



# Lassen County

## 2014-2015

# Grand Jury Final Report



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# L A S S E N   S U P E R I O R   C O U R T

Michele Verderosa  
Presiding  
Superior Court Judge



2610 Riverside Drive  
Susanville, CA 96130  
(530) 251-8205 Ext 109

June 15, 2015

Clerk of the Court  
Lassen County Superior Court  
2610 Riverside Drive  
Susanville, CA 96130

To the Clerk of the Court:

As Presiding Judge of the Lassen County Superior Court, I hereby instruct the Clerk to accept for filing the 2014-2015 Lassen County Grand Jury Final Report as presented to me this 12<sup>th</sup> day of June 2015.

Sincerely,

A handwritten signature in cursive script that reads "Michele Verderosa".

Michele Verderosa  
Presiding Judge  
Lassen County Superior Court

MV:



## Lassen County Grand Jury

Foreperson Joe Franco  
Foreperson Pro Tem Ron Jarrell

Hall of Justice 2610 Riverside Drive, Box 48 Susanville, California 96130 (530) 251-8205

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June 30, 2015

Honorable Michele Verderosa  
Presiding Judge  
Lassen County Grand Jury

RE: 2014-2015 Grand Jury Report

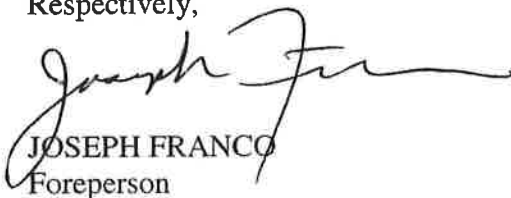
Dear Judge Verderosa:

On behalf of the 2014-2015 Lassen County Grand Jury, I present you with our report. For the entire membership of the Jury, I thank the local bench for the opportunity of serving the County in this regard. I want to thank you personally for changing our meeting place from the old courthouse to the new courthouse. It made a difference in our ability to perform with modern convenient meeting rooms.

On a personal basis I would like to thank our secretary and each committee chairperson along with each individual Grand Juror. All of the Grand Jurors worked with great devotion to the cause of making local government better for the people.

On behalf of all of the Grand Jurors, I thank you for the privilege of serving the Lassen County Community in this capacity. We all certainly hope that we bring positive change to those entities we have touched.

Respectively,

  
JOSEPH FRANCO  
Foreperson

# 2014-2015 Lassen County Grand Jury Members

*Foreperson*

Joseph Franco

Robert Beckett  
Mervin Delgado  
Marlene Gauthier  
Henry Hart  
Samantha Lindsey, resigned  
Teresa Mossinger  
Rosemari Reed  
Denise White

*Pro Tem*

Ronald Jarrell

Kim Brooks  
Renelle English, resigned  
Ronald Harrison  
Emily Jones  
Jennifer McNally  
Ben Ramsey  
Juston Struthers  
Jane Voss

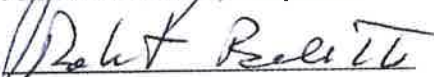
**LASSEN COUNTY GRAND JURY MEMBERS'**  
**DISCLAIMER AND SIGNATURES**

The Grand Jury recognizes that a conflict of interest may arise in the course of its investigations. In such instances, the juror may ask to be recused from all aspects of an investigation. Those members may choose not to investigate, attend interviews and deliberations, or assist in the making and acceptance of a final report that may result from an investigation.

Therefore, whenever the perception of a conflict of interest existed on the part of a member of the 2014-2015 Lassen County Grand Jury, that member abstained from any investigation involving such a conflict and from voting on the acceptance or rejection of any related subject. By signing this final report, I approve it even though I may have recused myself from, or voted against, certain individual reports, which the majority approved.

  
\_\_\_\_\_  
JOSEPH FRANCO, Foreperson

  
\_\_\_\_\_  
RONALD JARRELL, Foreperson Pro-Tem

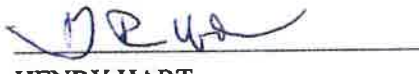
  
\_\_\_\_\_  
ROBERT BECKETT

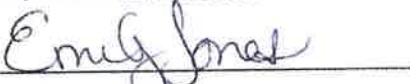
  
\_\_\_\_\_  
KIM BROOKS

\_\_\_\_\_  
MERVIN DELGADO


  
\_\_\_\_\_  
MARLENE GAUTHIER

  
\_\_\_\_\_  
RONALD HARRISON

  
\_\_\_\_\_  
HENRY HART

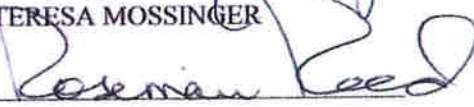
  
\_\_\_\_\_  
EMILY JONES

\_\_\_\_\_  
SAMANTHA LINDSEY


  
\_\_\_\_\_  
JENNIFER MCNALLY


  
\_\_\_\_\_  
TERESA MOSSINGER

  
\_\_\_\_\_  
BEN RAMSEY

  
\_\_\_\_\_  
ROSEMARI REED

  
\_\_\_\_\_  
JUSTIN STRUTHERS

  
\_\_\_\_\_  
JANE VOSS

  
\_\_\_\_\_  
DENISE WHITE

## CALIFORNIA GRAND JURIES

The California Penal Code describes the organization, powers and the duties, and general structure of the Grand Jury. All of California's 58 counties are required to have grand juries.

The major function of a Civil Grand Jury is to oversee all aspects of the legislative and administrative departments that make up county, city and special district governments. It has the power to examine and guarantee that those who are given the responsibility of managing these offices are: truthful, dedicated, and sincere in their efforts to serve the public. There are forty-two states that have some form of Grand Jury, but California and Nevada mandate the impaneling of a Grand Jury each year. The Lassen County Grand Jury is a judicial body of nineteen (19) citizens impaneled to watch over the citizens of Lassen County.

Grand jurors are forbidden by law, to disclose any evidence acquired during investigations, or disclose the names of complainants or witnesses.

After investigations are completed, it is the responsibility of the grand jury to recommend changes that should be made in order to increase efficiency, and improve services to the general public.

Special commendations may also be made to departments or agencies for excellence in management. The reports that are released to the public, have been collected, voted on by at least twelve members, and the results carefully edited by the editing committee for a Final Report. At the end of the Grand Jury's term of office, reports are written, edited, and voted on by at least twelve members and released to the public.

The Final Lassen County Grand Jury Report is distributed as the Distribution List indicates on the following page. Both reports and responses are available on the Superior Court website at [www.lassencourt.ca.gov](http://www.lassencourt.ca.gov) and in the Jury Commissioner's office at Lassen Superior Court, 2610 Riverside Drive, Susanville, California 96130. The telephone number is (530) 251-8205. Lassen County website, [www.co.lassen.ca.us](http://www.co.lassen.ca.us) also contains a link to the Superior Court and Grand Jury reports.

