

Lassen County Grand Jury

2018-2019



FINAL REPORT

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June 14, 2019

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

2018-2019 Grand Jury Report

Dear Judge Mallery,

On behalf of the 2018-2019 Lassen County Grand Jury, it is my honor and privilege to present the Lassen County Grand Jury Final Report for your review and consideration. The individual reports, findings and recommendations have been approved by a majority vote of the Grand Jury.

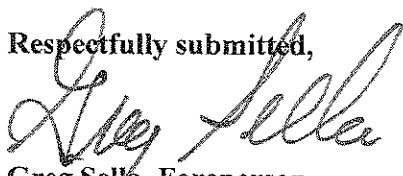
The Grand Jury would like to thank you, Judge Mallery and the Court, for providing Court Room D for Plenary meetings and the Sierra room for our interviews.

The Grand Jury visited many Governmental Offices. A number of interviews and tours were conducted. We would like to thank the personnel at the Lassen County Sheriffs Office and the Lassen County Juvenile Hall for their assistance. We would also like to thank the personnel at California Conservation Camp, High Desert Prison, and Intermountain Conservation Camp and the Federal Prison at Herlong for their assistance as well as all others who provided their valuable time during the investigation process.

Last June, nineteen people took an oath of office to serve as a Grand Juror. We were comprised of a diverse, cross-section of Lassen County residents in age, gender and occupation. As a Grand Jury we certainly had our challenges. As we all know, life often gets in the way. Even so, it was indeed a pleasure to work with the members of the sense of community; this selfless dedication is what makes Lassen County such an amazing place to live.

In conclusion, the Grand Jury would like to thank our Families, Friends and Employers for their support during our year of service.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Greg Sella", written over the typed name.

Greg Sella, Foreperson,
2018-2019 Grand Jury

MEMBERS OF THE 2018 - 2019 LASSEN COUNTY GRAND JURY

Greg Sella, Foreperson*

Anthony Lares, Foreperson Pro-Tem *

Andy Beck, Alternate Foreperson Pro-Tem

Kimberly LaValleur, Secretary

Benny Morrow, Financial Officer

Gary Bridges*

Jesse Claypool

Jesse Davis

Joel Ehrlich

Andrew Haut

Terry Johnson

Amber Klinetobe*

Mary Loflin*

Eric Perry

Anita Payer

Joseph Turner

**Returning member from 2017-2018 Lassen County Grand Jury*

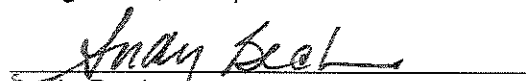
LASSEN COUNTY GRAND JURY MEMBERS' DISCLAIMER AND SIGNATURES

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 2018-2019 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.


Greg Sella, Foreperson

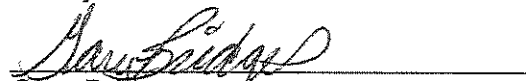

Anthony Lares, Foreperson Pro-Tem

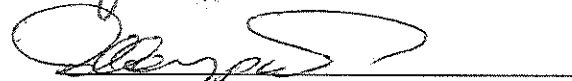

Andy Beck


Kimberly LaValleur

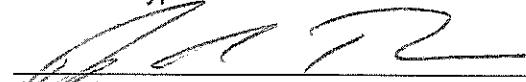

Benny Morrow



Joel Ehrlich

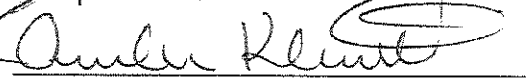

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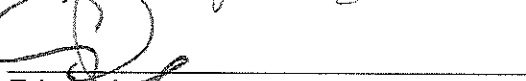

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Mary Loflin


Jesse Davis


Eric Perry


Anita Payer

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 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 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 Assessor's Office

Lassen L.A.F.Co

City of Susanville:

City Council (5)

City Administrative Officer

Corrections Facilities:

California Correctional Center

High Desert State Prison

FCI Herlong

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

2016-2017 Grand Jurors

2017-2018 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: _____

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 2017-2018 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. 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 2017-2018 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 Assessor's Office

Reason for Inquiry:

Citizen Concerns

Background Information:

Several concerned Citizens had questions regarding tax assessments of real and personal property in Lassen County.

There were concerns regarding the process used to set the initial value of assessed personal property and how certain taxable personal property depreciates.

Inquiry Procedures:

The Grand Jury conducted interviews with Lassen County Tax Assessor office Staff and residents who pay taxes on real and personal property.

The Grand Jury reviewed documents associated with the Tax Assessor's Office.

