

**Lassen County Grand Jury**  
**2016-2017**



**Final Report**

# LASSEN SUPERIOR COURT

**Tony Mallery**  
**Presiding**  
**Superior Court Judge**



2610 Riverside Drive  
Susanville, CA 96130  
(530) 251-8205 Ext. 103

June 28, 2017

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 2016-2017 Lassen County Grand Jury Final Report as presented to me this 28<sup>th</sup> day of June 2017.

Sincerely,

A handwritten signature in cursive script that reads "Tony Mallery".

Tony Mallery  
Presiding Judge  
Lassen County Superior Court

TM:lab

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## LASSEN COUNTY GRAND JURY

Hall of Justice  
2610 Riverside Drive  
Susanville, CA 96130

June 20, 2017

The Honorable Tony Mallery  
Presiding Judge  
Lassen County Superior Court  
2610 Riverside Drive  
Susanville CA 96130

### 2016-2017 GRAND JURY REPORT

Dear Judge Mallery,

The members of the 2016-2017 Lassen County Grand Jury are pleased to submit our final report to you and the citizens of Lassen County pursuant to California Penal Code Section 933(a). The report is a product of the hard work and civic dedication exhibited by the individual Grand Jury members who have devoted much time and effort in their commitment to this critical function of government oversight by its citizens. It has been our primary goal to be fair, accurate, and thorough in our oversight and investigations and hope that our recommendations are received in the manner in which they are presented.

The Lassen County Grand Jury would like to acknowledge the many challenges that our city, county, and special districts face in these difficult times and express our appreciation for their dedication to public service.

As this year's Foreperson, it has been indeed a privilege to serve alongside such a wonderful group of dedicated citizens of Lassen County. I would like to express my appreciation to all the members and give special thanks to our Secretary Barbara Smith and our Foreperson pro tem Steve Cagle.

Respectfully,

A handwritten signature in black ink, appearing to read "Mark R. Nareau".

Mark R. Nareau  
Foreperson

**MEMBERS OF THE 2016 - 2017 LASSEN COUNTY GRAND JURY**

Mark Nareau, Foreperson\*

Steve Cagle, Foreperson Pro-Tem

Wilma Kominek, Alternate Foreperson Pro-Tem

Barbara Smith, Secretary\*

Lyn Voels, Financial Officer\*

Charles Androy

Richard Bendix

Daniel Blackard\*

Melissa Harrison

Jack Jacobs

Carole Menard\*

Matthew Pregill\*

Allen Quant

Natalie Rawson

Jeff Root

Beverly Smith

William Thrasher

Malory Wheat

\*Returning member from 2015-2016 Lassen County Grand Jury

**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 2016-2017 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.

  
MARK NAREAU, Foreperson

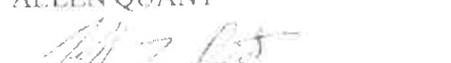
  
CHARLES ANDROY

  
DANIEL BLACKARD

  
JACK JACOBS

  
CAROLE MENARD

  
ALLEN QUANT

  
JEFF ROOT

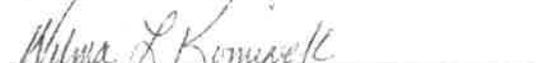
  
BEVERLY SMITH

  
LYN VOELS

  
STEVE CAGLE, Foreperson-Pro-Tem

  
RICHARD BENDIX

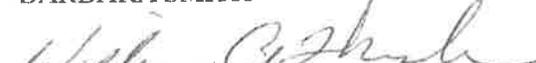
  
MELISSA HARRISON

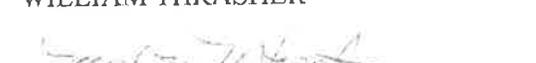
  
WILMA KOMINEK

  
MATTHEW PREGILL

  
NATALIE RAWSON

  
BARBARA SMITH

  
WILLIAM THRASHER

  
MALORY WHEAT

## CALIFORNIA GRAND JURIES

The California Penal Code describes the organization, powers, 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 42 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 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 have been collected, voted on by at least 12 members, and the results carefully edited by the editing committee for a Final Report to be 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

### **Lassen County:**

Superior Court Judge Tony Mallery  
Board of Supervisors (5)  
Treasurer/Tax Collector  
District Attorney  
Chief Executive Officer  
County Counsel  
Personnel and Risk Management  
Lassen County Child and Family Services  
Lassen County Public Health Department

### **City of Susanville:**

City Council (5)  
City Administrative Officer

### **Corrections Facilities:**

California Correctional Center  
High Desert State Prison

### **Others:**

State of California Attorney General's Office  
California Grand Jurors' Association  
Susanville District Library  
Lassen County Times Newspaper  
Sierra Radio Network  
XX Country Radio Station  
SusanvilleStuff.com  
2015-2016 Grand Jurors  
2016-2017 Grand Jurors

## 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 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 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 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 60 days, governing bodies (for example: the Board of Supervisors) must respond within 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 timeframe 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 timeframe shall not exceed six 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.

Each year the Grand Jury must inquire into the condition and management of all public prisons within the county. As required by law, the 2016-2017 Grand Jury toured the California Correctional Center, High Desert State Prison, Lassen County Adult Detention Facility, and Lassen County Juvenile Detention Facility. The Grand Jury also toured Intermountain Conservation Camp in Bieber and the Federal Correctional Facility in Herlong. This year the Grand Jury chose to write a combined summary of each institution. After comprehensive tours and discussion, the Grand 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 six written complaints during the 2016-2017 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.

## **LASSEN COUNTY CHILD AND FAMILY SERVICES**

### **Reason for Inquiry**

Citizen's Complaints

### **Background**

The 2016/17 Lassen County Grand Jury received two complaints from clients of the Lassen County Child and Family Services (CFS) alleging incompetence, lack of professionalism, and conflict of interest within the CFS department.

The past three years the Grand Jury has received three highly documented complaints concerning the CFS. Two of the complaints were received too late in the Grand Jury term of service to allow time to complete a thorough investigation and were recommended to the next Grand Jury to pursue an investigation because the allegations were most serious.

### **Inquiry Procedures**

The Grand Jury conducted a site visit of Child Welfare Services and had an informal question and answer session with the Director and the Program Manager of CFS. Interviews were conducted specific to this case with the complainants and nine CFS staff members. Documents provided by CFS and the complainants were reviewed, along with documents pertaining to Lassen County CFS obtained from other online public accessible sites.

### **Discussion**

The goal of the complaint was to have the Grand Jury review the functionality, professionalism, policies and procedures, and conflicts of interest within the department so in the future the children will be better protected and better served.

The California Child and Family Services Plan 2015-2019 states that the national standard for the CFS is to ensure that: 1) children are, first and foremost, protected from abuse and neglect, 2) children are safely maintained in their homes whenever possible and appropriate, 3) children have permanency and stability in their living arrangements, 4) the continuity of family relationships and connections is preserved for children, 5) families have enhanced capacity to provide for their children's needs, 6) children receive appropriate services to meet their educational needs, and 7) children receive adequate services to meet their physical and mental health needs.

The CFS staff uses the computer program Structured Decision Making Tree to determine if the case is to be referred to another agency, law enforcement, the District Attorney, or CFS to conduct the evaluation. The disposition of the evaluation determines if the case is substantiated, unsubstantiated, or inconclusive and the findings are reported to the state database, which is maintained by UC Berkeley.