# DISTRIBUTION LIST

## County of Lassen:

Superior Court Judge Michele Verderosa

Superior Court Judge Tony Mallery

Board of Supervisors (5)

Environmental Health

Health and Social Services  
Planning and Building Services

## City of Susanville:

City Council (5)

City Administrative Officer

Susanville Police Department

## Corrections Facilities:

Adult Detention Facility

California Correctional Center

High Desert State Prison

Juvenile Detention Facility

## Others:

California Grand Jurors' Association

Westwood Chamber of Commerce

Susanville District Library

Lassen County Times Newspaper

Sierra Radio Network

XX Country Radio Station

Susanville Stuff.com

2014-2015 Grand Jurors

2015-2016 Grand Jurors

## Special Districts:

Honey Lake Valley Resources Conservation District



**RESPONSES TO GRAND JURY REPORTS**  
**SUMMARY OF PC §933.05**

A compendium of all codes pertaining to Grand Jury was produced by the Governor's Office of Planning and Research. This document is available to grand juries through the Superior Court in respective counties. Since the compendium was assembled the following has become law.

Penal Code §933.05 provides for only two (2) acceptable responses with which agencies and/or departments (respondents) may respond with respect to the findings of a Grand Jury report:

1. The respondent agrees with the finding.
2. The respondent disagrees wholly or partially with the findings, *in which case the respondent shall specify the portion of the finding that is disputed and shall include an explanation of the reasons therefore.*

Penal Code §933.05 provides for only four (4) acceptable responses with which agencies and/or departments (respondents) may respond in respect to the *recommendations* of the Grand Jury.

1. The recommendation has been implemented, with a summary regarding the implemented action.
2. The recommendation has not yet been implemented, but will be in the future, with a timeframe for implementation.
3. The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis, with a timeframe for the matter to be prepared for discussion by the officer or head of the agency/department being investigated or reviewed, including the governing body of the public agency when applicable. *This timeframe shall not exceed six (6) months from the date of publication of the Grand Jury Report.*
4. The recommendation will not be implemented because it is not warranted or is not reasonable, with a detailed explanation therefore.

**RESPONSE PROCEDURE TO GRAND JURY REPORTS**  
**SUMMARY OF PC §933.05**

The governance of responses to Grand Jury Final Report is contained in Penal Code §933 and §933.05. Responses must be submitted within 60 or 90 days. Elected officials must respond within sixty (60) days, governing bodies (for example: the Board of Supervisors) must respond within ninety (90) days. Please submit all responses in writing and digital format to the Presiding Judge, the Grand Jury Foreperson and the CEO's office.

**Report Title:** \_\_\_\_\_ **Report Date** \_\_\_\_\_

**Response by:** \_\_\_\_\_ **Title:** \_\_\_\_\_

**Findings**

I (we) agree with the findings numbered:

\_\_\_\_\_

I (we) disagree wholly or partially with the findings numbered:

\_\_\_\_\_

**Recommendations**

Recommendations numbered: \_\_\_\_\_  
have been implemented. (Attach a summary describing the implemented actions.)

Recommendations numbered: \_\_\_\_\_  
require further analysis. (Attach an explanation and the scope and parameters of an analysis or study, and a time frame for the matter to be prepared for discussion by the officer and/or director of the agency or department being investigated or reviewed; including the governing body of the public agency when applicable. This time frame shall not exceed six (6) months from the date of publication of the Grand Jury Report).

Recommendations numbered: \_\_\_\_\_  
will not be implemented because they are not warranted and/or are not reasonable. (Attach an explanation.)

**Date:** \_\_\_\_\_ **Signed:** \_\_\_\_\_

Total number of pages attached: \_\_\_\_\_

## INTRODUCTION

The Grand Jury is a constitutionally mandated judicial body charged to investigate civil matters but not criminal matters. The Grand Jury's responsibilities include investigating issues regarding city and county government as well as public agencies funded by the government and issuing reports and recommendations when appropriate.

All communications with the Grand Jury are confidential. Information provided to the Grand Jury to support a complaint is carefully reviewed to determine what further action, if any, is required. If it is determined that the matter is not within the investigative authority of the Grand Jury, no further action is taken. If the matter is within the legal scope of the Grand Jury's investigative powers and warrants further inquiry, the Grand Jury will contact and interview those individuals who may be able to provide additional information. During an investigation, all information and evidence will be considered, however, a review may not result in any action or report by the Grand Jury.

The 2014-2015 Lassen County Grand Jury set as a priority the important task of developing a written procedures manual. Each year the Superior Court swears in a new Grand Jury and although valuable training is received, it is often difficult for the new jurors to hit the ground running. Although it took several months to develop this new comprehensive manual, the Grand Jury quickly adopted the manual and used it regularly throughout the year. Every year future grand jurors will have the opportunity to amend and/or adopt this Grand Jury Procedures Manual for use during their term.

Each year the Grand Jury must inquire into the condition and management of all public prisons within the county. As required by law, the 2014-2015 Grand Jury toured the California Correctional Center, High Desert State Prison, Lassen County Adult Detention Facility and Lassen County Juvenile Detention Facility. This year the Grand Jury chose not to write individual reports because after comprehensive tours and discussion, the jury found that no recommendations were necessary. As a commendation, the tours were valuable and informative. The Grand Jury enjoyed meeting, questioning and watching presentations from institution leadership and staff that were so very knowledgeable and proud to share their procedures, facility improvements, and new and successful programs.

The Lassen County Grand Jury received ten written complaints during the 2014-2015 fiscal year. As the letters and formal complaints were received and presented to the full Grand Jury, careful consideration was given to the validity and content of each complaint. Each grievance was inspected and acted upon in a professional and conscientious manner.

The following Grand Jury reports are based on interviews and information which was brought to the attention of, and investigated by the Lassen County Grand Jury.

# **HONEY LAKE VALLEY RESOURCE CONSERVATION DISTRICT**

## **Reason for Inquiry**

Public interest

## **Background**

The Honey Lake Valley Resource Conservation District's (HLVRCD) handling of issues involving the irrigation water allocation administered through the watermaster program came to the attention of the 2014-2015 Lassen County Grand Jury (Grand Jury).

## **Inquiry Procedure**

Over the course of this inquiry, the Grand Jury attended and monitored board meetings; reviewed meeting agenda and minutes; reviewed written by laws, policies and procedures and interviewed the Lassen County Local Agency Formation Commission (LAFCO) Director.

## **Discussion**

While regularly attending meetings, Grand Jury members found the watermaster issues dominated most meetings. During the meetings, the public often spoke out of turn at great lengths without focusing on current agenda topics.

An exorbitant amount of the District's time is taken up by the watermaster issues.

