

This document is an extract of a larger publication.

civilgrandjury.org is a project of UnGovr.org, a US-based 501(c)(3) nonprofit dedicated to government transparency and public accountability.



TABLE OF CONTENTS

21	Failure of Oversight - Tulare County Special Districts
27	Poplar Community Service District
31	Homeless Shelters
34	Body-Worn Cameras
38	Library Book Machines
41	Election Integrity

TABLE OF CONTENTS

46	Synopsis
47	Complaint Form
48	2026-2027 Application/Questionnaire

*THIS
PAGE
INTENTIONALLY
LEFT
BLANK*

TULARE COUNTY CIVIL GRAND JURY FINAL REPORT 2024-2025



TULARE COUNTY CIVIL GRAND JURY

A major function of the Tulare County Civil Grand Jury is to examine Tulare County and city governments, special districts, school districts and any joint powers agency operating within the county to ensure their duties are being carried out lawfully. The Grand Jury does not investigate criminal, state, federal or court activities nor personal disputes.

The Civil Grand Jury:

- ❖ Civil Grand Jurors serve a one (1) year term from July 1st through June 30th. The jury panel consists of nineteen (19) persons who are assigned to various committees.
- ❖ May review and evaluate procedures used by these entities to determine whether more efficient and economical methods can be employed
- ❖ May inspect and audit the books, records, and financial expenditures of those entities to ensure that public funds are properly accounted for and legally used.
- ❖ May investigate any charges of willful misconduct in the office by public officials.

To request an investigation, the attached complaint form must be filled out in its entirety and submitted to the Civil Grand Jury either electronically or by mail. All complaints received by the Grand Jury are confidential.

1. Name of complainant and contact information must include address, phone number and email.
2. Complete nature of complaint to include name of person(s) or department(s) against which the claim is being filed.
3. Complaint form must be signed.
4. Written confirmation of complaint will be sent to complainant.

EMAIL FORM TO:
OR MAIL FORM TO:

grnd_jury@tularecounty.ca.gov
Tulare County Civil Grand Jury
5963 S. Mooney Blvd.
Visalia, CA 93277

*THIS
PAGE
INTENTIONALLY
LEFT
BLANK*



Photo By: David Gonzalez

Tulare County Civil Grand Jury 2023-2024

From left to right: Raymond Shebairo, Sharon Lamagno, Joe Hernandez, Bonnie Paulli, Thomas Mitchell, Deidra Vance (Foreperson Pro-Tem), Luis Sepulveda, Valerie Bustamante, David Curschman, Cheryl Blevins, Joel Harris (Foreperson), Maxine Sanders.

Absent the day of picture: Tommie Benc



*THIS
PAGE
INTENTIONALLY
LEFT
BLANK*

TULARE COUNTY CIVIL GRAND JURY FINAL REPORT 2024-2025

LETTER FROM THE JUDGE



Superior Court of the State of California

Stephanie Cameron
Court Executive Officer/
Jury Commissioner

COUNTY OF TULARE

ADMINISTRATION
221 S. Mooney Blvd., Room 303
Visalia, California 93291
Telephone: (559) 730-5000
Facsimile: (559) 737-4290

JUDGES' COMMENTS

On behalf of the entire bench of the Tulare County Superior Court, I want to sincerely thank the 2024/2025 Civil Grand Jury for all the work they have performed on behalf of the citizens of Tulare County. Once again another Civil Grand Jury's term has been completed.

Civil Grand Jurors always assume a great deal of responsibility whenever they agree to be a part of a year's panel. They willingly do this as volunteers without any purpose other than to ensure that governmental agencies and individuals are properly performing their duties. The taxpayers of Tulare County were well served by all the time and effort put forth by this Civil Grand Jury. Our Court is especially grateful for the efficient manner in which this year's Civil Grand Jury performed these tasks and the overall cooperation and respect they showed to each other.