Discussion:

The Lassen County Assessor's office oversees an area in excess of 4,720 square miles with a population in excess of 31,000 residents. Currently they have a staff of 9. They maintain the tax rolls for land, improvements, fixtures and personal property for both secured and unsecured property within Lassen County. The total value of the assessment rolls is approximately 2 billion dollars. This includes exemptions.

The Office of the Tax Assessor must follow State laws and regulations. The Assessor's office is subject to periodical audits.

Concerns often came up in regards to questioning of an assessment value.

Findings:

The Grand Jury concluded:

F1. One method often used to assess property is Google Earth, which does not require leaving the office.

F2. Some property on the personal property tax rolls appeared to be very old and possibly of no value. There was also questions regarding (1) who determined the initial value of personal property and (2) what is the depreciation schedule for personal property.

F3. There is an Appeal Board set up for property value disputes between the Assessor's office and a property owner.

F4. It was discovered that the Assessor's office had a very limited vehicle pool to use.

F5. If a distressed property is rehabbed and sold, the issue of the property value at the completion of the rehabilitation may be retroactive back to the original purchase date and price. As a result, the homeowner could be subject to additional taxes at the Assessor's discretion.

F6. The outcome of the last California Board of Equalization Assessment Practices Survey had a very positive review with just a few areas for improvement.

Recommendations:

R1. A site visit to look at the physical condition of the interior and other aspects of the property might create a more accurate assessment, especially with some distressed properties that have possibility been used as a homeless camp or housed animals.

R2. We, the Grand Jury, understand that it is primarily the responsibility of the property owner to check on the assessment of their property, but we would recommend, as a community service, the Assessor's office try to review the personal property tax rolls and make contact with property owners to discuss depreciation as the property ages.

R3. We, the Grand Jury, would suggest that information regarding the Tax Assessment Appeal Board be in plain sight. Most of the people we interviewed had no idea that an assessment could be appealed. Noting the small number of recent appeals might suggest public satisfaction with the Assessor's office or it might suggest a lack of knowledge by the general public of the appeal process.

R4. We, the Grand Jury, suggest that Lassen County provide access to more vehicles for the Assessor's office.

R5. We, the Grand Jury, suggest that a more detailed handout be presented to those who purchase a distressed property. Identifying the value as the purchase price and explaining in detail how the tax assessment will change as the property value changes during the property rehabilitation for personal occupancy or resale.

R6. We, the Grand Jury, hope that the high standards in the Assessor's Office can continue to be maintained as outlined in the Executive Summary of your last State Audit.

Commendation:

The 2018/19 Grand Jury would like to commend the Lassen County Assessor's office. We understand that with the budget challenges constantly dogging all County departments, you have maintained a high standard of service. We think our recommendations can help the general public understand better how the tax assessment process works.

Required Response:

It is the Grand Jury's decision that we are requiring a response from the County of Lassen Assessor's Office. In it, covering the solutions given for the concerns outlined above.

S.A.R.T. Program

(Sexual Abuse Response Team)

Reason for Inquiry

Citizen Complaint(s)

Background

Grand Jury received a citizen complaint

Inquiry Procedure

The Grand Jury interviewed several people associated with S.A.R.T (Sexual Assault Response Team) for Adult victims.

The Grand Jury conducted several in-depth interviews with numerous agencies and individuals who administer S.A.R.T services.

Discussion

During our investigation it became apparent to the Grand Jury that the request was out of the Grand Jury's scope of influence, however; the Grand Jury learned,

Findings

F1. Lassen County and the City of Susanville, have a lack of certified medical personnel available to administer forensic exam kits.

F2. Often victims are sent to other counties and/or states for forensic exams, delays can affect the forensic findings.

F3. Lassen County has grant funding and other funds that could help certify more medical personnel for S.A.R.T. Program.

F4. Lassen County has a written understanding with Banner Hospital, Lassen Family Services, Police and Fire for responses.

F5. The cost of sending a victim to another county or state for S.A.R.T. testing can cost up to \$4,500.00 per administered kit, this does not include the cost of 2 law enforcement officers or personnel to transfer the victim out of the area.

Recommendations

- R1.** Lassen County Board of Supervisors develop a task force for S.A.R.T
- R2.** Lassen County Health and Human Services help recruit and pay for S.A.R.T. certified medical personnel.
- R3.** Lassen County Board of Supervisors adopt a financial incentive to prompt S.A.R.T certified medical personnel to respond while off duty.
- R4.** Lassen County Health and Human Services to create 24/7 call list of certified S.A.R.T. Personnel with financial incentive pay.
- R5.** Lassen County Board of Supervisors need to develop and fund Adult S.A.R.T. Services.