The process the Grand Jury used for investigating the allegations included:

- Interviewing the complainants
- An on-sight inspection of the facility
- Interviews with nine staff members

- Review of documents, including: 2016 Audit Report, 2016-17 Financial Audits; June 30, 2015 County of Lassen Single Audit Report (Social Services Funds Audit); Estimated Budget for 2016-17; Child Welfare Services Outcome for Lassen County; and California Child Welfare Indicators Project, University of California at Berkeley, California Department of Social Services, Child Welfare Data Analysis Bureau.
- Statistical reports, including the CWS Outcomes System Summary for Lassen County-09.29.16 included in this report, can be found at [www.cdss.ca.gov/inforesources/Child-Welfare-Program-Improvement/Child-and-Family-Services-Review](http://www.cdss.ca.gov/inforesources/Child-Welfare-Program-Improvement/Child-and-Family-Services-Review). The results shown on this chart are concerning.

The Grand Jury made numerous attempts to contact the CFS Director to schedule interviews with the CFS staff. Numerous messages were left with the receptionist and on the Director's voice mail. Three weeks passed before contact was made by the Director for these interviews. Staff admitted they have received complaints concerning the lack of response in a timely manner.

During the interview with the Director, documents were requested by the Grand Jury. It took two months and several phone calls before the documents were finally received. The requested documents were not received directly from the Director, but were emailed to the Grand Jury by the County Counsel.

The facility currently being used by CFS is less than ideal. The cubicles are small and afford no privacy for the staff and clients. Any conversations can easily be overheard by anyone in close proximity.

CFS has a staff of fourteen, with one vacancy. The staff of CFS are dedicated and are to be commended for working in such a stressful job. More staff would help alleviate the heavy workload experienced by the current staff. The children and families of Lassen County would be better served if there was more staff. Hiring staff is a problem in Lassen County, as the salary offered is not always commiserate with the requirements for the job, resulting in high staff turnover and inability to accomplish their mission, therefore the children and parents suffer.

## **Findings**

F1: The current facility is not ideal as the cubicles are not conducive in affording any privacy or confidentiality.

F2: The current salary does not take into account the education requirements and the stress that is involved with the positions.

F3: The vacant positions need to be filled and the number of positions needs to be increased to accommodate the workload. The agency is operating at 70% to 80% of budgeted staffing allotment.

F4: There are no local policies and procedures. State and county policies and procedures are available on line and in hard copy, but no policies and procedures specific to the local CFS are available to assure staff's procedural accountability.

F5: This agency is responsible for servicing at-risk children in Lassen County and the ability of the Grand Jury to thoroughly investigate how well this service is being provided is very limited

due to confidentiality involving minors. The number and seriousness of the complaints received is of great concern.

F6: New state mandated programs, as valuable as they are, are stretching current staff abilities to accomplish their mission.

F7: Required data needing input into the appropriate computer programs require more time and is often not getting done according to state time limits.

### **Recommendations**

R1: A more appropriate facility available to the county should be considered for this agency.

R2: The salaries for this agency need to be reassessed to ensure they are equivalent with those of other agencies in the county with similar education requirements.

R3: The vacant position needs to be filled. Better salary would help to fill this position. The 20% to 30% of unused funds should be used to increase salaries or obtain more line staff.

R4: Local policies and procedures need to be written to ensure consistency of practice and customer service.

R5: Anyone having problems with CFS should contact the Office of the California Foster Care Ombudsman, 744 P Street, MS8-13-25, Sacramento, CA 95814, or phone 877-846-1602, or email [fosteryouthhelp@dss.ca.gov](mailto:fosteryouthhelp@dss.ca.gov) to request assistance to assure the children of Lassen County are being served adequately. Due to the number of complaints received and the limitations of what the Grand Jury can accomplish, it is recommended that this report be forwarded to the Ombudsman for consideration of additional investigation or oversight to assure the children of Lassen County are protected.

R6: Staff should be made up of more out of the area personnel to avoid conflict of interest issues. If the caseworker has or had a relationship with the client or their family members and another caseworker who is not acquainted with the family is not available, Child and Family Services in Sacramento should be notified to determine how to proceed with the case.

R7: More diligence be given to input of data.

### **Required Responses**

Lassen County Director of Health and Social Services  
Lassen County Director of Child and Family Services  
Lassen County Board of Supervisors

### **Disclaimer**

Several jurors were recused from participating in this investigation due to a real or perceived conflict of interest.