Much is misunderstood by the general public as to the functions and purpose of the Civil Grand Jury. It is empowered by statutory authority to investigate local governmental agencies and process citizen complaints involving local government issues. No other agency or group has mandate to be a "watch-dog" to ensure that our local government works effectively, efficiently, and to the best interest of all citizens. We need responsible, dedicated people such as those on this year's Civil Grand Jury to serve in the future. If you would like to volunteer to do meaningful work for our community, we invite you to apply for service on Civil Grand Jury by contacting the Superior Court at (559) 730-5000 x1359 and ask for an application.

In closing, Tulare County Superior Court applauds each member of this Civil Grand Jury for your dedication to service on behalf of all citizens who live in Tulare County.

Nathan D. Ide
Presiding Judge

*THIS
PAGE
INTENTIONALLY
LEFT
BLANK*

TULARE COUNTY CIVIL GRAND JURY FINAL REPORT 2024-2025



LETTER FROM THE FOREPERSON

Tulare County Civil Grand Jury

5963 South Mooney Boulevard
Visalia, CA 93277

(559) 624-7295 • Fax (559) 733-6078

Honorable Judge Nathan D. Ide
Presiding Judge of the Superior Court
State of California
County of Tulare

Honorable Judge Tara James
Assistant Presiding Judge of the Superior Court
State of California
County of Tulare

Dear Judge Ide and Judge James,

Pursuant to California Penal Code 933, the 2024-2025 Tulare County Civil Grand Jury presents this final report to the court and the citizens of Tulare County. It is the Jury's obligation to improve the Trust, Transparency and Accountability within all operations of the Tulare County government and all other local governments, to ensure their effectiveness and efficiency. It is our desire through our efforts to produce this report, it will help the citizens of the County to stay better aware and informed of the issues and the affairs of the government agencies operating in Tulare County and our recommendations to correct those issues.

In the 2024-2025 session the Jury was operating with only 13 members, six members short of the normal Grand Jury membership of 19. This deficiency put a more than normal work load on the committee members. I am very thankful and proud to have had the opportunity to serve with the members of the 2024-2025 Grand Jury who strove to fulfill their oath to serve the citizens of Tulare County.

I would like to personally thank Judge Ide who served as our court advisor for this term, as well as Judicial Secretary Rocio Felipe. I would also like to thank the County Counsel's office for their support, guidance and assistance and the County Printing Services for their years of expertise in printing our final report. A very special thank you to Annette Jones, the Grand Jury Clerk, who has proven to be indispensable to the jury and a resource in all areas of the Jury's operations.

The members of the 2024-2025 Grand Jury feel that it has been a privileged and gratifying experience to serve the citizens of Tulare County. We hope that our endeavors will further the efficiency and effectiveness of Tulare County and other local government operations.

Respectfully,

A handwritten signature in black ink that reads "Joel R. Harris".

Joel R. Harris, Foreperson

2024-2025 Tulare County Civil Grand Jury • grnd_jury@tularecounty.ca.gov • www.co.tulare.ca.us

*THIS
PAGE
INTENTIONALLY
LEFT
BLANK*

GRAND JURY RESPONSE 2023-2024 COMPLIANCE REVIEW

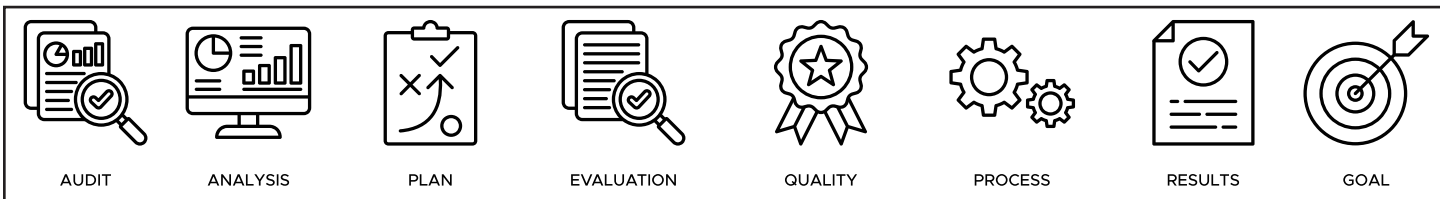
OVERVIEW OF GRAND JURY RESPONSE DUTIES:

The Tulare County Civil Grand Jury (TCCGJ) is impaneled annually to act as the public's watchdog by investigating and reporting on the affairs of county agencies, local governments, school districts and special districts within Tulare County. TCCGJ reviews complaints brought by citizens and internally initiates investigations about perceived government irregularities. As a fact-finding body, the TCCGJ makes constructive recommendations to a wide range of local governmental problems. This is done by reviewing and evaluating policies and procedures, methods and systems utilized to determine if more efficient and economical programs can be employed. TCCGJ is authorized to, and in some cases must, do the following:

- Inspect and audit books, records, and financial expenditures to ensure that public funds are properly accounted for and legally spent
- Examine the books and records of any nonprofit organization receiving local public funds
- Inquire into the conditions and management of jails and detention facilities
- Inquire into any charges of willful misconduct of County and local officials or employees

TCCGJ does not investigate private entities, nonprofit organizations not funded by the county, state or federal agencies, courts, school curricula, personnel issues, pending litigation, or other matters not connected with local governments.

TCCGJ annually issues a final report which contains specific reports addressing one or more issues. California Penal Code §933(c) requires responses from governing agencies, Tulare County Board of Supervisors, city and county government entities, schools, special districts, certain non-profit corporations and other entities. This ensures these entities have performed their function in a lawful, economical and efficient manner. Each report contains information such as the background regarding the subject matter, reasons for the investigation, the procedures followed in obtaining information, findings, conclusions, and recommendations. All required responders must reply in writing to each finding and recommendation in the specific report within a specified period.



ACTIVITIES OF THE COMMITTEE:

1. Reviewed responses to the 2023-2024 Grand Jury Final Report
2. Inquired into the status of implementation of the 2022-2023 Grand Jury recommendations

TULARE COUNTY CIVIL GRAND JURY FINAL REPORT 2024-2025

3. Reviewed relevant California Government and Penal Codes
4. Compiled statistics regarding the responses

The 2023-2024 TCCGJ required responses (all elected officials) or invited responses (unelected heads of departments) from the following agencies:

Impact of Winter Storms of 2022-2023

Required: Tulare County Board of Supervisors

Invited: Tulare County Resource Management Agency

Efforts during the Winter Flooding Disaster of 2022-2023

Required: Tulare County Board of Supervisors

Invited: Tulare County Director of HHSA

Exeter Cemetery District

Required: Tulare County Board of Supervisors

Invited: Exeter Public Cemetery District

Addressing Homelessness in Tulare County 2023-2024

Required: Tulare County Board of Supervisors

Invited: Tulare County HHSA

Tulare County Task Force on Homelessness

Books – Challenged or Banned 2023-2024

Required: Visalia Unified School District

Tulare City School District

Porterville Unified School District

Tulare County Office of Education

Invited: Tulare County Librarian

Cannabis Sale Impact in Tulare County

Required: City Council of Farmersville

City Council of Lindsay

City Council of Porterville

City Council of Tulare

City Council of Woodlake

TULARE COUNTY CIVIL GRAND JURY FINAL REPORT 2024-2025

Parks Facelift

Required: Tulare County Board of Supervisors

Invited: Tulare County General Services Agency

Tulare County Parks Division Manager

DATA REVIEWED:

1. There were 7 TCCGJ reports published in the 2023-2024 Final Report with 21 agencies required or invited to respond.
2. There were 28 findings and 21 recommendations in the 2023-2024 Final Report with required or invited responses from the agencies listed above.
3. In the 2023-2024 Final Report, 19 agencies agreed, 1 agency disagreed, and 3 agencies partially agreed with the findings. 18 agencies implemented the recommendations and 3 agencies indicated that the recommendations required study. The City Council of Lindsay failed to respond.

SUMMARY

Entities responding to a report shall do so in accordance with California Penal Code §933.05.

The 2023-2024 Final Report and responses may be found on the Tulare County Civil Grand Jury website:

<http://tularecounty.ca.gov/grandjury>

REVIEW OF 2022-2023 IMPLEMENTATION

TCCGJ annually issues a final report addressing one or more issues requiring responses from various agencies in Tulare County. All required responders must reply in writing to each finding and recommendation in the specific report. The 2022-2023 Civil Grand Jury Final Report included 9 reports with 18 recommendations. 5 agencies were required to respond with 20 agencies invited to respond. The TCCGJ is obligated to follow up and verify implementation of recommendations made in this report.