Request Response

It is the Grand Jury's decision that we are request a response from the Lassen County Board of Supervisors.

Lassen County Special Districts

Introduction

Special districts are types of local government formed to provide services and infrastructure in their communities. They are governed by the residents they serve. The 2018-2019 Lassen County Grand Jury investigated special districts because they provide essential services, have substantial fiscal and administrative responsibilities, and are often not well understood or engaged with by the public.

Discussion

The Jury found that special districts are more likely to perform better with public awareness, involvement, and oversight. The Jury encourages Lassen County residents to know about and participate in the special districts that serve their residences and businesses. Participation can include: reviewing special district websites, being aware of meeting agendas, attending meetings, reading meeting minutes, participating in electing new board members, serving on the board, volunteering for their special districts, reading and discussing articles in local

papers about their special districts, and filing complaints if there are problems. There are numerous organizations, checklists, and programs that can be used by special districts as resources to improve their service to the public. The Jury encourages special districts to comply with all applicable legal requirements, review and explore expanding their public outreach programs, consider establishing citizen oversight committees, seek and employ best practices, and pursue certifications and accreditations.

Findings

This year the Lassen County Grand Jury looked at the Clear Creek Community Services District (CCCSD). The mission of the Clear Creek Community Services District is to provide the community of Clear Creek with both clean, safe water and emergency response in the event of fire, vehicle, or medical emergency. The CCCSD began 2019 by installing a complete newly elected board of directors. The new board appears to be moving forward with a positive agenda for various improvements in their community. They are actively seeking various grants and funding sources to improve the services that they provide to their community. One of these is the mitigation of overgrown properties and dead trees to make their community "Fire Safe". They are actively ensuring that their district meets expectations and regulations set forth by the State of California and Lassen County. One of these is the requirement that every special district have an approved website by the year 2020.

The CCCSD has three employees, a General Manager and Secretary/Treasurer, a Fire Chief, and a Water Manager. The CCCSD also has a Volunteer Fire Department made up of several local volunteers. These three employees live in Clear Creek and have a vested interest in their community performing the duties of their jobs with pride.

Recommendations

The Lassen County Grand Jury recommends that the CCCSD continues to move forward by searching for various funding sources so that they are able to continue to provide their residents with the quality services that they have come to expect.

City and County Agency Website Compliance

Summary

Because modern society is technology-enabled, the public more and more expects that government, too, will be available online at any time. Not having a lot of free time to spend wading through bureaucracy, information must be current, relevant, and accurate that is easy for the public to find and access.

Existing legislation, including current changes, require availability of various information and records on websites as well as setting accessibility standards and identifying design element requirements. As well as the full disclosure of actions taken by elected officials and access to all public records, with some limited exceptions, as required by the California Public Records Act (CPRA). Although the CPRA does not require all these records be made available on government or agencies websites, the public expects them to be.

The Grand Jury believes technology offers opportunities for government to do better: better engage with the public, better inform them about the business of government, better communicate about government services and, ultimately, better deliver its services.

The Grand Jury wanted to know "if" and "to what extent" Lassen County, Susanville City, Lassen Local Agency Formation Commission and special districts within the County were utilizing technology by providing and reporting current, relevant, and required information and records to the public through their websites.

Background

Important characteristics of local government in California are transparency and accountability to the public. These goals are enshrined within the California Constitution and are achieved through various state laws. Among the most familiar of these statutes are the California Public Records Act (CPRA) and the Ralph M. Brown Act, commonly referred to as California's "Open Meetings Law", both of which seek to ensure the people's business is conducted in the light of public scrutiny.

The purpose of the California Public Records Act (CPRA) is to enable the public to have access to information needed to monitor the functioning of government. The public has a right to inspect public records during the office hours of any government agency and to request and obtain copies of records.

The Ralph M. Brown Act (Brown Act) is designed to ensure government actions and deliberations are conducted openly so that the people "may retain control over the instruments they have created."

When the California Public Records Act (CPRA) was signed into law, the internet was not yet available. The use of websites to distribute information to the public was not yet envisioned. Currently, the public takes the internet and websites, whether private sector or government, for granted and relies on them to get information. With the dramatic rise of the internet over the past two decades, the public's approach to gathering information has changed. For many in the public, the internet is utilized first to try and find information, and only as a last resort will they visit a physical office. It seems consistent with "the spirit of the CPRA", that virtually all public records would be accessible via government and agency websites.