While the District may perform water distribution programs, as authorized by the California Public Resources Code, the watermaster program jeopardizes or overshadows the other meaningful missions HLVRCD performs; i.e. Special Weed Action Team; Coordinator for Watershed Management for Susan River, Pine Creek, and Lahontan Basin; the Skedaddle Sage Grouse Conservation and the Natural Resources Conservation Service.

## **Findings**

F1. The watermaster program in its current form is dysfunctional, and jeopardizes other critical programs.

F2. The chairperson has difficulty maintaining order during the public comment portions of the HLVRCD meetings. The public speaks out of turn and for long periods of time, failing to follow the agenda notification of a five-minute limitation for public comment.

## **Recommendations**

R1. Honey Lake Valley Resource Conservation District should discontinue the administration of the watermaster program.

R2. If the Honey Lake Valley Resource Conservation District continues to administer the watermaster program, all irrigation water issues should be referred to the Watermaster Advisory Committee prior to coming to the HLVRCB Board.

R3. During public meetings, and after the public comment portion of the agenda, at the chairperson's discretion, restrict public comments to a time limit, and only allow comments on topics under discussion at that time.

**Response Required: Yes**

Honey Lake Valley Resource Conservation District

## **LASSEN COUNTY PLANNING AND BUILDING SERVICES**

### **CODE ENFORCEMENT**

#### **Reason for Inquiry**

Public complaint

#### **Background**

The 2014-2015 Lassen County Grand Jury (Grand Jury) received a generalized complaint concerning the failure of the Code Enforcement Division to investigate and enforce the Lassen County Code and the number of junk piles, and abandoned, wrecked, dismantled and inoperative vehicles that exist throughout the county.

#### **Inquiry Procedure**

The Grand Jury reviewed the complaint, the Lassen County Code and the code enforcement budget. The Grand Jury also interviewed the County Administrator, the Planning and Building Services Director and the Lassen County Code Enforcement Officer.

#### **Discussion**

The code enforcement program is a function of Lassen County Planning and Building Services and is primarily conducted by the Code Enforcement Officer under the direction of the Planning and Building Services Director.

There is a procedure for members of the public to make a complaint about a suspected code violation. Recently, the complaint form has been made available for printing on the Lassen County website, and an investigation procedure is being written.

When a complaint is made, a preliminary investigation is conducted to determine if the alleged violation falls under the jurisdiction of the code enforcement program. Once that determination is made, the Code Enforcement Officer will begin a cursory investigation to establish a mitigation plan. All complaints are prioritized with the most egregious, i.e. jeopardizing the health and safety of the community, receiving the highest priority.

There were 31 cases opened in the first three months of the current calendar year. They include violations of use permits, the county codes related to storage of junk or vehicles, and health and safety issues, i.e. residential sewer and water requirements.

The procedure for complaints that are determined to be in violation is as follows;

Obtain voluntary compliance.

Send a courtesy letter requesting mitigation.

Issue a notice of violation and an order to correct.

Thirty days after the letter, re-inspect and issue a citation if not corrected. This results in a \$100 fine.

Thirty days after the initial citation, a second citation is issued resulting in a \$500 fine.

Fifteen days after the second citation, a third citation is issued that carries a \$1000 fine.

Each subsequent day that the violation continues without correction, a citation can be issued with a \$1000 fine attached.

If the violation remains, the complaint is taken to the Board of Supervisors for a resolution ordering abatement.

The abatement is done by the county and a Board of Supervisor's order for restitution from the land owner is issued, and a lien is placed on the property.

Most violations are corrected through voluntary compliance. However, some violations are problematic and require a lot of effort to correct. The county can and has used civil court action to mitigate the violations. The threat of judicial action can be an incentive for some to mitigate the violations.

Occasionally, some investigations result in a dispute between code enforcement and the private property rights of the land owner.

Lassen County is a very large county and some investigations require extensive driving time to inspect and investigate. There is only one Code Enforcement Officer assigned to the county. Tracking cases has been a problem in the past; however, the county is in the process of changing the computer program that will make it easier to monitor and track current investigations.

### **Findings**

F1. There is a complaint and investigation procedure in place for violations of the Lassen County Code related to storage of junk and vehicles.

F2. The general public often is not aware of the comprehensive enforcement program available for the abatement of these code violations.

F3. There is a sufficient work load to justify additional personnel assigned to this program.

### **Recommendations**

R1. Provide a public awareness campaign for the complaint process and have the forms

readily available in the office and on line.

R2. Add additional personnel to the code enforcement program. At minimum add a technician position that can assist with the voluntary compliance issues allowing the Code Enforcement Officer more time for the complex, time consuming investigations.

**Response Required: Yes**

Lassen County Board of Supervisors

**Response Invited: Yes**

Lassen County Planning and Building Services



# LASSEN COUNTY HEALTH AND SOCIAL SERVICES

## ENVIRONMENTAL HEALTH

### Reason for Inquiry

Public interest

### Background

The Lassen County Grand Jury (Grand Jury) is required by California law to investigate and report on at least one county department each year. Environmental Health was the department chosen for review by the 2014-2015 Grand Jury.

### Inquiry Procedures

The Grand Jury interviewed the County Administrative Officer, the Director of Lassen County Health and Social Services, the Department Head of Environmental Health and Environmental Health Specialists assigned to the Agency. The entire Grand Jury was provided with a power point presentation of the entire Health and Social Services Department. In addition, detailed information was provided and reviewed related to the budget, the mission statement and a list of programs administered by Environmental Health.

### Discussion

The Environmental Health Department is a subdivision of, and functions under, the Lassen County Health and Social Services Department. Within this "super agency" lies the departments of Behavioral Health (Mental Health), Public Health, and Community Social Services (Welfare) in addition to Environmental Health.

The mission of Environmental Health is to protect and promote public health and environmental quality through the application of scientific principles, education and enforcement of applicable laws and regulations. The staff carries out necessary programs designed to control and prevent disease, improve the overall environment, and enhance the general welfare and health of the community.

In order to accomplish this mission, the department administers the following programs:

Food Safety: Inspect retail food facilities for compliance with the California Retail Food Code.

Hazardous Materials Management: Inspect and permit facilities that store hazardous material or generate hazardous waste.

Aboveground Petroleum Storage Tank: Inspect and permit facilities to ensure

compliance with federal and state standards.

Underground Petroleum Storage Tanks: Inspect and permit facilities to ensure compliance with federal and state standards.

Housing and Institution: Inspect juvenile and adult detention facilities for compliance with California Title 15 requirements (food, nutrition, clothing, health, space, and cleanliness).

Land Use: Review proposed subdivisions, parcel maps, lot-line adjustments and special use permits.

Lead Program: Work with Public Health in lead exposure related investigations.

Liquid Waste Management: Inspect and permit septic pumper vehicles and respond to sewage complaints.

Medical Waste: Inspect and permit large quantity medical waste facilities, inspect and register small quantity waste facilities.

Organized Camps: Inspect and permit organized camps for compliance with food, water, medical waste, sewage and housing requirements.