METHOD OF FOLLOW UP:

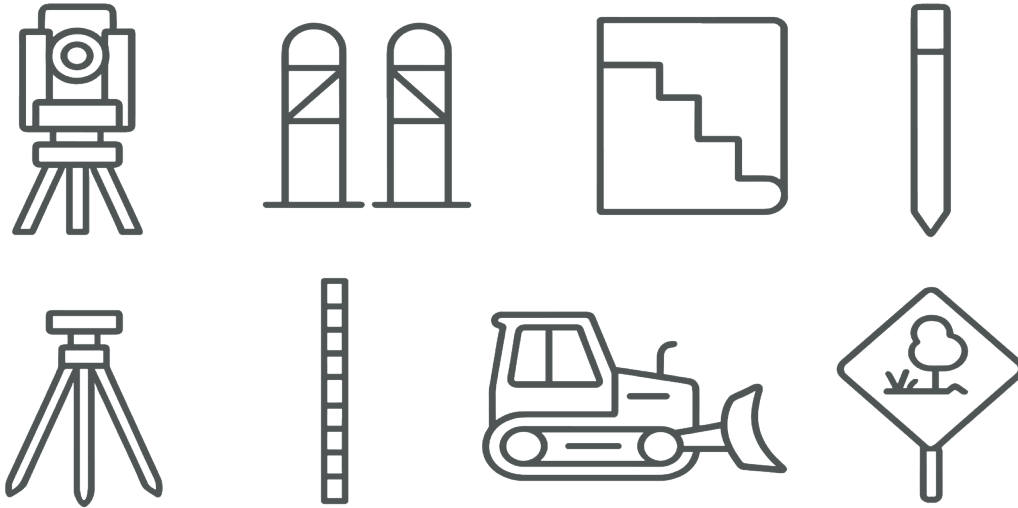
1. Clarification letters were sent to the designated responders
2. Reviewed websites and confirmed updates were completed
3. Reviewed updated documents and responses

TULARE COUNTY CIVIL GRAND JURY FINAL REPORT 2024-2025

SUMMARY:

Of the 9 reports, 19 Tulare County agencies responded they had implemented the recommendations, 1 School Districted responded they would be implementing the recommendation. Follow-up with the School District indicated that they were implementing the recommendation now.

Annexation of Agricultural Land in Tulare County



SUMMARY:

Tulare County is one of the leading agricultural producing counties in the state and nation. The cities within Tulare County continue to expand as the population increases in the County. With this growth in population, city boundaries have and will continue to expand, creating the need for annexation of land. The Tulare County Civil Grand Jury (TCCGJ) chose to review the process and oversight regarding annexation.

BACKGROUND:

Agriculture is the leading industry in Tulare County and primary creator of generational wealth. Tulare County agricultural production for crop years 2021, 2022, 2023 was valued at \$8.1B, \$8.6B and \$7.8B respectively. (California Department of Food and Agriculture, Tulare County Farm Bureau and Visalia Times-Delta websites).

Revenue from farm operations and ag-related business has fueled increase in County property tax revenues from \$45M in fiscal year 2014-2015 to an estimated \$71.8M in 2024-2025. (Tulare County Treasurer-Tax Collector website)

The County has experienced steady population growth from 368,311 in year 2000 to 479,468 in 2023. (Source: Neilsberg Research report for Tulare County growth published 7.30.24). Most of this growth occurred within the cities of Tulare County.

Between the year 2000 and 2022 over 16,000 acres of agricultural land was annexed by cities in Tulare County. (Source: Table 3, Tulare County LAFCO 2022 Annual Report dated 12.7.22).

The TCCGJ wanted to research the laws, planning, accountability and process of annexation.

TULARE COUNTY CIVIL GRAND JURY FINAL REPORT 2024-2025

METHOD OF INVESTIGATION

1. Interviewed planning groups
2. Questionnaire with requested responses from various cities in Tulare County
3. Reviewed State of California Government Code Section 65300 regarding development of General Plans by cities and counties
4. Reviewed initial 1963 California law creating Local Area Formation Commissions and Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code Section 56000 et seq.)

