". There has been minimal turnover. Secondary trauma is a risk for CPS employees. Secondary trauma, defined as stress resulting from helping or wanting to help a traumatized or suffering individual, and/or families is a risk for CPS employees. Further, it is difficult for Siskiyou County to recruit qualified staff due to the county's rural aspect and lower salaries than those found in comparable counties. Therefore, the agency "grows their own" social workers. New hires are required to have 30 college units; employees continue their education while working, taking core classes such as those offered through UC Davis and other higher education institutions.

CPS appears to be functioning well, providing worthwhile services to those most vulnerable in the population.

FINDINGS

F1) CPS impacts a specific segment of the population, with positive outcomes.

F2) Because there are an inadequate number of placement homes in Siskiyou County, foster children may be sent out of the county for care.

F3) CPS appears to be functioning well, with high morale and professional staff.

RECOMMENDATIONS

RI) None

R2) The County is encouraged to assist in all agency efforts to recruit additional foster families in Siskiyou County.

R3) None

INVITED RESPONSES

Deputy Director of Siskiyou County Social Services Division Program Manager of Siskiyou County Adult and Children's Services





DEADWOOD CONSERVATION CAMP

SUMMARY

It is easy to forget about Deadwood Conservation Camp sitting quietly in a narrow offshoot of Scott Valley, but its value to Siskiyou County is great. Since 1962, when it opened, we have depended on its inmate firefighters to help protect our forests during fire season. Outside of fire season, inmates provide vital maintenance and construction services throughout Siskiyou County. In general, the Grand Jury finds that the impact of Deadwood Conservation Camp is extremely valuable to residents of Siskiyou County.

GLOSSARY

CDCR

California Department of Corrections and Rehabilitation

CAL FIRE

California Department of Forestry and Fire Protection

Deadwood

Deadwood Conservation Camp

AB109/Realignment

Assembly Bill 109 Public Safety Realignment Act

BACKGROUND

The Deadwood Conservation Camp is a part of a long-standing tradition in California. Beginning in 1850, inmates were called upon to help build roads. The first state prison road camp was established in 1915 and the last closed in 1974. In 1946, inmates were asked to help fight forest fires. This was the beginning of the conservation camps we know today.

Now, conservation camps house approximately 4,500 inmates statewide. There are 43 camps located in 29 counties in California. The camps provide approximately 219 firefighting crews. Deadwood Conservation Camp houses four 17-man crews and inmate support staff.

The California Department of Corrections and Rehabilitation (CDCR) and the California Department of Forestry and Fire Protection (CAL FIRE) jointly operate conservation camps. CDCR is responsible for the selection, supervision, care and discipline of the inmates. CAL FIRE is responsible for maintenance of the camp, training and supervision of the work of inmate fire crews, as well as custody of inmates on its CAL FIRE projects. CDCR employees must provide security and care of the inmates while they are away from Deadwood assigned to fires, floods or other assignments.

Inmates chosen for the firefighter program are carefully screened by CDCR before a transfer to the camp is offered. Firefighter training is offered at the state prison in Susanville, CA. The inmate must pass the training regimen and prove to be physically fit. If qualified, it is the inmate's choice to transfer to the conservation camp or remain in the traditional prison setting. A few select inmates choose the hard work of the firefighter.

METHODOLOGY

Penal Code Section 919(b) requires the Siskiyou County Civil Grand Jury to "... inquire into the condition and management of

the public prisons within the county." Pursuant to 919(b), members of the grand jury toured Deadwood Conservation Camp in November 2016. CDCR and CAL-FIRE staff led the tour. Staff and inmates were interviewed.

DISCUSSION

California State Prisons were considered to be overcrowded and the passage of Assembly Bill (AB) 109, the 2011 Public Safety Realignment Act, was an attempt to address the problem. AB109 required newly convicted low-level offenders with no current or prior serious offenses to serve their term in county jail. The result has been the reduction of admissions to state prisons by twenty to thirty thousand inmates per year. Subsequent legislation California Proposition 47, and the recently passed Proposition 57, further reduced the number of newly convicted offenders entering state prisons. Unfortunately, these low-level offenders were the very inmates who had previously qualified for assignment to the conservation camps. The selection criteria for the camps had to be modified, while still ensuring public and prisoner safety. State prison personnel have been able to find enough inmates to staff the camps and continue the firefighting and community programs, but it is becoming more difficult.

Deadwood Conservation Camp houses a maximum of 88 men who are minimum-custody convicted felons. They make up four fire crews of 17 members each and other inmate support staff. CDCR provides one Correctional

Lieutenant, one Correctional Sergeant and six Correctional Officers. CAL FIRE provides an Assistant Chief, eight Fire Crew Captains, one Heavy Fire Equipment Operator and one Stationary Engineer.

The site is comprised of a chainsaw & small engine repair shop, a wood shop, a mill, a diesel engine and fire truck repair shop, two dormitories for the inmates, a mess hall, craft and hobby areas, a weight room, a garden area and offices with meeting rooms. The grounds were well maintained and shops were neat and orderly. The support staff inmate cooks provided a well-prepared and nutritious lunch for the grand jury, demonstrating learned skills.

The CDCR and CAL FIRE representatives provided the following information:

- The Deadwood Inmate Crews through project and conservation work provided the State, Federal and Local Government agencies with approximately 129,370 work hours at a value of \$10.00 per hour, or \$1,293,700 in 2016.
- The Deadwood Inmate Fire Crews, provided 53,986 work hours in firefighting at a value of \$18.00 per hour, or \$974,748 in 2016.
- CDCR and CAL FIRE at Deadwood have supported local vendors through the purchase of goods and services in excess of \$320,000.
- The mechanic shop services and refurbishes the CAL FIRE units and all Siskiyou County

volunteer fire department vehicles.

- The wood shop produces various woodworking and cabinetry items that are available for the offices of federal, state, county and non-profit agencies.
- The Deadwood crews were instrumental in building, and offer ongoing maintenance support for, the College of the Siskiyou Fire Training Center.
- Other ongoing projects and partnerships include:

Klamath National Forest
Castle Crags State Park
Shasta Valley Fish and Wildlife
Siskiyou Golden Fairgrounds
Local Public Schools
Cemetery Districts
Siskiyou County Fire Safe Council
Lake Siskiyou Recreation Area
Iron Gate and Mount Shasta Fish Hatcheries
The cities of Weed, Etna, Fort Jones, Mt. Shasta, Yreka

Grand Jury members also had informal conversations with Deadwood inmates. The inmates appeared confident about the skills they were using in the various programs.

FINDINGS

- Camp residents and CDCR and CAL FIRE staff demonstrated Pride in the Deadwood

Conversation Camp environment.