Measure number	Measure description	Most recent start date	Most recent end date	Most recent numerator	Most recent denominator	Most recent performance <sup>1</sup>	National or Compliance Standard	Most recent perf. rel. to standard	Goal	One-year percent change <sup>3</sup>	Goal	Five-year percent change <sup>3</sup>
PR	Participation Rates: Referral Rates	01/01/15	12/31/15	525	5,498	95.5	N.A.	N.A.	V	5.1%	V	10.7%
PR	Participation Rates: Substantiation Rates	01/01/15	12/31/15	101	5,498	18.4	N.A.	N.A.	V	4.9%	V	4.3%
PR	Participation Rates: Entry Rates	01/01/15	12/31/15	38	5,498	6.9	N.A.	N.A.	V	-16.7%	V	23.4%
PR	Participation Rates: In Care Rates	07/01/16	07/01/16	42	5,528	7.6	N.A.	N.A.	V	-19.6%	V	4.1%
3-S1	Safety	07/01/15	06/30/16	0	18,457	0.00	8.50	N.A.	V	N.A.	V	N.A.
3-S2	Maltreatment in foster care	07/01/14	06/30/15	12	100	12.0	9.1	75.8	V	10.3%	V	59.4%
3-P1	Permanency	07/01/14	06/30/15	14	40	35.0	40.5	86.4	A	-37.0%	A	-11.1%
3-P2	Permanency in 12 months (entering foster care)	07/01/15	06/30/16	10	18	55.6	43.6	127.4	A	-30.6%	A	100.0%
3-P3	Permanency in 12 months (in care 12-23 months)	07/01/15	06/30/16	0	2	0.0	30.3	N.A.	A	-100.0%	A	100.0%
3-P4	Permanency in 12 months (in care 24 months or more)	07/01/15	06/30/16	0	30	0.0	8.3	124.5	A	-69.9%	V	57.2%
3-P5	Re-entry to foster care in 12 months	07/01/15	06/30/16	2	4,552	2.42	4.12	170.5	V	-24.0%	V	-10.1%
3-P6	Placement stability	07/01/15	06/30/16	11	12	100.0	90.0	111.1	A	0.0%	A	10.9%
2B	Timely Response (Imm. Response Compliance)	04/01/16	06/30/16	12	36	94.9	90.0	105.4	A	2.9%	A	5.1%
2B	Timely Response (10-Day Response Compliance)	04/01/16	06/30/16	37	36	100.0	N.A.	N.A.	A	1.4%	A	9.1%
20	Timely Response-Completed (Imm. Response Compliance)	04/01/16	06/30/16	12	12	100.0	N.A.	N.A.	A	0.0%	A	0.0%
2D	Timely Response-Completed (10-Day Response Compliance)	04/01/16	06/30/16	34	30	87.2	N.A.	N.A.	A	31.4%	A	26.4%
2F	Monthly Visits (Out of Home)	07/01/15	06/30/16	556	582	95.5	95.0	100.6	A	2.9%	A	0.1%
2F	Monthly Visits in Residence (Out of Home)	07/01/15	06/30/16	425	556	76.4	50.0	152.9	A	-12.7%	A	16.2%
2S	Monthly Visits (In Home)	07/01/15	06/30/16	245	285	86.0	N.A.	N.A.	A	7.9%	A	6.0%
2S	Monthly Visits in Residence (In Home)	07/01/15	06/30/16	160	245	65.3	N.A.	N.A.	A	-1.0%	A	10.5%
4A	Siblings (All)	07/01/16	07/01/16	20	34	58.8	N.A.	N.A.	A	-17.2%	A	-11.8%
4A	Siblings (Some or All)	07/01/16	07/01/16	24	34	70.6	N.A.	N.A.	A	-7.5%	A	5.3%
4B	Least Restrictive (Entires First Plc.: Relative)	07/01/15	06/30/16	11	27	40.7	N.A.	N.A.	A	-12.1%	A	8.7%
4B	Least Restrictive (Entires First Plc.: Foster Home)	07/01/15	06/30/16	0	27	0.0	N.A.	N.A.	A	N.A.	N.A.	N.A.
4B	Least Restrictive (Entires First Plc.: FFA)	07/01/15	06/30/16	16	27	59.3	N.A.	N.A.	A	15.7%	N.A.	-14.1%
4B	Least Restrictive (Entires First Plc.: Group/Shelter)	07/01/15	06/30/16	0	27	0.0	N.A.	N.A.	V	N.A.	V	136.0%
4B	Least Restrictive (Entires First Plc.: Other)	07/01/15	06/30/16	0	27	0.0	N.A.	N.A.	N.A.	-100.0%	N.A.	N.A.
4B	Least Restrictive (Entires First Plc.: Relative)	07/01/16	07/01/16	20	48	41.7	N.A.	N.A.	A	-20.8%	A	122.3%
4B	Least Restrictive (PIT Placement: Relative)	07/01/16	07/01/16	1	48	2.1	N.A.	N.A.	A	18.8%	N.A.	N.A.
4B	Least Restrictive (PIT Placement: Foster Home)	07/01/16	07/01/16	16	48	33.3	N.A.	N.A.	A	6.9%	N.A.	-18.2%
4B	Least Restrictive (PIT Placement: FFA)	07/01/16	07/01/16	0	48	0.0	N.A.	N.A.	V	-100.0%	V	100.0%
4B	Least Restrictive (PIT Placement: Group/Shelter)	07/01/16	07/01/16	9	48	18.8	N.A.	N.A.	N.A.	258.3%	N.A.	125.0%
4B	Least Restrictive (PIT Placement: Other)	07/01/16	07/01/16	0	48	0.0	N.A.	N.A.	V	-100.0%	V	100.0%
4C	Congregate Care Placement: One Year or More	07/01/15	07/01/15	0	0	0.0	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
4E(1)	ICWA Eligible Placement Status	04/01/16	06/30/16	27	42	64.3	N.A.	N.A.	A	-25.0%	A	-35.7%
4E(2)	Multi-Ethnic Placement Status	04/01/16	06/30/16	8	33	24.2	N.A.	N.A.	A	-43.9%	A	-73.8%
5B(1)	Rate of Timely Health Exams	04/01/16	06/30/16	***	52	***	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
5B(2)	Rate of Timely Dental Exams	04/01/16	06/30/16	***	52	***	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
5F	Authorized for Psychotropic Medication*	04/01/16	06/30/16	1	48	2.0	N.A.	N.A.	N.A.	-57.8%	N.A.	-58.0%
6B	Individualized Education Plan	04/01/16	06/30/16	0	2	0.0	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
8A	Completed High School or Equivalency	04/01/16	06/30/16	2	2	100.0	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
8A	Obtained Employment	04/01/16	06/30/16	2	2	100.0	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
8A	Have Housing Arrangements	04/01/16	06/30/16	2	2	100.0	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
8A	Permanency Connection with an Adult	04/01/16	06/30/16	2	2	100.0	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.

NOTE: \* or \*\* indicates a value not available due to 0 denominator  
 \* Performance Rates: 3-P5 rate per 1,000; 3-S1 rate per 100,000 all others performance %  
 † Performance relative to compliance standard = (standard/numerator) \* 100% for measures with no goal or decrease, (numerator/standard) \* 100% for measures with desired increase  
 ‡ Percent change (comparison measurement) = ((value2 - value1) / value1) \* 100%  
 § Some items may display as 0.0%, but indicate change not in the desired direction  
 ¶ Values of 0 or less and calculated based on value of 10 or less are marked with \*\*\*  
 \*\* N.A. data are available from October 2015 onwards

## **DETENTION FACILITIES**

California Penal Code 919(b) mandates the Grand Jury “inquire into the conditions and management of all detention facilities within their county.” The following is a summary of those inquiries.

### **CALIFORNIA CORRECTIONAL CENTER**

On Tuesday, November 1, 2016, the 2016-2017 Lassen County Grand Jury (LCGJ) toured the California Correctional Center (CCC) located near Susanville. After an initial briefing by the warden and management staff of CCC’s mission, there was a question and answering session. The warden and the management team strongly emphasized the importance of rehabilitation and re-entry programs for inmates housed in the facility. Though restricted by budget, they are trying to improve the areas that house these programs. The warden remained with the Grand Jury throughout an extensive tour through Facilities A, B, C and M housing, education, vocation, medical, camp, and kitchen. CCC management and staff were present to inform the Grand Jury of the mission of each facility in great detail. Included on the tour was the “Pups on Parole” program which is celebrating nine years of success.

#### **Summary:**

CCC was constructed in 1963 as a minimum security prison, which included Facilities A, B and M. In 1987 the prison was expanded to include Facility C, which houses level III inmates. The primary mission of CCC is to receive, house, and train minimum custody inmates for placement into the 18 conservation camps located throughout Northern California. Working collaboratively with the California Department of Forestry and Fire Protection (Cal Fire), these camps are strategically located throughout the north state to provide fire suppression hand crews as well as an organized labor force for public conservation projects and other emergency response needs of the state. Services provided through the conservation camp program saves taxpayers an average of over 80 million dollars per year. Work projects associated with conservation camps support municipal, county, state, and federal government agencies, including schools, parks, cemeteries, and public recreation areas.

Additionally, CCC provides meaningful work, training, educational, and substance abuse treatment programs for inmates who do not meet the criteria for assignment to a conservation camp. These alternative assignments include academic and vocational trade programs, facility maintenance jobs, food service positions, and other facility support assignments. CCC offers a wide assortment of positive leisure time activities, including numerous self-help improvement programs such as literacy, alternatives to violence, addiction recovery, veterans’ affairs, religious services, and athletic programs.

The Grand Jury observed many of the daily operations of education, which range from remedial education to Bachelor Degrees and several in-depth vocational programs. The Grand Jury took special note of the enthusiastic and positive approach displayed by education and vocation staff.