Recreational Health: Inspect and permit public swimming pools and spas.

Septic Systems/Onsite Sewage Disposal: Inspect and permit onsite sewage disposal systems.

Solid Waste: Inspect and permit solid waste facilities including active land-fills, transfer stations as well as the closed, illegal and abandoned disposal sites in the county.

Vector and Rabies Control: Oversee the rabies program for the county, investigate animal bite reports, quarantine domestic biting animals and send feral or wild biting animals to labs for testing.

Water Wells: Inspect and permit all well construction or modification.

Water Systems: Inspect and permit state small water systems (less than five connections) and food facility water systems that provide drinking water to less than 25 people per day for at least 60 days a year.

There are four full time employees within the department; a Manager, two Environmental Health Specialists and a clerical position. The Manager and the Environmental Health Specialist must be licensed as Environmental Health Specialists. This requires extensive education and an internship before meeting the licensing requirements.

The annual budget is approximately \$500,000 and is comprised of federal, state and realignment dollars. There is some grant money included as well as mandatory fees. There is no county general fund contribution; the vast majority of funding comes from realignment fees. The realignment funding has declined and is expected to continue to decline.

There are some permit fees collected by Environmental Health; however, many required inspections are performed without fees. Most people are cooperative when compliance adjustments are required on permit inspections; however, there are those who resist and in some cases require multiple re-inspections. The department does a large number of septic and well inspections for mortgage companies on property sales and/or transfers. There are no fees collected for these services.

As is the case throughout the Health and Social Services Agency, retention of qualified/licensed staff is problematic for the Environmental Health Department. Most of the turnover is compensation based, but “transient” employees contribute also.

### **Findings**

- F1. The services provided by this department are essential in providing a safe and healthy community.
- F2. Most of the laws and regulations enforced by Environmental Health are state and federal regulations without adequate funding being provided by either entity.
- F3. Current funding for the department’s critical functions is diminishing.
- F4. The inability to retain qualified staff is problematic. Improved pay and accommodation for educational opportunities for potential qualified employees already established locally may improve this situation.
- F5. There are some free services provided for which Environmental Health could collect fees.

### **Recommendations**

- R1. Strive to obtain funding for unfunded mandates from the federal and state governments.
- R2. Establish as a priority providing a compensation package that is competitive especially in those areas where particular expertise is required.
- R3. Provide educational incentives and modified work schedules that facilitate established employees to obtain the educational requirements for certain licenses.
- R4. Establish a fee schedule for some of the inspections currently done for free, especially those requiring re-inspections for noncompliance and those done for mortgage companies on property sales.

**Response Required: Yes**

Lassen County Board of Supervisors

**Response Invited: Yes**

Lassen County Health and Social Services

Lassen County Environmental Health

## **SUSANVILLE POLICE DEPARTMENT**

### **Reason for Inquiry**

The 2014-2015 Lassen County Grand Jury (Grand Jury) received two, unrelated, citizen complaints, alleging negligence on the behalf of the Susanville Police Department (SPD).

### **Background**

It is the responsibility of local law enforcement and public officials to professionally investigate accidents, suicides or suspicious deaths to determine the facts surrounding the case.

The allegations in the complaints and the overlapping similarities prompted the Lassen County Grand Jury to investigate the policies and procedures of the SPD regarding emergency calls of a medical aid nature and deceased persons.

The complaints brought the department's death investigation policies and procedures into question and there were concerns about the overall timeliness of investigations.

The complaints also resulted in the review of the department's chain of command and how the department handles follow-up procedures regarding calls of this nature. Questions also arose regarding how the department reaches satisfactory conclusions on investigations.

Lastly, the Grand Jury had concerns of how the department handles the dissemination of information to all parties involved with these investigations.

### **Inquiry Procedures**

The Grand Jury interviewed the complainants, officials from the Susanville Police Department, Lassen County Sheriff's Office, as well as a medical professional.

The following documents were reviewed: law enforcement policy and procedure manuals, coroner's reports, an autopsy report, Regional Emergency Medical System Authority reports, certificate of death reports, and letters and documentation to and from government and political officials.

The Grand Jury also looked into the initial response by police officials, who the first responders reported to, what report writing was required, how the SPD handles calls related to medical aid and suspicious deaths, and the policy and procedures relating to these types of investigations.

### **Discussion**

#### **Complaint No. 1**

During a Grand Jury interview, the complainant stated that the SPD acted negligently on

September 4, 2011. It was further stated that a death of a female had occurred under suspicious circumstances and had not been properly handled or investigated from the beginning. Specifically, that in response to a medical aid 911 call, a police officer arrived on scene and stood by while emergency medical staff removed an unresponsive female patient from a residence for transport by ambulance to Banner Lassen Medical Center. The patient was then transported by air ambulance from Banner Lassen to Renown Medical Center in Reno, Nevada. The patient died six days later on September 10, 2011 from a suspected drug overdose.

Because of the suspicious circumstances at the scene, the complainant claims the responding officer did not thoroughly investigate the incident because he did not question the person who called 911, did not write a report about the incident and did not refer it to a supervisor/investigator.

The Grand Jury interviewed a Susanville Police Department administrator, who confirmed that on September 4, 2011, a medical aid 911 call was made and a Susanville Police Officer responded to the call. It was also indicated that the SPD responded to aid medical staff only and under these circumstances, a full report is not required. The responding officer is only required to make an electronic log entry. However, he did state that the responding officer could have done more.

The Grand Jury learned that the responding Susanville Police Officer did not write a formal report, he only made an electronic log showing he had responded. There was no immediate follow up on the victim's medical status. This contributed to a delay in the investigation after her death. By report, this officer has resigned and is no longer employed by the Susanville Police Department.

The SPD administrator agreed the investigation took too long and has stated he would implement changes to remedy that issue. He also stated the officers have been provided additional training and the officers are required to read the policy and sign off on it.