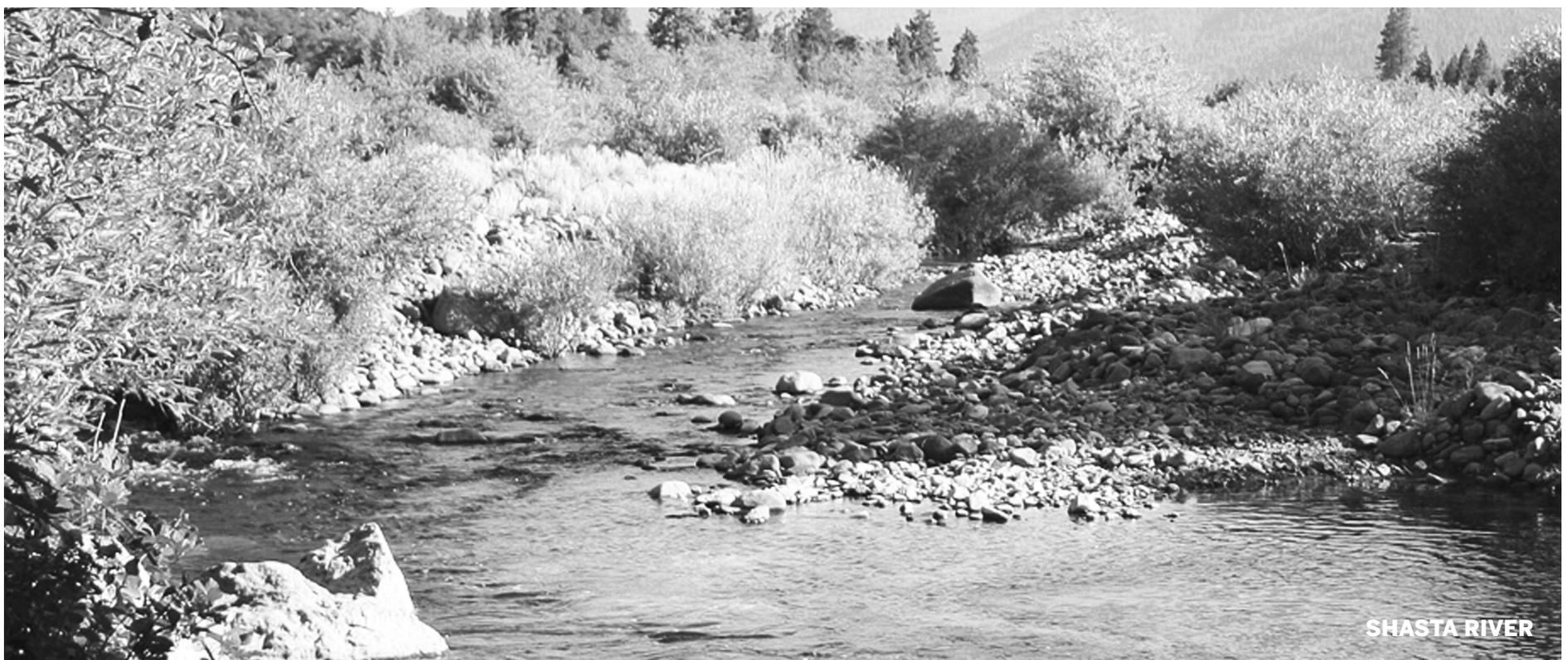
- Additional sources of revenue would be required by county, state, special districts and local governments to provide current community services without the efforts of Deadwood inmates.
- In the absence of the Deadwood inmate firefighters, government agencies would have to hire professional firefighters at a significant additional cost to replace their services.
- Those state prison and Deadwood CAL FIRE employees, who live in Siskiyou County, contribute to the local economy.
- Deadwood Camp operation purchases contribute to the local economy.
- Deadwood Conservation Camp remains an asset to Siskiyou County.

RECOMMENDATIONS

- To the staff and inmates of Deadwood Conservation Camp: keep up the good work!

DISCLAIMER

Reports issued by the 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 Grand Jury.



SHASTA RIVER



MONTAGUE CITY COUNCIL

SUMMARY

The Grand Jury received complaints concerning the operation of the Montague City Council. The complaints alleged a multitude of problems: the council was seated illegally; the council violated the Ralph M. Brown Act; the council violated the “City of Montague Personnel Policy and Procedures and Employee Handbook”; the council did not direct the code enforcement officer to uniformly enforce the city’s ordinances; and the council did not conduct meetings in a professional manner. The need for more community participation became apparent during our investigation. Oversight and accountability by the community is lacking.

The Grand Jury decided to conduct an investigation of the operation of the Montague City Council and its relationship with City staff.

GLOSSARY

“City of Montague Personnel Policy and Procedures and Employee Handbook” revised January 7, 2016 (Handbook)

BACKGROUND

Prior to the November 8, 2016 election, there were five seated members of the Montague City Council. The terms of two of the members expired on November 8, 2016, and another decided not to run for re-election in November. Hence, there would be three vacancies on the council on November 9, 2016.

Citizens of any community are entitled to know how the officials of their governmental agencies are doing business on their behalf. According to the California Attorney General’s office, “All the deliberative processes by legislative bodies, including discussion, debate and the acquisition of information shall be open and available for public scrutiny.” To this end, the California State Legislature enacted California Government Code Section 54950 et seq. in 1953. This legislation is commonly known as the “Brown Act” and guarantees the public’s right to attend and participate in meetings of local legislative bodies. Perhaps a 1952 statement in the Sacramento Bee newspaper best describes the importance of this law to an informed citizenry: “A law to prohibit secret

meetings of official bodies, save under the most exceptional circumstances, should not be necessary. Public officers above all other persons should be imbued with the truth that their business is the public’s business and they should be the last to tolerate any attempt to keep the people from being fully informed as to what is going on in official agencies. Unfortunately, however, that is not always the case. Instances are many in which officials have contrived, deliberately and shamefully, to operate in a vacuum of secrecy.”

Of course, it is also important to note here that while the Brown Act focuses on the need for open meetings, it does contain a limited number of exceptions from its requirements where the government has demonstrated a need for confidentiality. A few examples of these exceptions include employee disciplinary actions, pending litigation and labor relations. There is a wealth of information available on the Internet about the Brown Act and its requirements for anyone interested in gaining more information. Some complaints alleged violations of the Brown Act by the Montague

City Council.

After reviewing the Handbook, selected employee records and correspondence, the jury found no evidence of violations of the Handbook.

While there were claims of unequal code enforcement, the Grand Jury could not confirm them, as there was no existing method for tracking complaints, citations or resolution of any complaints or citations.

As previously mentioned, the Montague City Council consists of five members. Each of these members has served three years or fewer, with several serving only a matter of months. The city administrative staff is all new to their positions. The city clerk started work in July 2016, and the remaining three began after that date. The previous administrative staff retired in April 2016, leaving a two-month gap in continuity, which has hindered smooth city operations.

METHODOLOGY

The Grand Jury interviewed the complainants, members of the Montague City Council, Montague city staff and members of the Siskiyou County Clerk's office. The jury reviewed council meeting minutes, as well as pertinent correspondence between the city council and the city attorney, the County Counsel, the County Clerk and correspondence with a terminated employee. Members of the jury also did extensive online research and reviewed both California election codes and the California penal codes, and reviewed an opinion by County Counsel on the election proceedings.