The Grand Jury toured Antelope Camp and the Fire Department. These facilities provide many valuable services to the institution and to the county. The camp provides inmate hand crews for fire suppression, emergency services, and community projects. The Fire Department is one of two paid fire departments in Lassen County. They provide mutual aid to 17 volunteer fire districts covering approximately 4,750 square miles. Antelope Camp and the Fire Department have a long history of providing mutual aid to the residences of Lassen County and is relied on to respond promptly and provide additional staffing when needed.

Of particular note, CCC is involved with many beneficial community events. These include numerous fund raising activities and donations, as well as blood drives in which CCC staff donated 74 pints of blood for the year 2016.

Each facility visited by the Grand Jury was clean and well run. No discrepancies were noted. The Grand Jury gratefully acknowledges the hospitality, patience and professionalism of the warden and staff during our visit.

### **HIGH DESERT STATE PRISON**

The 2016-2017 LCGJ toured High Desert State Prison (HDSP) on November 16, 2016. Members of LCGJ were greeted by the warden and department managers for a briefing and question and answer session. HDSP's mission is to protect the public by providing humane and safe supervision of offenders and to provide offenders with quality health care through meaningful encounters with licensed medical, dental, and mental health professionals and inspire to improve patient satisfaction. HDSP offers tools to effect change of culture, and inspire offenders to self-rehabilitate by facilitating educational opportunities, re-entry services, recreational activities, and leisure time activity group programs to reduce recidivism. The Grand Jury was escorted on an extensive tour of the facility.

#### **Summary**

HDSP currently houses general population and sensitive needs high security (Level IV), medium security (Level III), and minimum security (Level I) inmates. The Level I inmates are housed in the minimum security facility located outside of the main institution. The operating budget for the fiscal year 2016-2017 is \$143,282,218.00.

HDSP is now testing inmates in the Comprehensive Adult Student Assessment System (CASAS) in earnest and has had many students show gains. Students taking part have passed the GED at a rate doubling that of the previous year. CASAS is the most widely used competency based assessment system in the United States. The Transitions Program has almost completed its second session on Facility B. The next session will be provided for inmates on C and D yards starting on January 3, 2017. The spring college semester has over 400 students enrolled.

HDSP has been involved with the Department's Re-entry Hub program. Re-entry Hub programming is geared to ensure that, upon release, offenders are ready for the transition back into society. The core of Re-entry Hub programming is Cognitive Behavior Treatment (CBT) programming. It is an evidence based program designed for inmates who have a moderate to high risk to re-offend, assessed by the California Static Risk Assessment, and who have assessed

criminogenic need, as identified by the Correctional Offender Management Profiling for Alternative Sanctions and/or other assessment(s) identified by California Department of Corrections and Rehabilitation (CDCR). CBT programs address the following major areas: Substance Abuse, Criminal Thinking, Anger Management, and California ID process. Beginning soon, every facility will have a Re-entry Program for all eligible inmates. This will enable CDCR to bring the program to the inmates rather than moving inmates around the state to go to the program.

The isolated and rural setting of HDSP has resulted in fewer staff available than in more populated areas. When staffing levels are too low to be filled with volunteer overtime, holdover overtime is required. This situation is slightly alleviated with the arrival of newly graduated officers. However, staff shortage remains a concern.

HDSP has mutual aid agreement with the Sheriff's Office, the California Highway Patrol, and the Susanville Police Department. The "School Crisis Program" is a very successful result of this program.

The staff at HDSP have taken part in many community events and have generously donated a total of \$24,936.75 to charities in 2016.

The LCGJ was very impressed with the overall cleanliness and organization of the prison. Both custody and support staff provided open and candid responses to our inquiries and are to be acknowledged for the job they do in a highly stressful and confined setting with many high security and sensitive needs inmates.

The Grand Jury is most appreciative for the hospitality extended by the warden and staff.

### **LASSEN COUNTY ADULT DETENTION FACILITY**

On March 14, 2017, the LCGJ toured the Lassen County Adult Detention Facility (LCADF) located in Susanville. The sheriff briefed the Grand Jury on the accomplishments and challenges faced by the department by both officers patrolling the streets and officers working in the detention facility. Following the briefing the Grand Jury was guided throughout the facility.

#### **Summary**

Constructed in 1991, the building remains in good condition. There are some areas within the building that are not currently being utilized as they do not apply to current needs and the kitchen is scheduled for remodeling. The facility can house as many as 156 inmates. Housing for female inmates is very limited. Health care services for the LCADF are provided by the California Forensic Medical Group.

The Department of Homeland Security is providing funds for 65 cameras and an upgraded radio system. Installation of the cameras are scheduled to begin by the end of April. The upgraded radio system will allow for the police and sheriff's departments to utilize two separate systems and still have the ability to communicate with each other.

The LCADF offers numerous educational and participatory programs including, but not limited to, Business Career Network, Resume` and Interview Training, GED Training (1/3 of current inmates need their GED), college classes, Drug and Alcohol Abuse classes, and Mental and

Behavioral Health classes. Computers and tablets are used as an incentive for participation in some programs. Minutes are credited by participation. The time earned is utilized for designated leisure activities. Culinary training is in the planning stages, as well as HVAC and auto mechanics. Instructors are volunteers from throughout the community and from local businesses.

The LCADF currently houses 90 inmates with an average stay of 7 to 8 months. Implementation of AB 109 has increased the length of stay. There is limited female housing. Sentenced and non-sentenced inmates are housed together. The open dorm housing is not ideal and security issues are a continued concern. Inmates that demonstrate an inability to participate in the general population or are disruptive are housed in the Special Housing/Security Housing Unit. There is a need for more space for special needs inmates, however, no counselors or mental health support are available or on staff. Upon arrival to the LCADF, inmates are issued an orientation manual which includes the grievance procedure. All complaints are handled within the facility. Serious or severe allegations receive independent review by a third party.

The jailers do not have to attend an academy, which is required for deputies. It has been a difficult task to retain officers due to relatively low salaries and the high cost of health care coverage. At the request of the sheriff, the Lassen County Board of Supervisors granted a Deputy 2 level to be added to the pay scale. This offers the deputies an opportunity for advancement and a pay increase. It is hoped that this may help to retain trained and qualified personnel. The sheriff emphasized the importance of hiring from within the community and is working on offering qualified applicants and jailers the opportunity to receive paid training at the academy. The sheriff believes that local hiring and advancement from within the department could be a reasonable solution to the high turnover rate that the department is currently experiencing.

The facility is clean and well organized but is an older building and could use some repairs. There are improvements currently underway and future upgrades are under consideration pending funding. No discrepancies were noted during the tour.

The Grand Jury wishes to express appreciation to the sheriff and staff for their time and hospitality.

### **LASSEN COUNTY JUVENILE DETENTION FACILITY**

On March 14, 2017, the LCGJ toured the Lassen County Juvenile Detention Facility (LCJDF). The LCJDF is approximately 25 years old and appears to be in good condition, was very clean, and is currently undergoing renovation. The facility includes a classroom, kitchenette, courtroom and visitation area, large outdoor recreation area which includes a vegetable garden, and sleeping quarters. Court is conducted within the premises, reducing the need to transport juveniles to the courthouse. Visitation is scheduled for one hour four days a week.