The medical aid call was for possible overdose; therefore SPD policy and procedures required a written report per the section stated below:

#### 344.2.5 MISCELLANEOUS INJURIES

Any injury that is reported to this department shall require a report when:

- (a) *The injury is a result of drug overdose*
- (b) Attempted suicide
- (c) The injury is major/serious, whereas death could result
- (d) The circumstances surrounding the incident are suspicious in nature and it is desirable to record the event

Death investigations and the need to request a Coroner is addressed in the SPD policy and procedures per the sections stated below:

## 360.1 PURPOSE AND SCOPE

The investigations of cases involving death include those ranging from natural cause to homicide. Some causes of death may not be readily apparent and some cases differ substantially from what they appeared to be initially. *The thoroughness of death investigations cannot be emphasized enough.*

## 360.2 INVESTIGATION CONSIDERATIONS

Death investigation cases require certain actions be taken. Paramedics shall be called in all suspected death cases unless the death is obvious (decapitated, decomposed, etc.). *A supervisor shall be notified in all death investigations.*

### 360.2.1 CORONER REQUEST (in part)

Government Code § 27491 and Health & Safety Code § 102850 direct the Coroner to inquire into and determine the circumstances, manner and cause of certain deaths. The Coroner shall be called in any of the following cases:

- (d) Known or suspected homicide.
- (e) Known or suspected suicide.
- (f) Involving any criminal action or suspicion of a criminal act. Includes child and dependent adult negligence and abuse.
- (g) Related to or following known or suspected self-induced or criminal abortion.
- (i) Following an accident or injury (primary or contributory). Deaths known or suspected as resulting (in whole or in part) from or related to accident or injury, either old or recent.
- (j) Drowning, fire, hanging, gunshot, stabbing, cutting, starvation, exposure, alcoholism, drug addiction, strangulation or aspiration.
- (k) Accidental poisoning (food, chemical, drug, therapeutic agents).
- (s) *All deaths where the patient is comatose throughout the period of the physician's attendance. Includes patients admitted to hospitals unresponsive and expire without regaining consciousness.*

Washoe County Coroner had jurisdiction because the victim died in the hospital in Washoe County. A forensic autopsy was never performed on the deceased. The lack of timely follow up by SPD contributed to the fact that the Washoe County Coroner was not called. The cause of death was determined by the medical staff that treated her at the hospital.

During our investigation the Grand Jury found the Susanville Police Department purchases a "boiler plate" policy and procedure operations manual from Lexipol LLC. While the purchase of this standard manual is an acceptable practice, it should be tailored to the specific needs of the Susanville community. The Grand Jury was unable to determine if policy training standards were included in the policy and procedure manual.

After two and a half years, a criminal case was prepared and submitted to Lassen County District Attorney for prosecution in July, 2014, in regards to the deceased female from the medical aid call September 4, 2011. An arrest in this case was reported in May, 2015.

## **Findings**

- F1. The medical aid 911 call was for possible overdose. According to Susanville Police Department policy and procedures, a report is required and was not done.
- F2. The unresponsive female was taken by ambulance to Banner Lassen Medical Center for treatment then transported to Renown where she later died as a result of the overdose.
- F3. The investigation in this case was not handled in a timely manner.
- F4. The Susanville Police Department purchases a prewritten policy and procedures manual from Lexipol LLC.
- F5. Failure to follow policy contributed to the delay in this investigation.

## **Discussion**

### **Complaint No. 2**

On April 2, 2013, a deceased adult man was discovered in a public area near a local creek. The reason for the complaint was an inadequate investigation of a death. After the body was discovered, the Susanville Police and Lassen County Sheriff deputy coroners responded to the scene. According to the Coroners Case Report, the initial responding staff handled the incident appropriately following procedures as set forth by Lassen County Coroner protocol. However, the complainant states the death investigation was in the jurisdiction of the Susanville Police Department and that is where this complaint originated. It is alleged that there was a significant delay in the investigation by the Susanville Police Department that prevented certain "persons of interest" from being interviewed that may have contributed to the victim's death, one of which is now deceased.

The preliminary Washoe County Medical Examiner report on file stated the Lassen County Sheriff's Office (LCSO) deputy reported the circumstances of death as "suspicious". On May 20, 2013, the Washoe County Medical Examiner Final Pathological Diagnoses Opinion stated, "The manner of death determination resides with the Lassen County Police/Sheriff/Coroner."

After the autopsy was conducted, the listed cause of death was arteriosclerotic and hypertensive cardiovascular disease. Other injuries were observed and a cervical spine fracture is listed as contributing to the death. It is not known if this injury was a result of the fall into the creek or if it may have been caused by other individuals. An immediate and thorough investigation would be required in order to make this determination. Delays in the investigation prevented some persons of interest from being interviewed immediately, one of which is now deceased.

According to a Susanville Police Department administrator an investigation in this case is ongoing.

As of May 5, 2015, it was reported that the Lassen County District Attorney had not yet received



a complaint regarding this suspicious death occurring on April 2, 2013.

**Findings**

- F1. Initial delays in this complicated investigation have prevented a timely resolution to the case.
- F2. The case remains open as an unresolved case.

**Recommendations on Complaint 1 and 2**

- R1. Follow Susanville Police Department policy requiring written reports on medical aid calls.
- R2. Assign an investigator to and require immediate follow up investigation on suspicious death calls.
- R3. Require initial training on policy and procedures, and implement a maintenance training program to ensure compliance with the policy.
- R4. Revise certain portions of the “boiler plate” purchased policy manual that are pertinent to ensuring appropriate action in these types of cases.
- R5. All active investigations should be reviewed periodically until resolved by a first line supervisor to ensure investigation is progressing and appropriate follow-up procedures are being followed.
- R6. Review “boiler plate” policies to ensure they meet the needs of a small, rural police department.

**Commendations: Yes**

The Susanville Police Department should be commended for continuing to investigate the case on the female overdose, and despite initial delays, obtaining a complaint and making an arrest of a person suspected of criminal conduct.

**Response Required: Yes**

Susanville City Council

**Response Invited: Yes**

Susanville Police Department



**Response to Lassen County Grand Jury Report FY14-15**

**Report Title:** Honey Lake Valley Resource Conservation District **Report Date:** 7-15-15

**Response by:** Honey Lake Valley RCD Board of Directors

**Findings**

I (we) agree with the findings numbered: \_\_\_\_\_

I (we) disagree wholly or partially with the findings numbered: F1 and F2

**Recommendations**

Recommendations numbered: R2 and R3 have been implemented.  
(Attach a summary describing the implemented actions.)

Recommendations numbered: \_\_\_\_\_ require further analysis. (Attach an explanation and the scope and parameters of an analysis or study, and a time frame for the matter to be prepared for discussion by the officer and/or director of the agency or department being investigated or reviewed; including the governing body of the public agency when applicable. This time frame shall not exceed six (6) months from the date of publication of the Grand Jury Report).

Recommendations numbered: R1 will not be implemented because they are not warranted and/or are not reasonable. (Attach an explanation).