Methodology

The Grand Jury was interested in learning to what extent Lassen County, Susanville City, Lassen LAFCO and special districts within the County have migrated their records to websites and enabled easy online access to information on governance and finances.

The grand Jury investigation process included the following:

- Extensive on-line research and document review.
- On-line review of local governmental and agency websites.
- Review of various State laws and regulations, pertaining too;

Governance o Transparency

Accountability Standards

Financial Reporting

Policy Requirements

- Development and utilization of a standardized website questionnaire/review form.
- On-line testing tool for Section 508/ADA compliance.

A survey of Lassen County, Susanville City, Lassen LAFCO, and Special District websites was conducted by the Grand Jury.

All the websites visited and surveyed during this investigation were functioning and, through them, the public has access to a variety information. Agendas, records of public meetings, budgets, access to governmental functions, and general information on services, taxes, contact information, helpful links and more were found to be available to varying degrees on the websites.

The Grand Jury commends all the entities surveyed for their efforts to make records easily available to the public through their websites. However, as good as some of the websites are, the Grand Jury found areas for improvement.

Discussion

Our daily experiences as consumers who shop online, track a flight from a desktop, hail a ride home with a mobile app or rate restaurant service on social media are teaching us that local government, too, could be so convenient.

Steady reminders in the press about government's failures perpetuate distrust and a sense that government cannot function well and reinforce low expectations for service. Unlike private sector services, we can't choose a different provider if a government agency is inconvenient, slow, confusing or overly complicated. We go to websites with the expectation that the information presented is current and accurate and that navigating the website will be somewhat expedient. However that's not always the case.

The Grand Jury fully recognizes a poor opinion of local government's ability to perform could exist. The Grand Jury believes a systematic review of local agency websites, with the results made public, will aide with a continued commitment to provide the public with relevant,

current, and required information by shedding light on possible deficiencies or identifying quality commitments with how local agencies are providing information and with recommendations of support or for corrective actions.

Like their private sector counterparts, many public agencies are experimenting with new ways to use technology to improve operations and customer service. Most often, government agencies use digital technology to share information about their programs or services online. Most of us commonly visit government websites to find information about a program or service, fill out required forms or pay our taxes or other fees without having to visit a government office. Taking advantage of new technology, many local agencies are using the web to offer citizens a host of services including:

- **Corresponding online with local officials;**
- **Providing information about government services;**
- **Renewing library books or driver's licenses;**
- **Providing tax information and accepting tax returns;**
- **Applying for jobs or benefits; and so much more.**

These government websites are important because they:

- **Allow programs and services to be offered in a more dynamic, interactive way, increasing citizen participation**
- **Increase convenience and speed in obtaining information or services;**
- **Reduce costs in providing programs and information about government services; Reduce the amount of paperwork; and**
- **Expand the possibilities of reaching new sectors of the community or offering new programs**

Every agency is responsible, under existing laws and regulations, for the relevance, including timeliness and accuracy, of the information it produces and disseminates via public websites. However the public seeking information or assistance might not always know which department or program is responsible for whatever it is they need. Because of this, local agencies need to make sure data is available on their website in a format that is easily accessed and understood by those searching for it.

It is also vital for web content to be reviewed regularly to ensure that it is relevant to 1) the users of the website and 2) the mission of the organization. Old content

is a potential liability. It increases the volume of content to be managed, increases the number of useless search returns, and impedes the site visitor's ability to quickly access the most relevant information. Content that is outdated or obsolete is relevant for no one and diminishes the websites effectiveness by increasing the potential for someone to take an erroneous action on the basis of that content.

When government is constantly being asked to do more with less, the internet can play a vital role with allowing local agencies, with minimal expense, to inform and engage communities to better serve all of us. By paying attention to the needs, expectations, abilities and preferences of the public, and adopting modern technologies in innovative ways, government services can be delivered better, more efficiently and more responsively, in turn improving confidence and trust in local government's ability to function.

Local Government - Local Control

California has an extensive system of local government entities and agencies managing public functions throughout the State. Established by the California Constitution local control or local government consists of counties, cities, special districts, school districts, and local agencies formation commissions (LAFCO). In addition every county has at least one civil grand jury tasked with watchdog oversight of these agencies. Following is a brief description of each, including some of their oversight requirements, which represent local control.

County

The basic political subdivisions of California are the 58 counties. The county government provides countywide services such as law enforcement, jails, elections and voter registration, vital records, property assessment and records, tax collection, public health, social services, libraries, animal control, agricultural regulations, building inspections, and much more.