### **Summary**

At the time of our visit there was funding for 12.5 positions. The positions include administrative, teacher, and counselors. All LCJDF employees, with the exception of the teacher, receive correctional officer training. The primary duty of the Correctional Counselor is the supervision, treatment, and rehabilitation of juveniles accused of or adjudged responsible for criminal or delinquent conduct. The facility is designed to hold a maximum of 40 juvenile offenders. Juveniles can be housed at the LCJDF until the age of 21. At the time of the Grand Jury's visit, the number of juvenile detainees was two. LCJDF also contracts with Modoc and Plumas counties

for use of the facility and staff. The counselor to youth ratio during the waking hours must not exceed one counselor for every ten detainees. During sleeping hours the ratio changes to one counselor to 30 detainees.

Meals are prepared and delivered by the LCADF. Health care is provided by the California Forensic Medical Group via contract with the LCADF.

All detained youths must participate in school. Juvenile detainees are evaluated during the intake process through a series of questions, both verbal and written, and documentation. Programs provided for detainees include, but are not limited to, counseling for substance abuse, pregnancy, anger management, life skills, and parenting. Gardening, nutrition skills, and cooking skills are also offered. The Lassen Career Network assists with resume' writing, job applications, and interviewing skills. Staff teaches a communication and awareness program that includes group discussion and journaling.

Religious services are provided by a volunteer, non-denominational pastor.

LCJDF appears to be clean and well organized. Part of the facility is undergoing renovation. No discrepancies were noted during the visit.

The Grand Jury acknowledges the job counselors and support staff do in support for the youth detained at the facility. The Grand Jury is thankful to the administration and staff for their time and hospitality throughout the tour.

### **INTERMOUNTAIN CONSERVATION CAMP**

On April 25, 2017, the LCGJ toured Intermountain Conservation Camp located four miles north of Bieber on 80 acres of land in the pines at the base of Big Valley Mountain. The Grand Jury was greeted by the camp lieutenant and sergeant, two Cal Fire fire captains, the acting Warden of CCC, the Correctional Administrator for camps, and some of the CCC Camp Office staff.

The primary mission of the camp is to provide inmate fire crews for fire suppression. In addition to fire suppression, inmate fire crews provide a work force for floods, conservation projects, and community services. On an average, conservation crews dedicate over eight million hours of project work each year to federal, state, and local government agencies. They save the California taxpayers millions of dollars annually.

Intermountain Camp performs work projects including fire hazard reduction, forest, range, and watershed enhancement, and other conservation work for many stakeholders. The camp's sphere of influence for community work projects extends north to the Oregon border, encompassing both the Klamath and Tulelake National Wildlife Refuges and Lava Beds National Monument. To the west are Burney Falls State Park, Lassen National Forest, Hat Creek, the Pit River, and the mountain communities of McArthur, Fall River Mills, and Burney. To the south, the camp works in the Lassen Volcanic National Park and to the north side of Eagle Lake. The eastern boundary extends into Modoc National Forest and includes the communities of Adin, Bieber, Nubieber, and Lookout. Intermountain crews are also a valuable resource to the state in fire suppression, flood control, and other emergency responses.

During 2016, Intermountain Conservation Camp provided the local communities with 33,868 hours of project and conservation work. State agencies benefited from 5,704 hours and federal

agencies 6,696. In addition crews dedicated 8,128 hours of work to the Burney Fuel Break, a project funded by Shasta-Trinity Unit SRA dollars. The fire season of 2016 saw Intermountain crews dispatched to 59 incidents and logging over 56,360 hours of fire suppression.

An inmate fire crew provided the LCGJ with a demonstration of one of the timed exercises they will be performing as part of the process to qualify to fight fires. After the demonstration the Grand Jury toured the camp and saw the different shops and machinery used to maintain the vehicles and the camp itself, warehouses, laundry facility, the leisure time areas, sleeping quarters, chapel, and dining room. The camp was clean and well maintained despite its being 55 years old.

The Grand Jury would like to thank the staff for such an informative tour and for the snacks and wonderful lunch provided. The information received during this tour fortifies the importance of the camp program and the services the camps provide to the taxpayers of California.

### **FEDERAL CORRECTIONAL INSTITUTION AT HERLONG**

The 2016-17 LCGJ toured the Federal Correctional Institution at Herlong on May 8, 2017. While the Grand Jury is required to visit all jails and prisons in the County, it does not have jurisdiction over the Federal Institutions. Nonetheless, interested members of LCGJ were invited to visit the facility.

#### **Summary**

The Herlong facility is one of the 118 Federal Correctional Facilities across the United States. It is a medium security facility which houses approximately 1400 prisoners and employs just under 300 staff. The facility is clean and in good repair.

There are a number of educational and trade programs offered to the prisoners including drug rehabilitation and pre-release planning. Most are released into their community at the end of their confinement through a halfway house program and remain on probation for 3 to 5 years. Exercise opportunities are scheduled and most religious affiliations are accommodated.

The Grand Jury expresses gratitude for the hospitality extended to those members who attended the tour.

## **SPECIAL DISTRICTS SPECIAL TAXES**

### **Reason for Inquiry**

Citizen's Complaint

### **Background**

The Lassen County Grand Jury received a citizen's complaint against a special district for taxes assessed for fire protection. The taxes were to be reduced after five years, but were not reduced.

### **Inquiry Procedure**

The Grand Jury learned that the complainant's matter had already been resolved, however, members of the Grand Jury met with the Tax Collector/Treasurer to discuss their record keeping methods and how they keep track of special taxes.

### **Discussion**

The Tax Collector/Treasurer informed the Grand Jury that the board of directors of each district is responsible for notifying the Auditor's Office of the amount to be attached to the property tax bill each year. There have been issues in the past of some districts submitting an incorrect amount. The Auditor and the Tax Collector must go with the submitted amount.

The Tax Collector shares a software program with the Assessor's and the Auditor's offices. This software is somewhat outdated and the county may lose access or maintenance to it in the future because of the software owner's retirement.

### **Findings**

F1. The board of directors for each district is responsible for notifying the Auditor's Office of the amount to be attached to the property tax bill each year.

F2. The software being used by the Tax Collector's, Assessor's, and Auditor's offices is outdated and in jeopardy of being lost due to the retirement of the owner of the software.

### **Recommendations**

R1. The boards of directors of all special districts ensure they are submitting the correct amount to the Auditor each year. This could include reviewing ballot measures passed to establish their district.

R2. The Board of Supervisors should investigate the software issue and begin preparations to budget for an improved system.

### **Required Response**

Lassen County Board of Supervisors

# **PUBLIC HEALTH DEPARTMENT**

## **Reason for Inquiry**

Public Interest

## **Background**

The Lassen County Grand Jury wanted to get a better understanding of the functions performed and services provided by the Public Health Department. The Grand Jury also wanted to get information regarding budget, staffing, and employee turnover.

## **Inquiry Procedure**

Four members of the Grand Jury conducted an interview on February 6, 2017, with the Director of the Public Health Department.

## **Discussion**

The members of the Grand Jury had prepared questions regarding: 1) what services does the Public Health Department offer to the citizens of Lassen County; 2) the current facility/office; 3) number of vacant positions; and 4) recruitment practices. The Director gave informed responses to these specific inquiries.