Date: 12-07-2015 Signed: \_\_\_\_\_

Total number of pages attached: 3

**RECEIVED**

**DEC 07 2015**

**A. BARONE, COURT EXEC. OFFICER  
LASSEN SUPERIOR COURT**

By \_\_\_\_\_, Deputy

## **GRAND JURY REPORT**

### **Findings**

***F1: The Watermaster program in its current form is dysfunctional, and jeopardizes other critical programs.***

The Honey Lake Valley Resource Conservation District (RCD) does not agree that the Watermaster program in its current form is dysfunctional, and jeopardizes other critical programs. The Honey Lake Valley Resource Conservation District (RCD) agrees that during FY14-15, under a different Board of Directors, there was a certain amount of dysfunction associated with the Watermaster program and that the negative attention and energy that this created detracted from other important positive programs and accomplishments that the RCD has completed during this fiscal year, including:

1. Acting as lead agency for the development of the Lahontan Basins Integrated Regional Water Management (IRWM) Plan that will assist Lassen County agencies and organizations to obtain millions of dollars in State Water Bond funds to address public water and wastewater infrastructure issues as well as water quality and water quantity issues related to agricultural production and natural resource management.
2. Taking the lead to treat unnatural fuel loads and forest health issues that subject Lassen County residents in the Diamond Mountains to the potential risk of catastrophic wildfire. Through the implementation of the *Diamond Mountain Forest and Meadow Restoration Project*, the RCD has treated over 1,000 acres of forest and meadow habitat on a landscape scale that will allow local fire resources to safely treat a wildland fire within the Wildland Urban Interface (WUI) between the Lassen National Forest and the communities of Susanville, Johnstonville, and Janesville.
3. Assisting the Natural Resource Conservation Service (NRCS) to conduct outreach and provide technical support to Lassen County agricultural producers to improve soil and water quality, address noxious weed issues, and improve productivity.
4. Reestablishment of the Lassen County Special Weed Action Team (SWAT), a multi-agency coalition with the mission of controlling and eradicating noxious weed infestations in Lassen County.

It is unfortunate that Lassen County residents and others read and hear little regarding the accomplishments of the RCD, but are provided with regular updates regarding the difficulties that the RCD, a small agency with limited staff, are having in administering a complicated program adopted from the Department of Water Resources (DWR), a large complex state bureaucracy with engineers, lawyers, hydrologists, and other professional staff.

Nevertheless, the RCD sees the merits and benefits of continuing to administer the Watermaster program. In 2007, DWR threatened to raise the rates of water rights holders in the Susan River Watermaster Area four fold. Since then, the RCD has been able to administer the Watermaster

service at a budget consistently lower or equal to what DWR charged prior to 2007 and this has saved local water rights holders and agricultural producers in the community hundreds of thousands of dollars.

The RCD has taken steps to address the dysfunction of the Watermaster program and the negative energy this dysfunction generates. The RCD has hired an Interim District Manager and advertised for a permanent District Manager as well as made the Deputy Watermaster position an employee position of the District (now referred to as the Watermaster Technician) rather than a consultant in order to improve accountability and transparency. The RCD continues to work with the Watermaster Advisory Committee (WAC), made up of water users and agricultural producers, to seek advice on how we can learn from the failures of the past to improve this locally lead program into the future.

***F2. The chairperson has difficulty maintaining order during the public comment portions of the HLVRCO meetings. The public speaks out of turn and for long periods of time, failing to follow the agenda notification of a five-minute limitation for public comment.***

The RCD does not agree that the current Chairperson has difficulty maintaining order during public comment portions of the HLVRCO meetings. The RCD agrees that public comment portions of RCD meetings during FY14-15 have at times been quite unruly with certain members of the public using the public comment period to conduct personal attacks and promote their own agendas in an unproductive and uncivil manner.

### **Recommendations**

***R1. Honey Lake Valley Resource Conservation District should discontinue the administration of the watermaster program.***

Local control of the watermaster service provides enormous monetary and service benefits to local agricultural producers. The RCD requested that the Watermaster Advisory Committee (WAC) review this issue and provide a recommendation to the RCD regarding the future of the Watermaster program. The WAC addressed this issue at their March 12, 2015 meeting and recommended to the RCD Board that they continue to administer the program. The RCD approved the WAC's recommendation at their May 27, 2015 meeting. The RCD will continue to administer the program during FY15-16.

***R2. If the Honey Lake Valley Resource Conservation District continues to administer the watermaster program, all irrigation water issues should be referred to the Watermaster Advisory Committee prior to coming to the HLVRCO Board.***

The RCD agrees with this recommendation and has adopted a policy whereby all watermaster issues are referred to the Watermaster Advisory Committee (WAC) for a recommendation prior to being agendized for action by the RCD Board.

***R3. During public meetings, and after the public comment portion of the agenda, at the chairperson's discretion, restrict public comments to a time limit, and only allow comments on topics under discussion at the time.***

The RCD has a policy to allow public comment (five minutes per individual) at the beginning of the meeting regarding any issue including issues on the agenda. The RCD often allows the public to participate in discussion of agenda topics under Board consideration and public comment has provided valuable input. Recent meetings have been civil and productive.

County of Lassen  
**BOARD OF SUPERVISORS**



**ROBERT F. PYLE**

*District 1*

**JIM CHAPMAN**

*District 2*

**JEFF HEMPHILL**

*District 3*

**AARON ALBAUGH**

*District 4*

**TOM HAMMOND**

*District 5*

County Administration Office  
221 S. Roop Street, Suite 4  
Susanville, CA 96130  
Phone: 530-251-8333  
Fax: 530-251-2663

September 15, 2015

The Honorable Michele Verderosa  
Presiding Judge, Lassen Superior Court  
2610 Riverside Dr.  
Susanville, CA 96130

Dear Judge Verderosa,

Pursuant to Penal Code section 933(c), please accept the Lassen County Board of Supervisors response to the 2014-2015 Lassen County Grand Jury report. Our response is attached.

We know that last year we were quite critical regarding the 2013-2014 Grand Jury report. We took issue with both form and content. We were also critical of the way Grand Jurors were being selected. We think it only fair for us to now recognize the positive changes we have seen in just this last year.

A review of this year's published report and its content shows that it is based on fact. While we may or may not be able to implement every recommendation as a result of other limitations, we agree with every finding. Moreover, because the Grand Jurors approached this year's report in the manner in which they did, the report they published is credible.

We have also become aware of the Court being engaged in increased efforts to recruit a more diverse Grand Jury. We are informed that the Court is summoning panels of prospective Grand Jurors from the jury pool as a whole. Additionally, you or your staff also contacted each of us to ask about the nomination of prospective grand jurors. We applaud these efforts wholeheartedly.

Lastly, we have said before and we will say again, the quality of an individual Grand Jury report combined with the composition of the body itself, in large part, dictates the way it is received. Consequently, we would like to take this opportunity to recognize the Court and the 2014-2015 Lassen County Grand Jury for a job well done.

Respectfully,

A handwritten signature in blue ink, appearing to read "Robert Pyle".

Robert Pyle, Chairman  
Lassen County Board of Supervisors

## **Introduction**

The California Grand Jurors Association states that the mission of a civil Grand Jury is to “help local government be more accountable and efficient.” They also state that their mission is to “facilitate positive change....” The Lassen County Board of Supervisors applauds this goal and would like to thank the citizens who have given of themselves to serve as Lassen County Grand Jurors. The Lassen County Board of Supervisors recognizes the considerable contribution of time and energy by private citizens for the benefit of Lassen County as a whole. The Board of Supervisors believes this considerable contribution is many times not afforded the appropriate recognition.