DISCUSSION:

Annexation of land by a city (including agricultural land) requires compliance with several state laws and local government regulations. The TCCGJ reviewed the process and oversight when land previously used for agriculture is proposed to be annexed. The intent of this report is to provide the citizens of Tulare County with a broad overview of the key processes below that govern the annexation process.

General Plan: All counties and the cities within are required by law (Government Code Section 65300) to create a general plan. The law stipulates “local governments have the primary responsibility for planning and regulation of land use.”

Each city in Tulare County has a planning process and General Plan. The General Plan is developed by either the City Planning Commission, the City Council, or both.

The plan outlines the city’s projected land use needs for residential, commercial and municipal use. The plan projects these needs 25 years in the future. State law requires that each city’s General Plan includes a plethora of analysis related to the impacts, including economic, environmental and social, the plan will have on city residents. The Cities include an analysis of the future potential conversion (annexation) of agricultural land and the impact to county and industry if the annexation occurs.

Each city provides Tulare County with their General Plan, which then becomes the foundation for Tulare County’s General Plan.

Spheres of Influence: This is a key part of each city’s general plan. The plans for future growth define the land which will become part of the city. The city must state the expected expansion of its boundaries and the direction (land) that expansion will occur.

Local Agency Formation Commission (LAFCO): In 1963 the California State Legislature passed a law creating an agency for each county. Included in the stated purpose of each County LAFCO’s functions was the following:

TULARE COUNTY CIVIL GRAND JURY FINAL REPORT 2024-2025

1. Encourage orderly formation of local government agencies.
2. Preserve agricultural land resources.
3. Discourage urban sprawl.

In the same law, one of the powers of the LAFCO agencies is ‘boundary changes’ (including annexation).

In 2000, the State Legislature passed AB 2838 which made significant changes to the original law of 1963. AB 2838 “affirmed and strengthened the oversight role of LAFCO in the annexation process”.

LAFCO has the responsibility to review any application for annexation by a city. This is an additional oversight step required in state regulation. A key responsibility of LAFCO is to ensure proposed annexation is within the city’s general plan. LAFCO does have the authority to reject the application.

Annexation Process: This is a multiple step process with many agencies involved.

Step 1. A landowner decides he wants to have his land annexed by the city, there is an exhaustive review process required of the cities. Some key measures include:

1. Is the land proposed for annexation within the city’s General Plan’s Sphere of Influence?
2. The proposed use of the land fits the General Plan.
3. Results of environmental impact report required by the California Environmental Quality Act (CEQA). Under the CEQA conversion of prime agricultural land is considered a significant event which triggers analysis on the agricultural land.

Step 2. When the city review process is completed, an application is submitted to LAFCO for approval of the proposed annexation.

LAFCO has a 5-step process for annexation applications:

1. Pre-application
2. Filing of final application by the city
3. LAFCO Review
4. Protest Proceedings
5. Final Certification

TULARE COUNTY CIVIL GRAND JURY FINAL REPORT 2024-2025

An issue that will impact city growth and may increase the rate of annexation is the State of California's housing crisis. New California laws and directives to accommodate the development of affordable housing is another factor for planning groups to manage.

FINDINGS:

After our review and demonstrated by the information in our report, the TCCGJ finds that:

- F1.** Annexation is a highly regulated process with oversight from various government agencies, with laws and regulations that create a structured analysis for review of the annexation.
- F2.** The impact to agricultural land is reviewed, analyzed and reported as part of a city's general plan (future growth), an environmental impact required by CEQA as part of a city's review of an annexation application and finally by Tulare County LAFCO.
- F3.** LAFCO has the authority to reject an application for annexation if all criteria is not met, ensuring the protection against urban sprawl and preservation of agricultural land.
- F4.** Population growth will continue in Tulare County.

RECOMMENDATIONS:

- R1.** No recommendation proposed.

REQUEST FOR RESPONSES:

- 1. No responses required.