City

Under California law, the terms "city" and "town" are explicitly interchangeable; the name of an incorporated municipality in the state can either be "City of (Name)" or "Town of (Name)". Incorporated cities and towns have the power to levy taxes, are responsible for providing police service, issuing building permits, and maintaining public streets. They may also provide parks and various utility services.

Special Districts

Special districts are local agencies that provide essential services to millions of Californians. Special districts are formed and governed by local residents to establish or enhance essential services and infrastructure in their communities. Each special district focuses on providing a specific type of service, which include cemetery districts, community service districts, library districts, airport districts, resource conservation districts and many more.

School Districts

Public education of children is provided by school districts, which are governed by an elected school board (sometimes called a "board of education" or "board of trustees"), which manages the schools within its jurisdiction. In addition each county has a board of education and superintendent that oversee school districts within the county.

Local Agency Formation Commission (LAFCO)

Each county has a local agency formation commission (LAFCO). The statutory mission of LAFCO is:

- To encourage the orderly formation of local government agencies,
- To preserve agricultural land resources, and
- To discourage urban sprawl.

Each one of these not only serves the community, they are accountable to it. Transparency and accountability help to ensure the public is well informed regarding how each is performing the people's business, giving us local control.

Findings

County:

F1. Not all posted content is current F2. No reference to a dispute resolution process or complaint policy F3. Not 100% section 508/ADA compliant

City:

F1. Not 100% section 508/ADA compliant

F2. No reference to a dispute resolution process or complaint policy

Special Districts:

F1. Not all special districts have websites

Lassen LAFCO:

F1. Not 100% section 508/ADA compliant F2. No current Municipal Service Reviews listed F3. No list of or links to special districts available

Recommendations

County:

R1. Publish website information in ways that make it easy to find, access, share, distribute, and re-purpose with content that's accurate, relevant, easy-to-use, and conveyed in plain language. Maximize the quality, objectivity, utility, and integrity of information and services provided to the public, and make information and services available on a timely and equitable basis.

Special Districts:

R1. Special districts without a website need to be aware of SB 929 and prepare to implement practices and policies to become compliant. R2. Special districts with a website; Publish website information in ways that make it easy to find, access, share, distribute, and re-purpose with content that's accurate, relevant, easy-to-use, and conveyed in plain language. Maximize the quality, objectivity, utility, and integrity of information and services provided to the public, and make information and services available on a timely and equitable basis.

Lassen LAFCO:

R1. Make available on website all current Municipal Service Reviews. R2. Website should include a list and links to all of the special districts within the County. At a minimum, a link to each special district would enable the public to better understand the local oversight authority of Lassen LAFCO and who to contact if a problem arises. R3. Publish website information in ways that make it easy to find, access, share, distribute, and re-purpose with content that's accurate, relevant, easy-to-use, and conveyed in plain language. Maximize the quality, objectivity, utility, and integrity of information and services provided to the public, and make information and services available on a timely and equitable basis.

Response Requested Lassen County F-2

Susanville City F-2

Lassen LAFCO F-2, F-3

The following excerpts from the California Penal Code provide the requirements for public agencies to respond to the findings and recommendations of this Grand Jury report: §933(c) "No later than 90 days after the grand jury submits a final report on the operations of any public agency subject to its reviewing authority, the governing body of the public agency shall comment to the presiding judge of the superior court on the findings and recommendations pertaining to matters under the control of the governing body and every elected county officer or agency head for which the grand jury has responsibility pursuant to Section 914.1 shall comment within 60 days to the presiding judge of the superior court, with an information copy sent to the board of supervisors, on the findings and recommendations pertaining to matters under the control of that county officer or agency head or any agency or agencies which that officer or agency head supervises or controls. In any city and county, the mayor shall also comment on the findings and recommendations. All of these comments and reports shall forthwith be submitted to the presiding judge of the superior court who impaneled the grand jury. A copy of all responses to grand jury reports shall be placed on file with the clerk of the public agency and the office of the county clerk, or the mayor when applicable, and shall remain on file in those offices. ..."