The Board of Supervisors welcomes the constructive criticism offered by the Grand Jury, considers it seriously, and takes to heart the recommendations brought forth by the Grand Jury. The Board of Supervisors joins the Grand Jury in trying to make local government as efficient and effective as possible.

Over the next pages the Lassen County Board of Supervisors will be presenting its response to this year’s Grand Jury report. Contrary to last year, where the Board took exception to the final report, this year the Board would like to commend the Grand Jury on the quality of their final product.

New to this year’s report style is the idea that two County departments were invited to respond. The law only requires a response from the governing body, in this case, the Lassen County Board of Supervisors. The Lassen County Board of Supervisors respectfully declines that invitation on their behalf. The Board of Supervisors accepts responsibility for the actions of the persons in these departments.

### **Grand Jury Report: Lassen County Health and Social Services, Environmental Health**

#### **Finding Number 1:**

“The services provided by this department are essential in providing a safe and healthy community.”

#### **Response/Comment:**

The respondent Board of Supervisors agrees with the finding.

#### **Finding Number 2:**

“Most of the laws and regulations enforced by Environmental Health are state and federal regulations without adequate funding being provided by either entity.”

#### **Response/Comment:**

The respondent Board of Supervisors agrees with the finding.

#### **Finding Number 3:**

“Current funding for the department’s critical functions is diminishing.”



Response/Comment:

The respondent Board of Supervisors agrees with the finding.

Finding Number 4:

“The inability to retain qualified staff is problematic. Improved pay and accommodation for educational opportunities for potential qualified employees already established locally may improve this situation.”

Response/Comment:

The respondent Board of Supervisors agrees with the finding.

Finding Number 5:

“There are some free services provided for which Environmental health could collect fees.”

Response/Comment:

The respondent Board of Supervisors agrees with the finding.

Recommendation Number 1:

“Strive to obtain funding for unfunded mandates from the federal and state governments.”

Response/Comment:

This recommendation has already been implemented. For decades now, the County has sought to obtain grant and/or matching funds to the greatest degree and wherever possible for the purpose of offsetting the costs of unfunded mandates imposed by the state and federal governments. The County intends to continue this regardless of any recommendation to do so by the Lassen County Grand Jury.

Recommendation Number 2:

“Establish as a priority providing a compensation package that is competitive especially in those areas where particular expertise is required.”

Response/Comment:

This recommendation has already been implemented. The compensation package established for any particular position within the County structure is typically a supply and demand analysis. Specifically, the assignment of a salary range requires a careful analysis of the skills and/or expertise required for the job compared to the availability of individuals with similar training and education in the market place. This effort of attracting qualified and competent applicants, in light of the limited resources available overall, is a balancing act that has been ongoing since the County was formed.

Recommendation Number 3:

“Provide educational incentives and modified work schedules that facilitate established employees to obtain the educational requirements for certain licenses.”

Response/Comment:

This recommendation has been implemented.

Recommendation Number 4:

“Establish a fee schedule for some of the inspections currently done for free, especially those requiring re-inspections for non-compliance and those done for mortgage companies on property sales.”

Response/Comment:

This recommendation has not yet been implemented. It is expected that within the next Grand Jury reporting period these matters will be presented to the Lassen County Board of Supervisors for consideration.

**Grand Jury Report : Lassen County Building and Planning Services**

Finding Number 1:

“There is a complaint and investigation procedure in place for violations of the Lassen County Code related to storage of junk and vehicles.”

Response/Comment:

The respondent Board of Supervisors agrees with the finding.

Finding Number 2:

“The general public often is not aware of the comprehensive enforcement program available for the abatement of these code violations.”

Response/Comment:

The respondent Board of Supervisors agrees with the finding.

Finding Number 3:

“There is sufficient work load to justify additional personnel assigned to the program.”

Response/Comment:

The respondent Board of Supervisors agrees with the finding.

Recommendation Number 1:

“Provide a public awareness campaign for the complaint process and have the forms readily available in the office and online.”

Response/Comment:

The Board of Supervisors agrees with the recommendation of the Grand Jury that an awareness of the complaint process, and availability of requisite forms, related to the code enforcement program could be improved.

To that end, the Board of Supervisors, through the office of the County Administrative Officer, has already started the process of improving the quality of the webpage known as [LassenCounty.org](http://LassenCounty.org). One of the anticipated improvements to this page will be a more accessible and transparent description of the code enforcement program, and how citizens can avail themselves of it.

Recommendation Number 2:

Add additional personnel to the code enforcement program. At a minimum add a technician position that can assist with the voluntary compliance issues allowing the Code Enforcement Officer more time for the complex, time consuming investigations.”

Response/Comment:

The Board of Supervisors agrees with the recommendation of the Grand Jury that the addition of another staff position, even a technician, to the code enforcement function would be desirable. The addition of staff positions, however, is a function of the annual budget process where the needs of the entire County are considered. The Board of Supervisors would like to note that there are several functions within the County structure that it believes are worthy of additional staff that, regrettably, limited resources precludes the ability to fill. Nevertheless, the Board of Supervisors agrees to, and has already begun the process of, earnestly considering the Grand Jury’s recommendation in its annual budget discussions for fiscal year 2015-2016.

**Conclusion**

The Board of Supervisors would like to once again take this opportunity to thank those who have served as Grand Jurors for the 2014-2015 year. It is a considerable commitment, and can, from what we have seen, be frustrating at times. This Board of Supervisors wishes to acknowledge our shared interest in making Lassen County a safer, happier and more productive place to live and work. We pledge to continue to work with future Grand Juries in reaching this goal.



# City of Susanville

(530) 257-1000 • 66 North Lassen Street • Susanville, CA 96130-3904

August 20, 2015

*Sent Via U.S. Mail*

The Honorable Michele Verderosa  
Presiding Judge of the Lassen County Superior Court  
2610 Riverside Drive  
Susanville, CA 96130

RE: Susanville City Council Responses to 2014-15 Grand Jury Final Report

Dear Judge Verderosa:

On June 15, 2015, you instructed the Lassen County Superior Court clerk to file the 2014-15 Lassen County Grand Jury Final Report. This report included the results of an inquiry into two complaints against the Police Department of the City of Susanville (SPD). At issue in the Grand Jury's investigation were allegations that the SPD was negligent in its investigations of two suspicious deaths. The Grand Jury reviewed the SPD's policies and procedures regarding reports of a death and whether the department followed those policies when it investigated the two deaths that were the subjects of the complaints. The complaints and the results of the Grand Jury's inquiry provided the basis for the final report.

Pursuant to California Penal Code sections 933 and 933.05 and with appreciation for the chance to respond to the community's concerns, the City Council for the City of Susanville (City) provides the following responses to both the findings and recommendations. Additionally, the City includes a point of clarification to the report for your information and consideration.