DISCLAIMER

Grand Jury reports are based on documentary evidence and the testimony of sworn or admonished witnesses, not on conjecture or opinion. However, the Grand Jury is precluded by law from disclosing such evidence except upon specific approval of the Presiding Judge of the Superior Court, or another judge appointed by the Presiding Judge (Penal Code Section 911, 924.1 (a) and 929). Similarly, the Grand Jury is precluded by law from disclosing the identity of witnesses except upon an order of the court for narrowly defined purposes (Penal Code Section 924.2 and 929).

TULARE COUNTY CIVIL GRAND JURY FINAL REPORT 2024-2025

Failure of Oversight - Tulare County Special Districts

SUMMARY:

The focus of this report by the Tulare County Civil Grand Jury (TCCGJ) is to inform the reader of continuing issues involved with oversight of special districts.

Special Districts are agencies formed by residents or landowners to provide essential services such as mosquito abatement, sewage, water, parks and recreation.

Most special districts are independent, allowing residents or landowners in the district to elect a board of directors to oversee the special district's activity. These special districts are independent from other government agencies. (About Special Districts Guide California Special Districts Association 2016 pg. 2).

Special Districts are primarily funded by the taxpayers, through fees or assessments charged to residents for services of the district and allocation of property tax from county government.

The California Government Code sections also require public disclosure of certain information via website. California State SB929 sets minimum standards of disclosure for independent websites.

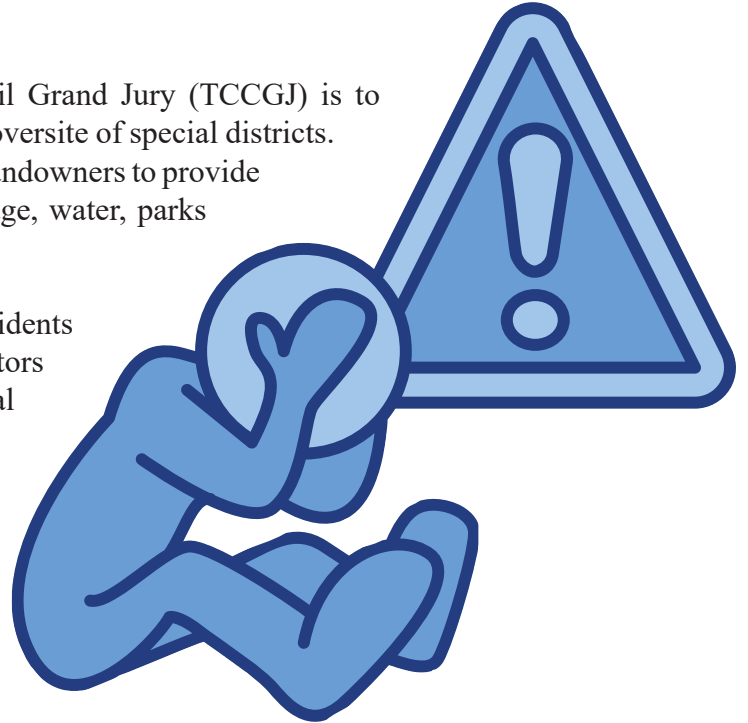
The TCCGJ reviewed Tulare County Special Districts for compliance with regulations related to website access and required information. The 2022-2023 TCCGJ issued a report for fiscal year ending 6-30-23 indicating that “80% were found to be lacking in compliance with the new law in one form or another” (TCCGJ 2022-2023 Final Report – Special Districts Website Requirements pg. 57)

BACKGROUND:

In 1887, the Wright Act was passed creating the legislation for the first California Special District. Subsequent legislation has been passed by the California Legislature to further define the role and requirements for Special Districts.

The California Legislature through the Knox-Nesbit Act of 1963 mandated establishment of Local Agency Formation Commissions (LAFCO) for each county. One of their primary responsibilities included “*the promotion of efficient local government services*”. Activities of Special Districts are included in this defined responsibility.

Subsequent legislation passed by the California Legislature through the years related to Special Districts failed to include a mechanism of direct oversight and authority for a government agency (County Board of Supervisors, County or State Auditor-Controller, County LAFCO) to ensure independent Special Districts comply with regulations related to public disclosure of critical information.