§933.05 "(a) For purposes of subdivision (b) of Section 933, as to each grand jury finding, the responding person or entity shall indicate one of the following: (1) The respondent agrees with the finding. (2) The respondent disagrees wholly or partially with the finding, in which case the response shall specify the portion of the finding that is disputed and shall include an explanation of the reasons therefor. (b) For purposes of subdivision (b) of Section 933, as to each grand jury recommendation, the responding person or entity shall report one of the : (1) The recommendation has been implemented, with a summary regarding the implemented action. (2) The recommendation has not yet been implemented, but will be implemented 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 or study, and a timeframe for the matter to be prepared for discussion by the officer or head 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. (4) The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor. (c) However, if a finding or recommendation of the Grand Jury addresses budgetary or personnel matters of a county agency or department headed by an elected officer, both the agency or department head and the board of supervisors shall respond if requested by the grand jury, but the response of the board of supervisors shall address only those budgetary or personnel matters over which it has some decision-making authority. The response of the elected agency or department head shall address all aspects of the findings or recommendations affecting his or her agency or department."

Comments to the Presiding Judge of the Superior Court in compliance with Penal Code §933.05 are required from:

Additional Reading

These guidelines are intended to provide best practices over a broad range of web design and digital communications issues.

Voluntary Action Plan for Accessible Websites

- **Establish a policy that your web pages will be accessible** and create a process for implementation.
- **Ensure that all new and modified web pages and content are accessible:**

Check the HTML of all new web pages. Make sure that accessible elements are used, including alt tags, long descriptions, and captions, as needed.

If images are used, including photos, graphics, scanned images, or image maps, make sure to include alt tags and/or long descriptions for each.

If you use online forms and tables, make those elements accessible.

- **When posting documents on the website**, always provide them in HTML or a text based format (even if you are also providing them in another format, such as Portable Document Format (PDF)).

- **Develop a plan for making your existing web content more accessible.**
Describe your plan on an accessible web page. Encourage input on improvements, including which pages should be given high priority for change. Let citizens know about the standards or guidelines that are being used. Consider making the more popular web pages a priority.
- **Ensure that in-house staff and contractors responsible for web page and content development are properly trained.**
- **Provide a way for visitors to request accessible information or services by posting a telephone number or E-mail address on your home page.**
Establish procedures to assure a quick response to users who are trying to obtain information or services in this way.
- **Periodically enlist diverse community groups to test your pages for ease of use;** use this information to increase accessibility.

The Department of Justice provides technical assistance to help State and local governments understand and comply with the ADA. An important source of ADA information is the Department's ADA Home Page on the World Wide Web. This extensive website provides access to ADA regulations; all Department ADA technical assistance materials, including newly released publications, proposed changes in the ADA regulations, and access to Freedom of Information Act materials, including technical assistance letters. The website also provides links to other Federal agencies with ADA responsibilities.

In addition, the Department of Justice operates a toll-free ADA Information Line that provides access to ADA specialists during business hours.

ADA Information Line 800-514-0301 (voice) 800-514-0383 (TTY)

When reviewing content for relevance, use these basic categories to determine content status and the most appropriate action to take:

Category

If the content is still relevant and it accurately reflects current decisions and/or activities OR is valid until superseded then it is current and you should leave it alone.

If the content is still relevant and it requires updates to be current and accurate then it is out dated and you should revise it and post the new version to the Web

site; if the process is lengthy, or outdated material poses a risk to the user and Department/agency, add appropriate notice or remove until information can be corrected.

If the content is still relevant for reference or legal purposes and it cannot be updated then it is historical and you should archive it according to archive standards and guidance.

If the content is no longer relevant, is not required for reference or legal purposes then it is obsolete and you should remove it from the Web site and take the appropriate action per the appropriate records schedule.

The review schedule must be appropriate for the nature of each item of content, based on factors such as the frequency of change or risk of error. At a minimum, most web content should be reviewed at least once per year; some content may require more frequent review.

Content that is outdated but historical in nature should be transferred to a clearly marked archive web site. Content that is obsolete should be deleted from the website and processed as required by the web records schedule or other established archive procedure.

Ca Gov Code 56821: Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, this law established Local Agency Formation Commissions (LAFCO). The statutory mission of LAFCO is to:

- To encourage the orderly formation of local government agencies,
- . To preserve agricultural land resources, and
- To discourage urban sprawl.

CA Gov Code 7405:

State governmental entities shall comply with the accessibility requirements of Section 508 of the federal Rehabilitation Act of 1973. Websites must meet ADA (Americans with Disabilities Act) requirements and pass a scan from a Section 508 scanner so that people with disabilities can access websites. Requirements were updated in 2018.

AB 169:

Anything posted on a website that can be called "open data" meets the requirements for open data, defined as "retrievable, downloadable, index able, and electronically searchable; platform independent and machine readable" among other things. California law defines what the term "open data" means, for content posted to an agency website.