## **Findings**

The Public Health Department offers a wide range of services to the citizens of Lassen County. Services include, but are not limited to: immunization clinics, flu clinics, TB testing, STD/HIV testing, pregnancy testing, Children's Health Disability Program well child exams, and emergency preparedness. The Director gave the Grand Jury members a tour of the facility/office. The facility/office is neat, well organized, and efficient. The Grand Jury found minimal vacant positions and a very positive recruitment program. The Director was very professional and had an in-depth understanding of the Public Health Department programs.

## **Recommendations**

The Grand Jury recommends that the Public Health Department continue with their current processes.

## **Required Response**

No response required.

## **APPENDIX**

### **Responses to Prior Year's Report**

Included in this appendix are the responses to the **2015-2016** (previous year's) Grand Jury Report, submitted exactly as they were received. It is important that citizens are aware of the reactions to the recommendations, and any positive changes implemented as a result of the Grand Jury's efforts.

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. Rogg Street, Suite 4  
Susanville, CA 96130  
Phone: 530-251-8333  
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September 13, 2016

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 2015-2016 Lassen County Grand Jury report. Our response is attached.

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 many of the findings. Moreover, because the Grand Jurors approached this year's report in the manner in which they did, the report they published is credible.

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 2015-2016 Lassen County Grand Jury for a job well done.

Respectfully,

JIM CHAPMAN, Chairman  
Lassen County Board of Supervisors

*Choose Civility*

**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. Like last year, the Board of Supervisors would like to commend the Grand Jury on the quality of their final product, particularly its dedication to fact.

**Grand Jury Report: Assessor's Office**

**Finding Number 1:**

"There has been a significant workload increase over the past few years."

**Response/Comment:**

The respondent Board of Supervisors agrees that there has been a workload increase recently at the office of the Assessor but has difficulty accepting that there has been a "significant" increase in the past "few" years without further definition of those terms.

**Finding Number 2:**

"The recording and filing system are antiquated by today's standards."

**Response/Comment:**

The respondent Board of Supervisors agrees with the finding.

**Finding Number 3:**

"The building and offices are old. Many of the work stations share common areas and can get very uncomfortable in inclement weather conditions."

**Response/Comment:**

The building and offices within which the Assessor's office is housed, among other county departments, in the historic courthouse building. Construction was completed in 1917, just short of one hundred years

ago. While some may describe this structure as "old", which would be accurate, the Lassen County Board of Supervisors views this building as an historic gem worthy of respect and preservation.

To that end, the Lassen County Board of Supervisors has already given direction to county staff to work to make improvements to accommodate the increased number of staff housed within it and to modernize the facility appropriately.

Recommendation Number 1:

"Budget for and fill the vacant appraiser position."

Response/Comment:

The Lassen County Board of Supervisors acknowledges the recommendation of the Grand Jury in highlighting the need for more staff in the office of the County Assessor. In point of fact, the County Administrative Officer's recommended budget included the funding of this position prior to the release of this report. Because this year's budget process is not complete, and based on the competing needs of many departments, it remains to be seen whether or not this position becomes funded.

Recommendation Number 2:

"Upgrade and modernize the recording and filing system."

Response/Comment:

The office of the Assessor is an elected position. As such, the Lassen County Board of Supervisors defers to him/her on the needs of his/her office. The Board of Supervisors supports the Assessor in making such a change if the Assessor concludes that the recording and filing system needs to be modernized. To the degree that such a change contemplates a funding source, the Board of Supervisors would receive and address it in the same method it does all other County departments with similar modernization needs.

Recommendation Number 3:

"Renovate and modernize offices so as to provide for a more efficient and comfortable work environment "

Response/Comment:

The building and offices within which the Assessor's office is housed, among other county departments, in the historic courthouse building. Construction was completed in 1917, just short of one hundred years ago. While some may describe this structure as "old", which would be accurate, the Lassen County Board of Supervisors views this building as an historic gem worthy of respect and preservation.

To that end, the Lassen County Board of Supervisors has already given direction to county staff to work to make improvements to accommodate the increased number of staff housed within it and to modernize the facility appropriately.

**Grand Jury Report: Standish Litchfield Fire Protection District**

**Finding Number 1:**

There has been insufficient training for the SLFPD board on the Brown Act, the duties and responsibilities of a board member, and parliamentary procedures. There are no written policies, procedures, and responsibilities for the board members.”

**Response/Comment:**

As to some portions of this report, the Grand Jury called for a response by the Lassen County Board of Supervisors. However, the Standish Litchfield Fire Protection District is, under California law, an independent special district over which the Board of Supervisors has no control.

Because of this district’s autonomy, the Lassen County Board of Supervisors believes it is neither productive nor appropriate to comment on this finding.

**Finding Number 2:**

“The district failed to provide the requested copies of personnel records within the 30 days as required by California Labor Code, Section 1198.5.”

**Response/Comment:**

As to some portions of this report, the Grand Jury called for a response by the Lassen County Board of Supervisors. However, the Standish Litchfield Fire Protection District is, under California law, an independent special district over which the Board of Supervisors has no control.

Because of this district’s autonomy, the Lassen County Board of Supervisors believes it is neither productive nor appropriate to comment on this finding.

**Finding Number 3:**

“The reasons for closed sessions are not clearly posted on the agenda as required by the Brown Act, Section 54954.2.”

**Response/Comment:**

As to some portions of this report, the Grand Jury called for a response by the Lassen County Board of Supervisors. However, the Standish Litchfield Fire Protection District is, under California law, an independent special district over which the Board of Supervisors has no control.

Because of this district’s autonomy, the Lassen County Board of Supervisors believes it is neither productive nor appropriate to comment on this finding.

Finding Number 4:

"Although meetings are now being held in the heated truck bay, there are no restroom accommodations for a person in a wheelchair."

Response/Comment:

As to some portions of this report, the Grand Jury called for a response by the Lassen County Board of Supervisors. However, the Standish Litchfield Fire Protection District is, under California law, an independent special district over which the Board of Supervisors has no control.

Because of this district's autonomy, the Lassen County Board of Supervisors believes it is neither productive nor appropriate to comment on this finding.

Finding Number 5:

"There is no contact information on the posted agenda's for a person with special needs to call for accommodations to attend the meetings (Brown Act, Section 54954.2)."

Response/Comment:

As to some portions of this report, the Grand Jury called for a response by the Lassen County Board of Supervisors. However, the Standish Litchfield Fire Protection District is, under California law, an independent special district over which the Board of Supervisors has no control.

Because of this district's autonomy, the Lassen County Board of Supervisors believes it is neither productive nor appropriate to comment on this finding.

Finding Number 6:

"The district needs more revenue for operational and administrative needs."

Response/Comment:

As to some portions of this report, the Grand Jury called for a response by the Lassen County Board of Supervisors. However, the Standish Litchfield Fire Protection District is, under California law, an independent special district over which the Board of Supervisors has no control.

Because of this district's autonomy, the Lassen County Board of Supervisors believes it is neither productive nor appropriate to comment on this finding.

Recommendation Number 1:

"As a service to the appointed special district board members who serve on a voluntary basis, and to meet the requirements of AB1234, the Lassen County Board of Supervisors needs to establish an open meeting advisory position to provide and coordinate initial training in ethics, parliamentary procedures,

and open meeting laws, and be available for attendance at meetings in a procedural advisory capacity for all board in the county.”