## **Findings** **Complaint No. 1**

### **Grand Jury Finding No. 1:**

The medical aid 911 call was for possible overdose. According to City of Susanville Police Department policy and procedures, a report is required and was not done.

### **City Response to Finding No. 1:**

The City of Susanville agrees with this finding.

**Brian R. Wilson**  
Mayor  
**Nicholas B. McBride**  
Mayor pro tem

**Councilmembers:**  
**Lino P. Callegari**  
**Rod E. De Boer**  
**Kathie Garnier**

**Grand Jury Finding No. 2:**

The unresponsive female was taken by ambulance to Banner Lassen Medical Center for treatment then transported to Renown where she later died as a result of the overdose.

**City Response to Finding No. 2:**

The City of Susanville agrees with this finding.

**Grand Jury Finding No. 3:**

The investigation in this case was not handled in a timely manner.

**City Response to Finding No. 3:**

The City of Susanville agrees with this finding in part and disagrees in part. The City acknowledges that initially the investigation was not handled in a timely manner. This was due to an employee failing to prepare a written report as required by policy. The employee's supervisor noticed this failure to follow policy after a short period of time. After the investigation was assigned to an investigator, the case moved forward as staffing levels, caseload, and the complexity of the case allowed. A thorough investigation resulted in an arrest and the case is proceeding through the court system at the time of this response.

**Grand Jury Finding No. 4:**

The Susanville Police Department purchases a prewritten policy and procedures manual from Lexipol LLC.

**City Response to Finding No. 4:**

The City of Susanville agrees with this finding.

**Grand Jury Finding No. 5:**

Failure to follow policy contributed to the delay in this investigation.

**City Response to Finding No. 5:**

The City of Susanville agrees with this finding.

**Complaint No. 2**

**Grand Jury Finding No. 1:**

Initial delays in this complicated investigation have prevented a timely resolution to the case.

**City Response to Finding No. 1:**

The City of Susanville disagrees with this finding. The Grand Jury incorrectly assumes that a deceased individual connected to the case was not contacted prior to his death. SPD personnel contacted this person on two separate occasions and, as a result, received valuable information. Further, a Sheriff's Sergeant interviewed this person about this case prior to his death. At that time, the SPD and Lassen County Sheriff's personnel were working together on the investigation



and sharing duties by dividing the interviews up between the departments to reduce duplicated work and inefficiencies.

**Grand Jury Finding No. 2:**

The case remains open as an unresolved case.

**City Response to Finding No. 2:**

The City of Susanville agrees with this finding.

**Recommendations on Complaints No. 1 and No. 2**

**Grand Jury Recommendation No. 1:**

Follow Susanville Police Department policy requiring written reports on medical aid calls.

**City Response to Recommendation No. 1:**

The SPD implemented this recommendation prior to the Grand Jury report. Staff was directed to and instructed to comply with the specific policy referenced in this complaint. In addition, first-line supervisors have discussed ways to monitor the staff's adherence to this policy. The City of Susanville and the SPD continue working together to ensure that SPD policy is followed and SPD staff receives continued policy training throughout their careers with SPD.

**Grand Jury Recommendation No. 2:**

Assign an investigator to and require immediate follow up investigation on suspicious death calls.

**City Response to Recommendation No. 2:**

The SPD implemented this recommendation prior to the Grand Jury report. This has been the SPD's policy for a long time. In this instance, one officer did not report the incident as suspicious, which meant the incident was not assigned to an investigator.

**Grand Jury Recommendation No. 3:**

Require initial training on policy and procedures, and implement a maintenance training program to ensure compliance with the policy.

**City Response to Recommendation No. 3:**

The SPD implemented this recommendation prior to the Grand Jury report. This is an existing policy in the department. The City of Susanville and the SPD continue working together to ensure that SPD policy is followed and SPD staff receives continued policy training throughout their careers with SPD. The SPD and the City believe the failure of one employee - who no longer works for the department - to follow the policy was the issue.

**Grand Jury Recommendation No. 4:**

Revise certain portions of the "boiler plate" purchased policy manual that are pertinent to ensuring appropriate action in these types of cases.



**City Response to Recommendation No. 4:**

The City of Susanville implemented this recommendation prior to the Grand Jury report. The policy manual comes to the SPD in “boiler plate” form. Before issuing new policy, the SPD

Chief reviews the policy, makes changes where needed to make sure the policy fits the needs of the community and SPD, then issues the new policy to SPD Staff.

It is common practice for law enforcement agencies to purchase “boiler plate” policy manuals. According to Lexipol, roughly 500 law enforcement agencies in California are supplied with “boiler plate” policy manuals from Lexipol. SPD values the policy manual from Lexipol because Lexipol manuals are written by a team of lawyers, law enforcement and subject matter experts. Lexipol supplies SPD and purchasers of Lexipol policy manuals with policy manual updates throughout the year. This allows SPD staff to remain current on law enforcement best practices, new statutes and new case law.

The Grand Jury’s complaint does not appear related to a problem with the SPD’s policy manual; rather, it appears there is an issue with one prior employee’s failure to follow the policy.

**Grand Jury Recommendation No. 5:**

All active investigations should be reviewed periodically until resolved by a first line supervisor to ensure investigation is progressing and appropriate follow-up procedures are being followed.

**City Response to Recommendation No. 5:**

The City of Susanville implemented this recommendation. The department’s command and supervisory staff met with all employees to remind them of the importance of timely investigations and that failure to comply could result in disciplinary action. The SPD reinstated a case follow-up logging system to better track follow-up investigations. Moving forward, periodic auditing will be conducted to confirm that staff members are following the guidelines.

**Grand Jury Recommendation No. 6:**

Review “boiler plate” policies to ensure they meet the needs of a small, rural police department.

**City Response to Recommendation No. 6:**

The City of Susanville implement this recommendation prior to the Grand Jury report. The City’s response is the same as its answer in “City Response to Recommendation No. 4.”

**Point of Clarification**

1. According to SPD records, the Grand Jury did not request a copy of or view the original case file of the April 2, 2013, death of a man found in a public area near a local creek, which was the subject of complaint No. 2 in the Grand Jury report. The complaint states the SPD did not interview a “person of interest.” The case file, however, reveals the individual was contacted and interviewed prior to his death. Because the Grand Jury did not request a copy of or view the original case file, it could not determine if Finding No. 1 for Complaint No. 2 (“Initial delays in this complicated investigation have prevented a timely resolution to the case”) could be substantiated.



The City appreciates the time and dedication of the Grand Jury to undertake this task and values its findings even on points that the City and Grand Jury disagree. The City is committed to transparency regarding its processes and procedures of these two death investigations and any others. Please do not hesitate to contact the City for additional information.

Sincerely,



Jared G. Hancock  
City Administrator  
On Behalf of the City Council of  
The City of Susanville



**City of Susanville**

66 North Lassen Street • Susanville, CA 96130-3904