AB 2019 & AB 1728:

Healthcare districts must maintain a website that includes all items listed here, plus additional requirements including budget, board members, Municipal Service Review, grant policy and recipients, and audits. (January 2018, AB 1728 revised/amended).

CA Gov Code 12463:

Financial Transaction Report must be submitted to the State Controller and posted to your website within seven months after the close of each fiscal year.

CA Gov Code 53891-53892:

Compensation Report must be submitted to the State Controller by April 30 of each year and a link to the State Controller's website must be posted in a conspicuous location on your website.

AB 392:

Agendas must be posted to website at least 72 hours in advance of regular meetings and 24 hours in advance of special meetings. This 2011 update to the Brown Act added the online posting requirement.

AB 2257:

Required by Jan. 2019 a link to the most recent agenda is on website home page and agendas are searchable, machine readable and platform independent.

SB 929:

Passed in 2018, all independent special districts must have a website by Jan. 2020.

SB 272:

Enterprise System Catalog is posted on website, if there is one, and copies available at office. All local agencies must publish a catalog listing all software that meets specific requirements. This catalog listing your computer systems that meet certain requirements is required even if you don't have a website.

AB 2853 (optional):

Content most often requested by constituents and most often requested via Public Records Act request, to be posted to website in an easy to find location. This can save the cost of making copies by allowing you to refer to your website when complying with public records requests.

The Little Hoover Commission

The Little Hoover Commission, formally known as the Milton Marks "Little Hoover" Commission on California State Government Organization and Economy, is an independent state oversight agency created in 1962. The Commission's mission is to investigate state government operations and policy, and - through reports and legislative proposals - make

Recommendations to the Governor and Legislature to promote economy, efficiency and improved service in state operations. In addition, the Commission has a statutory obligation to review and make recommendations on all proposed government reorganization plans.

The Americans with Disabilities Act & the Rehabilitation Act of 1973

The Americans with Disabilities Act (ADA) and, if the government entities receive Federal funding, the Rehabilitation Act of 1973, generally require that State and local governments provide qualified individuals with disabilities equal access to their programs, services, or activities. One way to help meet these requirements is to ensure that government websites have accessible features for people with disabilities, using simple established technologies.

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.

INTERMOUNTAIN CONSERVATION CAMP

On October 29, 2018 the Lassen County Grand Jury (LCGJ) toured Intermountain Conservation Camp located four miles south of Bieber on 80 acres of land nestled in the pines at the base of Big Valley Mountain.

The LCGJ was greeted by the camp Lieutenant and Officers, two Cal Fire Captains, the Warden of the California Correctional Center, the Correctional Captain for the Camp Mission, and various other Cal-Fire 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 various other community services. On an average, conservation camps dedicate over eight million hours each year of project work to federal, state, and local agencies. They save the California taxpayers millions of dollars annually.

Intermountain Camp performs work projects including fire hazard reduction, forest, rangeland, and watershed enhancement, and various 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 the Lava Beds National Monument.

To the Southwest are McArthur Burney Falls State Park, the Lassen National Forest, Hat Creek, the Pit River and the communities of McArthur, Fall River Mills, and Burney. To the south the camp works with Lassen Volcanic National Park, and the north side of Eagle Lake. The eastern boundary extends into the Modoc National Forest and also includes the communities of Adin, Bieber, Lookout, and

Nubieber. Intermountain Camp crews are also a valuable resource to the state in fire suppression, flood control, and other emergency responses.

During 2018, Intermountain Conservation Camp provided the local communities with thousands of hours of project and conservation work. State agencies benefited from 16,114 hours and federal agencies 3,680 hours. The fire season of 2018 saw the Intermountain Crews dispatched to over 75 incidents and logging over 100,000 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 LCGJ 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 it being over 55 years old.

The LCGJ 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.

CALIFORNIA CORRECTIONAL CENTER

On Friday, February 28, 2019, the 2018-2019 LCGJ toured the California Correctional Center (CCC) located near Susanville. After an initial briefing by the Warden and Management Staff of CCC, there was a question and answer session. The Warden and the Management team strongly emphasized the importance of rehabilitation programs for inmates housed in the facility. Though restricted by budget, they are trying to improve the areas that facilitate these programs. The Warden remained with the LCGJ throughout an extensive tour through Facilities A, B, and C housing units, education, and vocation, medical, camp, kitchen, and outpatient housing unit. CCC Management and staff were present to inform the LCGJ of the mission of each facility in great detail. Included on the tour were the Pups on Parole Program which is celebrating over 12 years of success adopting over 500 dogs.