DISCUSSION

Some complaints received by the Grand Jury alleged there were improprieties in the appointments in lieu of election of two incumbents. The Grand Jury's review of the events follows.

California Election Code Section 10299 states that candidates for office must file their papers no later than 88 days prior to the upcoming election (in this case August 12, 2016) or, if the candidate is an incumbent, 83 days prior to the upcoming election (in this case August 17, 2016). Two City Council incumbents failed to file the required paperwork by the August 17, 2016 deadline.

California Election Code Section 10299 also provides relief for small cities that do not have enough interested candidates to fill all the openings: it allows for appointment in lieu of election, which saves the city the cost of an election. This provision exists because many entities do not have adequate numbers of candidates to fill vacancies. Specific to the Montague election, there were three openings and only one candidate. Appointees shall serve exactly as if elected. Appointments in lieu of election must be completed 75 days before the upcoming election date (in this case, August 25, 2016), or the city would be required to hold a special election. In Montague, one person, not an incumbent, filed papers on time. The two incumbents failed to file their papers before the deadline. On August 17, 2016, the County Clerk's office sent Montague a letter explaining that the city had three council seats vacant and only one candidate running for office. The letter outlined three possible options: one option was to appoint the candidate in lieu of election; one was to nominate an eligible elector; or hold the election. In order to choose the option to appoint in lieu of election, the City Council had to execute that option prior to August 25, 2016.

The council members chose the appointment in lieu of election option before August 25, 2016. On August 17, 2016, the Montague City Council decided, via email communications, to call a special meeting on August 23, 2016 to discuss and act on the election options. However, on August 23, 2016, not only did the City Council appoint the one qualified candidate, they additionally appointed the two incumbents, who voted to appoint themselves. The council voted to appoint the candidate who was on the ballot for a four-year term. They appointed the two incumbent council members for two-year terms.

On August 29, 2016, the city council received a letter from the city attorney who opined that California Election Code Section 10299 might not apply and that the two incumbent appointments might not stand.

On August 30, 2016, the Montague City Attorney received a lengthy email from County Counsel's office expressing its opinion on California Election Code Section 10299. The County Counsel office's interpretation of Election Code Section 10299 resulted in an opinion different from that of the City Attorney. That opinion stated that the three members who were appointed in lieu of election were seated legally and could serve as if actually elected. The differing legal interpretations of Election Code Section 10299 resulted in conflict among City Council members.

An additional complaint received by the Grand Jury was the alleged violations of the Brown Act via serial meetings by City Council members. The Grand Jury obtained copies of email threads documenting violations of the Brown Act in at least two such meetings. A serial meeting occurs when one or more council persons, but less than a majority, meet to discuss a pending city issue in private. A serial meeting can be face-to-face, via email, texting, phone calls or a combination thereof. One of these persons then engages with other members of the Council in private on the same issue. This constitutes a series of meetings in which a majority of the Council participated without the benefit of an open public meeting. These serial meetings may be well intended and are conducted in this manner to speed up the process of decision-making by the governing body. However, this practice denies the public's right-to-know, creates a lack of transparency in the act of decision-making and presents the appearance of impropriety to the community. In the age of the Internet and texting, serial meetings are tempting and easy to do, but they are still prohibited by law.

The next segment of the Grand Jury investigation included a review of relations between City Council members and City staff. Due to the rapid turnover of city council members and staff, the benefit of experienced mentors was lost. City of Montague staff is governed by the City of Montague Personnel Policy and Procedures and Employee Handbook, which does not actually contain policies and procedures. The Grand Jury was advised that the employees are also accountable to an incomplete document entitled Policy and Procedures Manual. This Policy and Procedures Manual is supposed to outline city operations, job duties and responsibilities. As an example, the Grand Jury was advised one previous city employee routinely carried original city documents in a personal vehicle. Upon the employee's termination, these city documents remained in the employee's possession. As of this writing, the Grand Jury is unable to verify that these City documents have been returned.

The Grand Jury was further advised that there is no procedure for the tracking, monitoring or documentation of the resolution of citizen complaints and citations. While the Grand Jury has not seen an organizational chart, several interviewees stated that all five council members supervise the City Clerk. It is difficult to serve five bosses at one time. There were allegations that city council members gave conflicting instructions to city staff and were impatient with staff. When the current city clerk

was hired, it had been several months since the city had any paid administrative staff.

The Grand Jury learned that there was no orientation for new city council members. Members begin serving without knowing their job duties or the expectations they must fulfill. The administrative staff did not receive formal training either, and were told little of their job duties and/or responsibilities.

The City of Montague has had a number of difficulties with employee relations, and several terminations have occurred in the last year. The Grand Jury discovered the events that led to these terminations. Jury members also found a number of conflicts and issues with other employees. It seems the council members are having difficulties managing employees.

The Grand Jury was also told that city council meetings were contentious, and that the meetings lacked decorum and civility. When the Grand Jury listened to a recording of a random city council meeting, they heard council members using the public comment period to bring up issues not on the agenda and attacking one another for personal behavior not related to council business. The Grand Jury members found the exchanges were not civil. It appears that City Council members might benefit from training in meeting etiquette. Several agencies provide information and training to city council members and city clerks. The Grand Jury located the following information that may assist the City of Montague. The League of California Cities (www.cacities.org) offers classes for mayors, city managers, planning commissioners, public works employees, city attorneys, city clerks and fire chiefs. Montague City Council members believed that the city must be a member of this organization to participate in training, and the membership cost was significant (approximately \$1,500 per year), which has prevented the City from joining in the past. However, there are electronic training handouts available on their website at no cost.

Another organization with relevant resources for council members is the Institute for Local Government (www.ca-ilg.org) which is supported by tax-deductible donations; their materials are also free. There is a wealth of information provided on this website. There are trainings offered through this organization as well. The City

Clerks Association of California offers a plethora of information; the primary membership is \$90 per year, with secondary memberships of \$40 per year. Through these organizations, there are YouTube videos, printed handouts for presentations, social media pages such as Facebook and Twitter, Listservs (email lists specific to city service whose members serve as mentors to those who are new to their jobs), and webinars. Much of this information is available to the city at no cost. Some of the titles for training included “New Mayors and Council Members Academy”, “City of Dysfunction Junction-How to Conduct an Effective and Respectful Council Meeting”, and the “Relationship Between City Council, City Manager and Staff.” There are many others, all with handouts available for download without cost.

FINDINGS

- F1. The Montague City Council was seated in accordance with the recommendation of Siskiyou County Counsel.
- F2. One or more documented serial meetings took place in violation of the Brown Act.
- F3. There is no orientation of new city council members.
- F4. There is an incomplete Policy and Procedures manual.
- F5. There is no written documentation of job duties or responsibilities for either staff or council members.
- F6. Because more than one city council member gives instructions to city staff and the instructions are not consistent, the result is ineffective communication and expectations between City Council members and city staff.
- F7. There is no established chain of command between the City Council and staff members.
- F8. The lack of orientation and training has resulted in confusion and inconsistent communication between staff and council members.