Response/Comment:

The County recognizes that it is beneficial for special districts to have accessibility to training in the referenced areas. The County has in the past, and endeavors in the future, to include special districts in training procured by the County to meet obligations of AB 1234. Indeed adding a position to the County ranks to perform this as its sole function would be nice. However, limited resources dictate that priorities be established. The County will continue to provide services to special districts as resources allow. Unfortunately this priority does not rise to the level of funding a position at this time.

Recommendation Number 2:

“The SLFPD board establish policies and procedures for their district.”

Response/Comment:

As to some portions of this report, the Grand Jury called for a response by the Lassen County Board of Supervisors. However, the Standish Litchfield Fire Protection District is, under California law, an independent special district over which the Board of Supervisors has no control.

Because of this district’s autonomy, the Lassen County Board of Supervisors believes it is neither productive nor appropriate to comment on this recommendation.

Recommendation Number 3:

“The SLFPD board provide typed reasons for closed sessions on the agenda which shall be posted 72 hours before the meeting.”

Response/Comment:

As to some portions of this report, the Grand Jury called for a response by the Lassen County Board of Supervisors. However, the Standish Litchfield Fire Protection District is, under California law, an independent special district over which the Board of Supervisors has no control.

Because of this district’s autonomy, the Lassen County Board of Supervisors believes it is neither productive nor appropriate to comment on this recommendation.

Recommendation Number 4:

“The SLFPD board to hold their meetings in an ADA complaint location.”

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Response/Comment:

As to some portions of this report, the Grand Jury called for a response by the Lassen County Board of Supervisors. However, the Standish Litchfield Fire Protection District is, under California law, an independent special district over which the Board of Supervisors has no control.

Because of this district's autonomy, the Lassen County Board of Supervisors believes it is neither productive nor appropriate to comment on this recommendation.

Recommendation Number 5:

"The SLFPD board to include a contact number on the agenda for people with special needs to call to request accommodations to attend the meetings."

Response/Comment:

As to some portions of this report, the Grand Jury called for a response by the Lassen County Board of Supervisors. However, the Standish Litchfield Fire Protection District is, under California law, an independent special district over which the Board of Supervisors has no control.

Because of this district's autonomy, the Lassen County Board of Supervisors believes it is neither productive nor appropriate to comment on this recommendation.

Recommendation Number 6:

"The SLFPD board to work with the county to pursue additional revenue generating programs to include the annexation finalization of the Belfast Road area."

Response/Comment:

Because the Standish Litchfield Fire Protection District is an autonomous entity, any effort to provide additional revenue for that district must come from the district itself. Currently, the district receives a small portion of property taxes as its only source of revenue. It does not have in place any special tax or development fees. Additionally, the district seems to be under the mistaken impression that the county has failed to fulfill its obligations in an annexation project started in 2007 referred to as the Belfast Road Annexation project. That could be the only explanation for the statement in this year's report that the annexation has not been completed and is "reportedly with the county". However, in March of 2011, the Local Agency Formation Commission (LAFCo) Executive Director recorded with the Lassen County Recorder a "Certificate of Completion" of the Belfast Annexation. It was completed and the district was notified.

In order for the SLFPD to increase its revenue, it would have to either create development fees or impose a special tax. Of course, imposition of a special tax would require voter approval. In either case, as stated above, this effort would have to come from the district itself.

**Conclusion**

The Board of Supervisors would like to once again take this opportunity to thank those who have served as Grand Jurors for the 2015-2016 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.



Office of Assessor

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FAX (530) 251-8215

October 3, 2016

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 Assessor's response to the 2015-2016 Lassen County Grand Jury report. Our response is attached.

Senior members of my staff and I have reviewed this year's published report and its content and it appears to be based on fact and it is clear that a good deal of time and effort was put into the report. While we may not be able to implement every recommendation as a result of other limitations, we agree with many of the findings. The Grand Jurors approach to the report was fair and impartial and I feel their findings and recommendations were as well.

We, as an office, collaboratively agree that the quality of the report, combined with the individual make-up of the individuals involved, leaves us at ease with the facts and with the detail of the report. We would like to take this opportunity to recognize and commend this year's Grand Jury Report and thank the Court and the 2015-2016 Lassen County Grand Jury for a job well done!

Respectfully,  
  
Dan Schlueter  
Lassen County Assessor

**Assessor's response to Grand Jury Report, investigation, mandated by statute.**

Response 1-We have budgeted for our vacant appraiser position for the last few years and this year the request was approved by the CEO and the Lassen County Supervisors. We flew the position in late September and hope to have the position filled by the end of October.

Response 2-Our data base program(Crest) has undergone a major upgrade, significantly assisting in the automation and modernization of our record keeping process. We are also in the process of contracting out(at no cost to the County) our mapping system with Parcelquest Inc. We have begun the process of scanning much of our "hard copy" data into PDF format in order to simplify storage procedures.

Response 3-Specific upgrades, remodels, and/or relocation ideas are in the works and we will continue to move forward with keeping our staff as comfortable as possible.

**Assessor's Response to four separate complaints from "unanimous" citizen.**

Response 1-The Assessor's Office makes assessment decisions based on the information they have. This information sometimes comes from research and judgement but many times information from the taxpayer is essential. When a taxpayer withholds vital information or refuses to respond to the Assessor's questions, the Assessor's Office needs to make educated assumptions when re-appraising property.

Response 2-Sce above

Response 3-Interest on refunds is determined by the Auditors Office and the Assessor is not involved.

Response 4- It's not in the best interest of the Assessor's Office to retaliate by attempting to manipulate assessed values. The Assessor's Office is governed by the State Board of Equalization and is audited on a regular basis. Property values must be supported by market data and any attempt to manipulate the data would be revealed through the audit process.

Response 5-As stated, the Brown Act does not apply to Assessment Appeal members.

Response 6- At every appeal, the question of conflict of interest is brought up. The board, along with everyone else in the room has the opportunity to state their case at that time. The Appeals Board members are vetted by the County Board of Supervisors with regard to being qualified for the position and are required to complete training prior to being able to become a member of the Appeals Board.

Response 7-This complaint is completely without merit. The Assessor was provided no information that mineral rights were part of the sale and several attempts to gain important information relevant to the transfer were ignored. Due to the lack of cooperation or any data to refute previous information regarding the contract between the Power Plant and the "shareholders", the previous contract dictated that the share of royalties was deducted from the transfer. The closing of the Power Plant will necessitate an independent review of the contract and will not directly affect the value of the property in question.

Response 8- No legal advice was given and the owner was merely shown a map of their property. Since, by the complainant's "own admission", the mistake was remedied by the Assessor's office and does not constitute legal advice, no rebuttal is deemed necessary by the Assessor.



*Standish-Litchfield Fire Protection District*  
*P.O. Box 120*  
*Standish, Calif. 96128*  
*(530) 254-6601*



September 29, 2016

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

RE: Response to Grand Jury Report 2015-2016

Dear Judge Verderosa,

Following are the responses from the Standish-Litchfield Fire Protection District Board of Directors to the 2015-2016 Grand Jury Final Report.

**FINDINGS:**

F1: There has been insufficient training for the SLFPD board on the Brown Act, the duties and responsibilities of a board member, and parliamentary procedures. There are no written policies, procedures, and responsibilities for the board members.