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 level 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 as well as other emergency response needs throughout the state.

Services provided through the conservation camp program saves taxpayers 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, training, and substance abuse treatment programs for inmates who do not meet the criteria for assignment to conservation camps. These alternative assignments include academic and vocational trade programs, facility maintenance services, food services positions, and other facility support assignments. CCC offers a wide assortment of positive leisure time activities, including numerous self-help programs such as literacy and addiction recovery programs, alternatives to violence, veteran's affairs, religious services, and athletic programs. The LCGJ observed many of the daily operations of education programs which range from remedial education, bachelor's degree programs, and various vocational programs. The LCGJ took special note of the enthusiastic and positive approach displayed by educational staff.

The LCGJ 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 the two paid fire departments in Lassen County. They provide mutual aid to the 17 fire districts covering approximately 4,750 square miles. Antelope Camp and the Fire Department have a long history of providing mutual aid to the residents 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 fundraising activities and donations, as well as blood drives in which CCC staff have donated numerous pints of blood throughout the year.

Each facility visited by the LCGJ was clean and well ran. No discrepancies were noted. The LCGJ gratefully acknowledges the hospitality, patience, knowledge, and professionalism of the Warden and staff during our visit.

HIGH DESERT STATE PRISON

The 2018-2019 LCGJ toured High Desert State Prison (HDSP) on January 17, 2019. Members of the LCGJ were greeted by the Public Information Officer. The Public Information Officer appeared to have been caught off guard by the tour and did not seem prepared but did his best to provide a meaningful tour of the institution.

HDSP's mission is to protect the public by providing humane and safe supervision of offenders and to provide offenders with quality healthcare 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 LCGJ was escorted on a basic 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.

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.

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 reoffend, 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 the California Department of Corrections and Rehabilitation (CDCR).

CBT programs address the following major areas: Substance Abuse, Criminal Thinking, Anger Management, and California ID Process. In the near future, 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 attend 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.

The LCGJ was very impressed with the over-all cleanliness of the institution. 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 LCGJ is most appreciative for the hospitality extended by the Public Information Officer and staff.

LASSEN COUNTY ADULT DETENTION FACILITY

On January 17, 2019 the LCGJ toured the Lassen County Adult Detention Facility (LCADF) located in Susanville. The Sheriff briefed the LCGJ on the accomplishments and the challenges faced by the department by both officers patrolling the streets and officers working in the detention facility. Following the briefing, the LCGJ 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 being currently utilized as they do not apply to current needs. There are plans for these areas if given the areas to remodel them. The kitchen is badly outdated and shows significant wear. It is still scheduled for remodeling as reported in last year's LCGJ report. 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 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 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 seven to eight months. Implementation of AB109 has increased the length of stay. Sentence and non-sentence 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 a 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 a grievance procedure. All complaints are handled within the facility. Serious or severe allegations receive independent review by 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 II Level to be added to the pay scale. This offers the deputies an opportunity for advancements and a pay increase. It is hoped that this may help to retain trained and qualified personnel. The Sheriff emphasized the importance of hiring 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 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 in need of repair. There are improvements currently underway and future upgrades are under considerations pending funding. No discrepancies were noted during the tour.

The LCGJ wishes to express appreciation to the Sheriff and staff for their time and hospitality.

LASSEN COUNTY JUVENILE DETENTION FACILITY

On January 17, 2019 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 has been recently renovated. 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

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 LCGJ visit, the number of the juvenile detainees was 3. 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 per 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 youth 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. No discrepancies were noted during the visit.

The LCGJ acknowledges the job counselors and support staff do in support of the youth detained at the facility. The LCGJ thanks the administration and staff for their time and hospitality throughout the tour.

FEDERAL CORRECTIONAL INSTITUTION AT HERLONG

The 2018-2019 LCGJ toured the Federal Correctional Institution at Herlong (FCI) on January 16, 2019. While the LCGJ is required to visit all jails and prisons in the county, it does not have jurisdiction over the Federal Institutions. None the less, interested members of the 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 fewer than 300 staff. The facility is clean and in good repair.

There are several educational and trade programs offered to the prisoners including drug rehabilitation and pre-release planning. Inmates can also participate in vocational programs as well. Most are released into their community at the end of their confinement through a half-way house program and remain on probation from three to five years. Exercise opportunities are scheduled, and most religious affiliations are accommodated. FCI gives back to the communities of Lassen County through work crews and various other art and other projects.

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