RECOMMENDATIONS

- R1. No recommendation.
- R2. The Council should undergo periodic Brown Act training to ensure it is well versed in the Act and the limits the Act imposes on the use of emails, texting or phone calls among members regarding city business.
- R3. The City should establish an orientation training program for new and incumbent city council members which should take effect before the next election cycle.
- R4. The City should complete its Policy and Procedures manual by January 2018.
- R5. The recommended orientation (R3) and the Policy and Procedures Manual (R5) need to clearly define the duties and expectations for City Council members, the City Clerk’s position and all other positions at the city by January 2018.
- R6. The City Council should clearly define responsibilities in managing staff.
- R7. While all city staff is responsible to the board as a whole, the City Council should generate an organizational chart, with each staff position reporting to a single council member. Policy should be decided by the Council, but should be communicated to staff via one person.
- R8. The City Council members should immediately avail themselves of online, free or low cost training programs concerning conduct, decorum and the governing of civic meetings.

REQUEST FOR RESPONSES

Pursuant to Penal Code Section 933.05, the Grand Jury requests responses as follows: From the following governing bodies: Montague City Council; R2 – R7

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NEW YREKA POLICE DEPARTMENT FACILITY

SUMMARY

The 2016-2017 Civil Grand Jury has discovered that over the past 12 years, the lack of planning for the relocation of the Yreka Police Department has resulted in delays, funding shortfalls and bad publicity for the City. Previously, the 2005-2006 Civil Grand Jury conducted a watchdog investigation of the Yreka Police Station located at 412 W. Miner Street. Their final report resulted in seven recommendations to the City. The City acknowledged the Civil Grand Jury's concerns and agreed with most recommendations. In 2010-2011, the Civil Grand Jury again conducted a watchdog investigation related to the police station. The resulting report had many recommendations similar to the 2005-2006 report. When the 2016-2017 Civil Grand Jury learned that a building for the new police station had been purchased in 2014, but still awaits necessary renovations, the Jury again opted to review the status of the Yreka Police Station project.

BACKGROUND

In 2014, the property and building at 1400 Fairlane Road was purchased by the City for use as the new Yreka Police Station. The 2016-2017 Civil Grand Jury decided to revisit the process by which this decision was made. Meanwhile, the Police Department continues to be housed in the old Carnegie Library Building at 412 W. Miner Street. The newly purchased police station continues to sit vacant today, after more than 12 years have passed and almost a million dollars have been spent. The City

Council has recently chosen to solicit new bids for the necessary remodel of the building.

METHODOLOGY

The Grand Jury interviewed Yreka Police Department staff, Yreka City Administrative staff and past and present Yreka City Council members. In addition, Grand Jury members toured the current police station, reviewed plans for the new facility and attended various City Council meetings and work study sessions.

Further, the following documents were reviewed:

- Prior Civil Grand Jury Reports, 2005-2006 and 2010-2011
- Yreka City Council meeting minutes
- Yreka Police Department Needs Assessment Report dated 9/24/2012
- Yreka Police Department Site Evaluation Report 1400 Fairlane Road 5/14/2013
- Yreka Police Department Site Evaluation Report Campus Drive 9/8/2013
- Appraisal Report of Industrial Building Location: 1400 Fairlane Road dated 12/12/2013
- Grant Deed and Attachment dated 5/9/2014
- Certified Copy of Decree of Distribution of the Estate of Russell Crandall
- City Council Memorandum Rejection of All Bids for Yreka Police Department Remodel Project dated 4/1/2016
- United States Department of Housing and Urban Development article entitled "Planning for Real Estate Acquisition and Relocation" HUD Handbook 1378

DISCUSSION

At this juncture, it is important to note what this report is not. This investigation and report is **not** a referendum or criticism of the Yreka Police Department (YPD), nor is it an analysis or critique of the Department's structure, strategies, effectiveness, leadership, efficiency or statistics. Rather, this report is an evaluation of the City's on-going decision-making process and activities with regard to the Police Department's facilities and location. This report is also not intended to be an endorsement of any site, option or strategy that may or may not have been considered. The Grand Jury is solely reviewing the process that was employed to evaluate and reach conclusions regarding the potential relocation of the police department.

In an article entitled "Planning for Real Estate Acquisition and Relocation" the United States Department of Housing and Urban Development (HUD), states: "Planning can 'make' or 'break' your project. A well-planned project may be completed on time and on schedule, whereas, a poorly planned project can result in delays, funding shortfalls, bad publicity, and even legal action. As a result, all acquisition and relocation activities should begin early in the project planning process."

Pursuant to the 2005-2006 Grand Jury findings and recommendations, the City of Yreka began to assess the inadequacy of the Police Department building. Prior Grand Jury reports, including findings, are public information and are available for review.

Twelve years have passed since the 2005 2006 Civil Grand Jury YPD report was published. Today, building concerns identified in that report remain unresolved. At this point, the City has spent nearly \$1,000,000 in evaluation and acquisition of the new site, only to let it continue to stand vacant since purchase with no comprehensive plan for occupancy.

During the current investigation, it became apparent that the City had no overall citywide strategic plan upon which to rely for guidance during the decision-making process. One area of agreement emerged from all eighteen interviews conducted by the Grand Jury: the existing Yreka Police Department facilities, built in 1915, remodeled and occupied in 1970, are inadequate and inappropriate for police department operations.

On March 8, 2017, the Yreka City Council decided to move forward with the renovation of the new police department site. The decision to do so was influenced by many factors, some of which are outlined below:

- In 2011, the Police Department requested that Yreka City Council seek a Community Development Block Grant (CDBG) for the purpose of evaluating the need for a new police station. Had that grant been requested and obtained, it would have resulted in \$43,750 in funding towards the cost of the evaluation. According to meeting minutes, the Council voted not to pursue this potential source of new funds due to a short deadline.
- A building assessment of the existing police facility conducted in January 2011 confirmed the existence of contained asbestos throughout both the original 1915 construction and the 1970 addition.
- A subsequent safety inspection conducted in 2012 found numerous new building code and other violations in addition to those previously reported by the 2005 2006 Grand Jury. Again, the city responded and largely agreed.
- On September 24, 2012, a needs assessment was completed. The analysis concluded that: “the existing multi-level facility no longer meets the space needs of the Department, and does not provide appropriate public and employee access for persons with disabilities, as required by the American with Disabilities Act and the California Building Code. Due to the extensive age of the Facility and the raised

floor design, the removal of hazardous materials required to complete renovation and the necessary re-design for accessibility to the facility point towards options other than renovation of the existing building.”