SLFPD Response: The SLFPD board agrees with this finding.

F2: The district failed to provide the requested copies of personnel records within 30 days as required by California Labor Code, Section 1198.5

SLFPD Response: The SLFPD board agrees with this finding. Due to a misunderstanding in communication where one person thought the other was going to perform this task, and vice versa, the copies of personnel records were not provided within the 30 day time frame. The error was unintentional.

F3: The reasons for closed sessions are not clearly posted on the agenda as required by the Brown Act, Section 54954.2.

SLFPD Response: The SLFPD board disagrees with this finding. The board secretary uses an agenda template which has the closed session heading already on it. When there is a reason for closed session, it is typed on the agenda prior to posting.

F4: Although meetings are now being held in the heated truck bay, there are no restroom accommodations for a person in a wheelchair.

SLFPD Response: The SLFPD board disagrees partially with this finding. The regular monthly board meetings are commonly held in the more comfortable and convenient day room area next to the office and only occasionally held in the engine bay. Neither has access to an ADA compliant restroom.

F5: There is no contact information on the posted agendas for a person with special needs to call for accommodations to attend the meetings (Brown Act, Section 54954.2).

SLFPD Response: The SLFPD board agrees with this finding.

F6: The district needs more revenue for operational and administrative needs.

SLFPD Response: The SLFPD board agrees with this finding.

#### **RECOMMENDATIONS:**

R1: As a service to the appointed special district board members who serve on a voluntary basis, and to meet the requirements of AB1234, the Lassen County Board of Supervisors needs to establish an open meeting advisory position to provide and coordinate initial training in ethics, parliamentary procedures, and open meeting laws, and be available for attendance at meetings in a procedural advisory capacity for all boards in the county.

SLFPD Response: The SLFPD board agrees with this recommendation and looks forward to assistance and guidance to attain this much needed training. The SLFPD also notes that it is very difficult to find community members willing to voluntarily give of their time to participate in meetings and fulfill the commitments of a board member.

R2: The SLFPD board establish policies and procedures for their district.

SLFPD Response: The SLFPD board agrees with the recommendation. The recommendation requires research and we are in the process of composing such a document, with plans to present it at the October board meeting for review. Other fire districts will be contacted to find good examples of such a written policy. At this time there are only four board members with an election to be held in November. Three of the current four members will be exiting at the end of their terms on December 2, 2016. The board hopes to have a written policy in place before then.

R3: The SLFPD board provide typed reasons for closed sessions on the agenda which shall be posted 72 hours before the meeting.

SLFPD Response: The recommendation has already been implemented, even prior to the Grand Jury report. The board secretary uses an agenda template which has the closed session heading already on it. When there is a reason for closed session, it is typed on the agenda prior to posting. The secretary will now only include the closed session heading when there is a reason for it to avoid confusion. Agendas have always been posted at least 72 hours prior to meetings at two locations.

R4: The SLFPD to hold their meetings in an ADA compliant location.

SLFPD Response: The recommendation has not been implemented. Meetings are held in the day use area of the station next to the main office. This allows use of the phone, copy machine, computer, and access to files. Occasionally meetings are held in the engine bay; however, the fire apparatus have to be taken out, floors swept and tables and chairs set up prior to the meeting, then in reverse after the meeting. In the summer there is no air conditioning and in the winter the heat is let out when the bay doors are opened to move the apparatus out and back in, plus allowing time for the exhaust to disperse. This is a waste of time and energy and only necessary when there is a large crowd expected at the meeting. It is very rare for anyone to be present at the meetings other than the board members and secretary, the fire chief and an occasional volunteer firefighter. To conduct the meetings at a different location would be extremely inconvenient. The Chappius Lane station where SLFPD board meetings are held was built in the early 1980's, prior to ADA requirements. The board is researching acquiring a portable restroom to accommodate people with disabilities that wish to attend the meetings.

R5: The SLFPD board to include a contact number on the agenda for people with special needs to call to request accommodations to attend the meetings.

SLFPD Response: The recommendation had been implemented prior to the Grand Jury report; however, the contact person/board member has since resigned from the board. Due to board member turnover and no fire chief or full-time secretary, a contact person had not been available. Now that the chief and secretary positions have been filled, future agendas will include the name and phone number of a person to contact to request special accommodations (set up engine bay for the meeting).

R6: The SLFPD board work with the county to pursue additional revenue generating programs to include the annexation finalization of the Belfast Road area.

SLFPD Response: The Standish-Litchfield Fire Protection District annual revenue is derived from a small percentage of property tax and developer fees. We have no fire safety parcel fees to collect. Several grants have been applied for and received in the past to help purchase new equipment. The board is dedicated to saving money and staying within their budget to remain financially sound while providing the volunteer firefighters with the necessary safety equipment. The annual budget is less than \$70,000 to support and protect an almost 92 square mile district.

The recommendation has been implemented even prior to the Grand Jury report in that the SLFPD has contacted several county offices numerous times over the years questioning the Belfast annexation, to no avail. While the Belfast area is now considered part of the fire district and the SLFPD does respond to that area, there are no property taxes received from the annexation, only developer fees, and with no development there is no income.

#### OTHER:

1. In the body of the report it was noted that there were several Brown Act violations, including Section 54961. In researching this code it was discovered that this pertains to a "sign-in" sheet that the SLFPD presents at their board meetings. Signatures on this form are for the convenience of the secretary when typing the meeting minutes to confirm the members in attendance, names of speakers during the public comment section, etc. It should be noted that the words,

"Voluntary, not mandatory to attend meeting" have been written on the sign in sheet for several months now.

2. It was also noted that two board members were appointed earlier in 2015 but did not take their oath of office until fall of 2015. This delay was due to a number of reasons; no secretary, brand new secretary, no meetings due to a lack of quorum, new members not present at the meetings, an accidental omission from the agenda, and a lack of understanding.

3. The SLFPD board had intended to update their bylaws, but County Counsel Robert Burns assured us that they were still legal even though they were adopted many years ago. With other, more pressing matters, (such as updating fire chief and secretary duty statements prior to hiring) the issue was set aside. The board intends to resume this endeavor and present an updated document at the October board meeting for review.

4. The SLFPD had been without a fire chief and full-time secretary. Volunteer numbers were dwindling. Board members resigned without notice. Recently, a chief and secretary were hired, volunteer firefighters are on a waiting list to join and there is an upcoming election for board members.

The SLFPD board members are looking forward to the future with continuity and training to help the district's firefighters provide a safe and sound community for the residents.

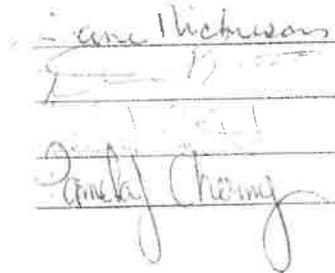
Respectfully submitted,

Jane Nickerson, Board Chairperson

Dan Rice, Board Member

Paul Smith, Board Member

Pam Cherny, Board Member

The image shows four handwritten signatures, each written on a horizontal line. From top to bottom, the signatures are: Jane Nickerson, Dan Rice, Paul Smith, and Pam Cherny. The signatures are written in cursive and are somewhat overlapping.