- Between 2005 – 2013, the City evaluated 24 locations, including raw land and existing buildings. Three site evaluations were requested, conducted and considered. A budget was established November 22, 2013, in the amount of \$1,865,694. **This figure was not based on the estimated cost of design or construction, but rather on available funds.**
- In December 2013, an appraisal of a building located at 1400 Fairlane Road was conducted. On April 17, 2014, the City of Yreka purchased the Fairlane building for \$800,000.
- On October 17, 2014, an architectural contract was issued for the remodel of the Fairlane building to meet the needs of police department operations.
- In February 2016, bids for the remodel were requested, and in March 2016, all bids received were rejected due to projected building costs.
- In the Fall of 2016 the decision was made to commit a city staff person to oversee the relocation project.

Today, the City is in the same position as it was in 2014, except that it now owns a building with complete architectural drawings for a new police station. The City is currently considering modifications to the building design so that construction costs fit within the approved budget, and to offset the possibility of increased costs due to inflation. New bids will then be solicited.

In conclusion, when considering one of the largest expenditures made by the City in the past several decades, it may have been helpful for the Yreka City Council members to have a strategic master plan upon which to build the decision-making process. It should be noted that the City Council, in conjunction with the Economic Development Council, has taken steps to develop and complete a citywide comprehensive strategic plan.

FINDINGS

- F1. The City of Yreka entered into a search for a new police station having no short or long-range comprehensive plan.

- F2. The City entered into a search for a new police station with no defined budget.
- F3. Only recently was City staff assigned the responsibility to oversee finding solutions to police station relocation issues.
- F4. In March 2017, the City Council voted to reopen the bid process for remodeling the property at 1400 Fairlane Road.
- F5. The City, in conjunction with the Economic Development Council, has begun the process of creating a comprehensive city-wide strategic plan.

RECOMMENDATIONS

- R1. In order to minimize future conflict regarding large projects, the City Council should complete its comprehensive citywide strategic plan by the end of 2017.
- R2. Before beginning future projects, the City should insure that a budget is in place.
- R3. The City should provide direction and designate responsibility for project management to specific individuals at the start of every project.
- R4. Again, the City should provide direction and designate responsibility for project management to specific individuals at the start of every project.
- R5. The City is to be commended for initiating steps for a comprehensive citywide strategic plan, and we encourage a speedy completion of the plan.

REQUEST FOR RESPONSES

Pursuant to Penal Code section 933.05, the grand jury requests responses as follows: From the following governing bodies: The City Council of Yreka: Recommendations 1 and 5

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SISKIYOU COUNTY PUBLIC LAW LIBRARY

SUMMARY AND BACKGROUND

Business and Professions Codes sections 6300 through 6363 mandate that every county will provide a law library and a board of trustees to manage the funds received, and will provide sufficient space for the law library. In Siskiyou County, \$26 of every civil filing fee and \$8 of every small claims filing fee are deposited into a trust account to fund the law library. Until 2012, the Superior Court provided and staffed a law library for the citizens of the county.

Under California Codes, the county, not the state, is now responsible for providing a law library. Therefore, after the Superior Court became a state entity, they turned this duty over to the county in July 2012.

Since that time, the law library has been difficult to find. The Civil Grand Jury was interested in the location and operations of this “branch” of the public library, after Jury members were unable to find the law library.

METHODOLOGY

The Civil Grand Jury reviewed California Codes, budgets, documents and minutes from Board of Supervisors meetings and interviewed staff.

DISCUSSION

The law library board of trustees consists of four judges, two local attorneys and a citizen at large. There are currently two vacancies: one citizen at large, and one attorney. The make-up of the board

of trustees is statutory under Business and Professions Code section 6301. The meeting requirements are found in Business and Professions Code section 6304, which allows the board to set a meeting schedule, but the Code section requires monthly meetings. Currently the Board meets annually to verify that the law library is properly maintained.

While the board of law library trustees administers the budget for the law library, the funds from civil filing fees are not sufficient to hire a law librarian and provide a legal research collection at the same time. The civil filing fees received annually are approximately \$25,000. Those funds are currently deposited into the Siskiyou County Library budget. While Business and Professions Code section 6345 provides that the board of law library trustees may appoint a law librarian, that cannot occur without adequate funds for payment of wages. Siskiyou County has not ever had a trained law librarian; court staff provided legal research information during the time the court provided space for the law library.

The law library is housed in the Yreka Branch of the Siskiyou County Public Library under Business and Professions Code section 6361, quoted in full: “The board of supervisors of the county in which the law library is established shall provide sufficient quarters for the use of the library upon request of the board of law library trustees, except that the board of supervisors need not provide such quarters when the board

of law library trustees determines it has sufficient funds, over and above those necessary for operation and maintenance expenses, to provide its own quarters. Such provision may include, with the room or rooms provided, suitable furniture, window shades, floor coverings, lighting, heat and telephone and janitor service.” There seems to be some disagreement over whether the board of supervisors or the board of law library trustees would be responsible for the specifics of the presentation of the law library.

It is not, however, part of the branch, which is run by the Yreka Friends of the Library group. At this time, there is no law librarian serving in Siskiyou County. A law librarian functions in a specific reference capacity, which requires specialized training. Under the current model, the Siskiyou County librarian is not available for any research or reference services. Further, a public librarian is not trained to offer law librarian services.

Another challenge for the community is physically locating the law library in the Yreka Branch. There are no signs in the public library directing users to the law library, there is no single designated area for the law library and the law library is not referenced on the Siskiyou County Public Library website. For that matter, the law library is not referenced on any other public information materials produced for the

Siskiyou County library. Local attorneys donate time every other week to assist those with legal research needs.

There is a law book collection; it is not located in one spot in the public library. These books are not included in the circulating collection of the public library and are not currently being updated. Part of the collection of books that used to reside in the public law library in the courthouse are grouped together in one shelving area, but are unmarked. There is also a collection of current titles from NOLO Press, a self-help publisher, but it is located in a different area of the library. The law books, other than the NOLO books, are no longer updated, making them of limited use. However, attorneys review them to make sure they are still useful to some degree. There are no signs indicating that they are not updated. As reference books, they cannot be checked out, but there are copy machines in the library, so one could copy pages as needed.

In addition, two public access computers dedicated to the law library, with access to a Westlaw account and a HeinOnline account for legal research, are available. However, a password is required to access these accounts; this is not made clear to the public and the passwords are not posted. These resources are current, and should be relied upon for current legal information. At the time of this writing, these computers were marked "Out of Order". These computers are located near the area where the book collection is located and do have a sign designating their use.

Local attorneys who donate time are an excellent resource for those who require assistance in locating legal information. It is often necessary to determine where to locate the information one needs, based on jurisdiction, whether one is dealing with regulations rather than codes and other specialized circumstances. These attorneys can guide the public to the information they need. They are not, however, available to give legal advice or assist in legal matters. There is no information posted as to when an attorney is available.

Presently, the community is being poorly served by a public law library, paid for by civil filing fees, but invisible to the public. With a few inexpensive changes, this problem could be

easily rectified so that the public would be able to access this critical resource.

FINDINGS

- F1. There are no signs in the library defining the location of the law library describing the collection, or explaining the use of dedicated computers, making the law library difficult to find or access unless the volunteer attorneys are available.
- F2. There is no mention of the public law library in any informational materials or on the public library website. Therefore, the general public is unaware of the law library's existence and its possible benefits to those who require legal assistance.
- F3. There is no central area to house the public law library, effectively making the law library difficult to use.
- F4. The collection is not easily accessible to the public and not all staff or volunteers are familiar with its location. Therefore the law library collection paid for by the board of law library trustees is invisible to the public.
- F5. While online databases are available, there are no instructions or passwords posted to facilitate public use, causing the databases to be inaccessible to the public.
- F6. While attorneys regularly volunteer and assist the public in using the law library, there is little publicity regarding this service, which is the only way the public is currently able to access the law library collections.

RECOMMENDATIONS

- R1. There should be adequate signage directing the public to the public law library, describing the law library collection and explaining how to access the dedicated computers. These can be printed at negligible cost and should be posted within 90 days of the publication of this report.

R2. At the very least, a brochure should be created to outline public law library information and the Siskiyou County Public Library web page should be updated to include information about the public law library by the end of the year.

R3. The Public Law Library should be housed in one clearly designated area of the Yreka branch of the Public Library immediately.

R4. Volunteers at the Yreka Branch Library should be trained regarding the location and use of the Public Law Library. They should be able to direct the public to the designated space. This training should be completed immediately.

R5. Instructions for use of the computer databases and access to passwords should be made readily available to the public.

R6. Volunteers at the Yreka Branch Library should be trained immediately to give information as to attorney availability at the law library.

REQUEST FOR RESPONSES

Pursuant to Penal Code section 933.05, the Grand Jury requires responses as follows:

From the following governing bodies:

- Siskiyou County Board of Supervisors please respond to R1 - R6.

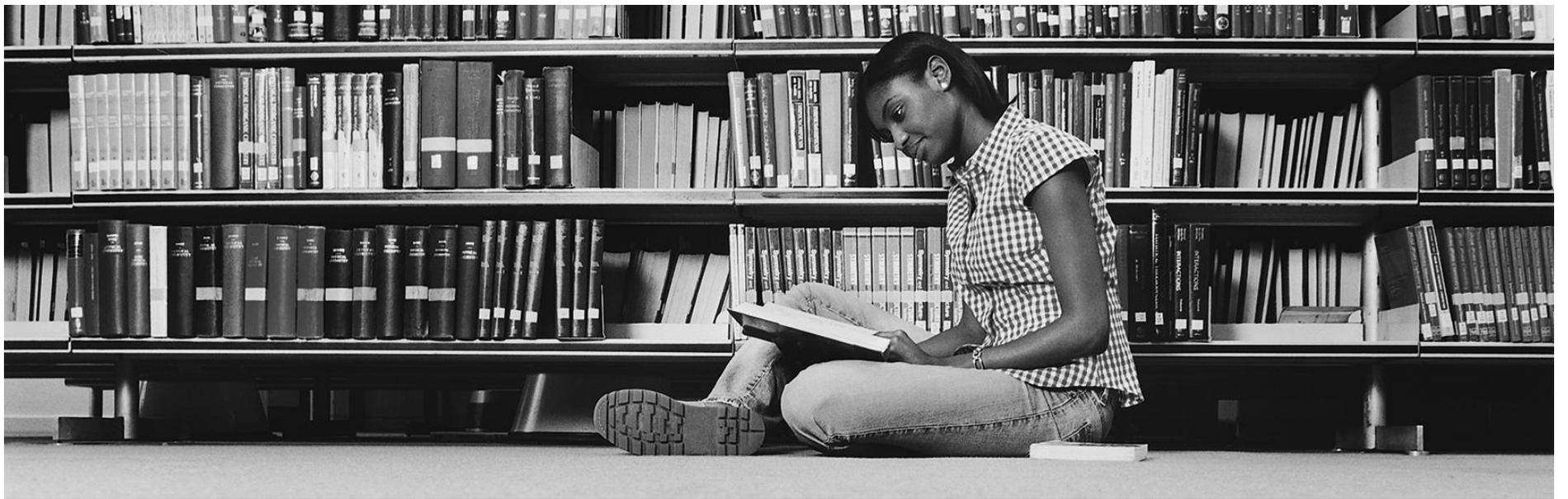
Pursuant to Penal Code section 933.05, the Grand Jury requests responses as follows: From the following governing bodies:

- The Board of Law Library Trustees are asked to respond to R1 -R6.

INVITED RESPONSES

The Siskiyou County Librarian is invited to respond to R1 - R6.

Reports issued by the 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 Grand Jury.



SISKIYOU COUNTY PUBLIC LIBRARY SYSTEM

SUMMARY

Citizens of Siskiyou County are determined to have libraries in their communities. This report details the events following the 2010 loss of nearly all funding for county libraries. In 2010, Siskiyou County had twelve libraries, and in spite of many challenges, they are still in existence. The Grand Jury considers this story to be an example of inspirational democracy at its best.

Although it has been a challenge, individual citizens of Siskiyou County have rolled up their sleeves and provided the day-to-day organization, funds and work to keep their libraries open. However, the Grand Jury, and all those surveyed agree that this new model is not sustainable long term.

BACKGROUND

In May 2010, the Siskiyou County Administrator's office (CAO) presented its recommended budget to the Board of Supervisors. The line item in this budget for the county libraries was zero. Citizens were very concerned; the CAO's office was receiving 20 to 30 calls per day regarding the plan to close all libraries.

By July 1, 2010, a much-reduced budget was enacted and eight library branches were closed. The branches that remained open were only funded for six months. The California State Library was contacted and began to assist Siskiyou County in creating a new model that would allow its library branches to remain open. The new model was based on community control and financing.

METHODOLOGY

The Grand Jury prepared and sent a survey to each library branch in the system for completion and return by a library staff member or volunteer. Interviews were also conducted with staff from various branches, and additional information was gathered from online research. Documents, specifically contracts and guidelines, were obtained.

DISCUSSION

The new library model consists generally of the following: a main distribution center located at the Yreka branch, which provides circulation of books, DVDs and other materials, a computer network, purchase of circulating materials, vehicles for delivery between branches, a county library website and other countywide services.

There are twelve branches of the library: Yreka, Etna, Fort Jones, Happy Camp, Scott Bar, Weed, Mt. Shasta, Dunsmuir, McCloud, Montague, Tulelake and Butte Valley. Each of these libraries is supported by a combination of the city government and/or community groups where the branch is located, a Friends of the Library group, volunteers, and in one case, a contracted service that provides staff. Most of the library buildings belong to, or are leased by, the cities. Happy Camp has the Happy Camp Library Association, which owns the library building. Three branches, Dunsmuir, Mt. Shasta and Weed, have passed a city tax to provide funds, and these branches have some paid staff. A few of the cities are paying one or more staff, and only volunteers staff some. Some are open 30 hours per week; others are only open four hours per week. All of these library branches serve everyone equally -

citizens of their town, the county or of another town or county.

It is clear that all the Siskiyou County communities value their libraries, since all the original libraries are open today. This is true even though one library suffered damage and required repairs, (Happy Camp-new roof), and one burned to the ground (Weed). Libraries have been closed, repaired and reopened since 2010. In Weed, the entire library was replaced.

Among those working in the libraries there is deep concern for finances, quality of services and concern that the current model is not sustainable.

The Grand Jury sent an informational survey to the county library in Yreka and the 12 branches in November 2016. All branches responded promptly, and several had more than one staff member/volunteer complete the survey.

Information from the survey was very revealing, and the jury learned the following facts:

- There are no county employees at any of the branches. City government, tax revenue, Friends of the Library and/or some other arrangement, provides funding for paid branch staff. Three of the libraries function without any paid staff at all.
- The County Library Distribution Center in Yreka has four full-time staff and, along with Behavioral Health, helps pay for a part-time driver who delivers books and materials to the

Tulelake and Butte Valley branches. This portion of the library system, provided by the county, is referred to as the Distribution Center. The Yreka branch library is one of the twelve branches, and is operated separately from the Distribution Center.

- The overall library system is dependent on volunteers to provide services to the public. Staff at every branch expressed difficulties finding and keeping volunteers. All surveyed, including the County Librarian, were concerned about volunteer training and consistency across the branches. Either volunteers or branches are expected to cover the cost for required background checks before volunteers can serve.
- Funding for individual facilities, utilities and maintenance is provided differently for each branch.
- Books and materials are provided by the county and through private donations, tax revenues, Friends of the Library groups and grants. Individual Friends of the Library organizations and/or a local entity have applied for grants to benefit their specific branch, apparently with little or no assistance from the Distribution Center. One grant was applied for by the Distribution Center for replacement of carpet at the Yreka Branch, since the building is a county building and maintenance and upkeep is provided by the county.
- The county provides internet, a network backbone and phone service for all branches.
- There were several complaints expressed about KOHA, the computer program that manages day-to-day tracking of books and checkouts, library card users and fines. Review of this program was beyond the scope of this report.
- The majority of the branches reported they were able to offer unique services to their community, such as art shows, summer reading programs, book clubs, public computer access, wi-fi, story time, book sales, public meeting rooms and literacy tutoring.
- Free individual tutoring for those 17 years old and up is offered at the Siskiyou County branch libraries through California Library Literacy Services. This learning service can assist individuals in a variety of educational areas, including learning to speak English, reading, writing, math and preparation for General Equivalency Diploma (GED) testing. Trained volunteer coaches work one-on-one with students around the learner's personal schedule.

At the time funding was cut, a Memorandum of Understanding (MOU) was signed between each branch and the county. Each library kept its existing supplies, furniture and non-circulating materials as of the start date of the MOU. Ownership of the fixed asset items belonging to the county was retained by the county until disposal. Today, the county remains responsible for providing the following: technology backbone, network equipment and software, supplies specific to libraries, delivery of circulating materials and other items between facilities, website, training and management of programs and grants that would be applicable county-wide.

The twelve communities supporting their branch library are required to provide physical space, new furnishings, utilities, maintenance, cleaning and restroom supplies, janitorial service, trash removal, insurance and staffing (including background checks for those working in the space), re-shelving of circulating materials, packing materials for shipment, local magazine subscriptions and self-service checkout machines. Further, they must provide at least two computers and at least one printer. Maintenance and supplies for equipment, all other equipment such as copiers, additional computers or printers, fax machines, software and upgrades. The community branch retains any monies collected for fines and/or printing and copying. The community determines branch library



hours. Volunteers and staff are required to participate in training as scheduled. The community agrees to share all the circulating materials with other libraries in the system, with delivery to be provided by the county.

Through the surveys we learned there are areas in the MOU that need further clarification. For example, there is controversy regarding what constitutes acceptable donated circulating

materials. Items are donated which do not meet the guidelines for circulating materials. One issue that has arisen is that those who donate books and the communities who receive the donations are not always willing to share those materials with other branches. You may donate books to your library because you love those books and want your neighbors to read them. However, those books might not become part of the collection. They may be given to the Friends of the Library book sale, or the books may become circulating materials, and therefore not available in the local branch. Apparently, among other requirements, the guidelines prohibit acceptance of any materials published more than a year previous, and any softcover books. Despite repeated requests, the guidelines were not provided to the Grand Jury.

Another issue has been responsibility for training volunteers. The surveys revealed that there is no uniform method for training branch volunteers. This results in inconsistencies in the way libraries are operated. All stated that each branch does its own volunteer training. However, the MOU clearly states that volunteer training will be provided by the county as a part of library operations. As noted by staff at the Distribution Center, there is no county training program, nor is there a county training manual at this time. It is not clear why this is so, but the Grand Jury was told that there has been a reluctance by those in the branches to be trained by the county and a reluctance by county staff to do the training.

Background checks for volunteers are also a significant problem. They are expensive. Each branch handles the issue differently; many ask the volunteers to pay, and background checks are a barrier to obtaining volunteers as some cannot afford to pay the cost.

Further, there seems to be an issue for the library communities regarding the purchase of computer equipment required under the MOU. The branch libraries are required to purchase two computers for use in each location to ensure effective communication between branches, the Distribution Center and other county departments. Generally speaking, branch library staff does not have the



RECOMMENDATIONS

RI. Under the current MOU, the county is required to provide training for volunteers. A procedures/training manual should be created and updated regularly. Training should be provided regularly to all staff and volunteers, and each branch library should have copies of procedures/training manuals as specified in the MOU, in place by January 2018.

R2. The definition of what is, and is not, in the library system's collection and how donations will be handled should be discussed and the current MOU amended to state the resulting policies accurately by year's end.

R3. Under an amended MOU, the County should pay the background checks required by the County for staff/volunteers working in any branch.

R4. Under an amended MOU between the county library and communities, the two computers which branches are required to provide should be the responsibility of the County and should be purchased by the County, along with required software and upgrades. A replacement schedule should be created so all the computers do not have to be replaced in one year but through a five-year replacement schedule.

R5. The county should increase available funding to buy new materials when the Boles Fire Insurance money is depleted.

R6. More emphasis should be placed on obtaining funds for branches through grants applied for by the Distribution Center. These could assist individual branches to meet financial needs.

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 please respond to RI through R6.

INVITED RESPONSES

Siskiyou County Librarian is invited to respond to R1 through R6.

expertise to procure computers that interface with the county system. There seems to be a lack of communication from the Distribution Center about specifications for the purchase of required computers. In addition, branch libraries are not able to obtain the same purchasing power as the county. As a result, purchasing the necessary computers is expensive.

The overall county library budget allows for \$35,000 per year in new book purchases. However, in order to provide adequate numbers of new books across the system, it is estimated at least twice that amount is needed. This does not take into account annual cost increases. While the 2014 Boles Fire was devastating, the insurance payment resulted in a windfall for the branches. The books that burned with the Weed Branch library were part of the county collection; they belonged to all the branches. Insurance funds can only be used to purchase books, with the exception of the one-time purchase of bookshelves for the new Weed Branch location. Currently, the book purchasing funds are being supplemented with the insurance payment from the Boles Fire. Volunteer staff members at many branches expressed concern about how new books would be purchased when this one-time resource is depleted.

Information about Siskiyou County's library system is available online at the following website: . The information on the website was not always accurate or complete. One component of the library, the Siskiyou County Public Law Library, is not even mentioned on the web page. The hours stated for some of the branches were inaccurate as well.

During the 2016-2017 fiscal year, each library branch received a one-time payment of \$2,000 from the Siskiyou County general fund. The addition of these funds was critical for some branches operating in the red. Other branches used this money to replace aged computer equipment.

It was suggested to the Grand Jury that each library should be provided with funds for one paid staff member for eight to ten hours per week. This would provide some continuity in services across branches. The estimate was \$12,000 per branch per year for a total of \$144,000 per year.

One possible solution to library funding issues is to create a library special district. Under California law, a special district to finance library operations and facilities could be used to provide these services and could make the library system sustainable. Shasta County could serve as a model.

FINDINGS

F1. Staff and volunteers at all the libraries are concerned that volunteer training is not standard at each library.

F2. There appears to be conflict and confusion regarding the donation, retention and circulation of library materials.

F3. Procedures and payment for background checks are handled differently at each branch and most involve the volunteer being required to pay for their own background check.

F4. Although each branch is required to have two computers for network communications, there is unequal access to effective communications across branches as a result of non-standard computer equipment.

F5. There is inadequate funding for new books, which will need to be addressed when the Boles Fire insurance funds are exhausted.

F6. The Distribution Center has not been applying for available grants, which the branch libraries are unable to apply for due to their non-governmental status.



WEED COMMUNITY CENTER

SUMMARY

Early in July, the Grand Jury received an inquiry regarding the history, use and status of the Weed Community Center. Inasmuch as the Boles Fire had destroyed the former building, which had been designated as the community center, the Grand Jury wanted to update Siskiyou County residents regarding the status of the Weed Community Center.

The first facility was built on the site of the former Weed High School gymnasium; it housed the Adult Day Health Care program. In 2013, it became the Weed Community Center. The Boles Fire subsequently destroyed it. While the destruction of the former community center was a loss for the citizens of Weed, it provided an opportunity for the community to build a substantially improved facility, which will better serve a broader segment of citizens of Weed.

METHODOLOGY

Records, documents and correspondence not destroyed in the Boles Fire were reviewed as far back as 1991. Interviews were conducted with current Weed Recreation and Parks District (WRPD) staff and board members, as well as current and past city council members.

BACKGROUND

In 1991, the Great Northern Corporation (GNC), a nonprofit corporation, purchased a piece of property from the City of Weed for the sum of \$10,000. This property was later divided into two parcels, one of which contained the old

Weed High School gymnasium. In 2004, prior to a grant application submitted by the City of Weed, with the Great Northern Corporation's assistance, the old gym was condemned and demolished. A grant application in the amount of \$1,000,000 was approved in May 2005 to build a new "Community Facilities Building". The new building was to house the following: the Adult Day Health Care Program, a pool, the Food Commodities Program, Low Income Heat and Energy Assistance Program, Weatherization Program and a Wellness Center.

Due to a number of factors such as lower utilization, changing community needs and the changing objectives of Great Northern Corporation (the prior owner of the building), the facility was placed on the market.

WRPD stepped in and purchased the Community Facilities Building in 2013 made possible by an \$800,000 grant from The Ford Family Foundation. Additionally, funds in the amount of \$400,000 were applied for and received from the McConnell Foundation for outfitting the remodeled building and constructing a fully functional commercial kitchen. The original purpose of the redesigned building was changed to allow more members of the community greater access to, and use of, the facility. The new kitchen made a variety of new functions possible. The center was completed and opened for use in April 2014.

After the transition to WRPD management, the renovation and use of the Community Center

building had been moving along smoothly until September 14, 2014, when the Boles Fire destroyed the entire structure and all contents.

From 1991 until the Boles Fire, the citizens of Weed and the surrounding communities had seen the transition of a condemned gymnasium into a senior services facility, and later into a fully functioning community center without ever having to spend any city funds. The acquisition, building and transitions had all been accomplished through grants administered by others.

The grants obtained in 2013 allowed WRPD, a fully independent special district, to gain complete local control and management of the facility. Further, as a result of having had the foresight to fully insure the building and its contents, the WRPD is currently in control of \$2.2 million in insurance proceeds. Two other portions of insurance proceeds for \$305,000 and \$57,000 have also been received. Insurers upon approval of plans for the proposed new facility will release an additional balance of \$233,000. This additional \$600,000 will be included in the rebuilding and refurbishing of the proposed community center. The Weed Recreation and Parks District still has \$200,000 remaining from the McConnell Foundation grant of 2013, which are also earmarked for the rebuilding effort.

DISCUSSION

WRPD has plans to break ground for the proposed state-of-the-art community center in June 2017. The Grand Jury learned that WRPD

had already purchased 18 acres of land in Angel Valley. This property is located near East Lincoln Avenue and Oak Street in Weed, and is comprised of three six-acre parcels. A 14,000 square foot building will be constructed on five of these acres. The former Weed Community Center building was only 11,000 square feet with limited parking, while the new location will accommodate at least 150 parking spaces.

In addition, the increased building space will allow opportunities for the creation of new sources of revenue by leasing, renting or subleasing space to those wishing to provide additional services to the community.

Discussions have also taken place regarding the possible return of a senior lunch program. As of the date of this report, a senior lunch program has not been fully designed, and may involve other local agencies.

Plans for the proposed community center include a wellness center, which will house a therapeutic pool and exercise facility for use by seniors and others. Fitness and training will be

available, and a dance studio is in the planning stages. Additional discussions about future senior programming are ongoing.

A commercial kitchen will be available for use by individuals, groups and small businesses. A spacious event room is being designed to accommodate larger community events. A conferencing center will have meeting rooms, office space and storage capabilities. Plans include a computer network with at least six workstations for public use. The building will also be Wi-Fi capable. Other amenities such as restrooms, showers and locker rooms are planned.

Due to the increased area available on the sizable new property, there will be other opportunities considered for additional use in the future, as new phases of development occur. Ideas being considered include an RV park, a dog park and an outdoor sports complex, which could include soccer, baseball, softball fields and tennis and basketball courts.

WRPD and Great Northern Corporation have

formed a partnership to assist in the development of future plans, which opens the door to new financial and planning opportunities. A key consideration for this facility will be the opportunity for potential income generation so that the center becomes, and remains, economically sustainable and independent.

FINDINGS

Due to the efforts of Weed Recreation and Parks Department, the citizens of Weed and the surrounding communities are in the process of building a fully functional community center that will provide many needed services to a much broader segment of the public.

DISCLAIMER

Reports issued by the 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 Grand Jury.





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