TULARE COUNTY CIVIL GRAND JURY FINAL REPORT 2024-2025

1. the financial condition of the district through audits
2. review of a district's governing policies or decisions via district's website

The issues of non-compliance of basic California Legislation related to information disclosures by Tulare County Special Districts has been noted by previous TCCGJ. TCCGJ reports for fiscal year ending:

1. **2011-2012** *'Lack of Oversight – Tulare County Special Districts'* pgs. 23-25.
2. **2014-2015** *'Special Districts – Audit Failures'* pgs. 103-106.
3. **2015-2016** *'Auditor's Audit Failures'* pgs. 49-52.
4. **2020-2021** *'Monitoring...So What??'* pgs. 18-20.
5. **2022-2023** *'Special Districts Website Requirements'* pgs. 55-57.

METHOD OF INVESTIGATION:

1. Interviewed representatives for County of Tulare Auditor-Controller Office and Tulare County LAFCO.
2. Reviewed Cortese-Knox-Hertzberg Reorganization Act of 2000, California Government Code Section 56000 et seq.
3. Reviewed web sites of California State Controller, County of Tulare Auditor-Controller, Tulare County LAFCO.
4. Reviewed County Civil Grand Jury reports from Santa Cruz, Riverside, Marin related to Special District issues of transparency, oversight, and compliance.

DISCUSSION:

Tulare County has nearly 90 special districts and those districts collected revenue of nearly \$1.3B of taxpayer money. (California State Controller website fiscal year ending June 30, 2023). This revenue total of taxpayer funds collected by Tulare County Special Districts is understated, because nearly half of the Special Districts in Tulare County have not submitted the required audits for year ending June 30, 2023. (Tulare County Audit Controller Compliance List for Audits as of February 6, 2025). Without those audit reports, the total revenue collections are incomplete.

Through regulations in California State Government Code 65000 et seq., the need for transparency is clear. Two of the major vehicles for transparency and information are provided through the requirements for financial audits and structured district websites.

TULARE COUNTY CIVIL GRAND JURY FINAL REPORT 2024-2025

Audits

California Government Code sections require Special Districts to have annual audits by third party CPA or County Auditor Controller. There are some exceptions that allow for bi-annual and tri-annual reports. These audit reports are required to be sent to the County Auditor Controller and the California State Controller.

One valuable aspect of annual financial audits for taxpayers and residents of the district is the accountability of the district's board and employees for the usage of the taxpayer funds paid to the district. The audit will provide assurance that taxpayer funds are spent on activity related to the district's primary service, minimize waste and protect against potential misuse of district funds (fraud).

The County of Tulare Auditor-Controller Office generates an annual report each fiscal year end (Special Districts Monitoring Report). The report lists the special districts by County Supervisory Districts and clearly outlines Special Districts that are not:

1. in compliance with the requirement for audits
2. in compliance with the requirements for disclosure of potential negative financial issues noted by the audit (decrease in net operating position, deficiencies in internal controls, a modified opinion which will indicate business issues impacting operations, ongoing concern which indicates the district's finances may not support continued operation in near future, contingent liabilities which could cause adverse impact on finances or operations)

The same report from the Tulare County Auditor –Controller's office lists Districts that fail to comply with the Government Accounting Standards Board (GASB) requirement for inclusion of the Management Discussion and Analysis (MD&A).

This audit requirement of the GASB reviews business issues with management and is considered “*essential part of financial reporting to place the basic financial statements in an appropriate operational, economic and historical context*”. Monitoring Report (County of Tulare Auditor-Controller Special Districts report July 1, 2022 through June 30, 2023 Appendix A, pg. 15)

Of the 44 audit reports submitted for review as of the County of Tulare Auditor-Controller's report, 19 of the audit reports failed to include the section related to MD&A.

The report supplied by the Auditor-Controller's Office for year ending 2023, is based on the limited number of audit reports available, which outlines the number of Tulare County Special Districts with negative financial results or trends. This information is of concern, as is the unknown financial strength or issues within Special Districts that have not filed audit reports. Many of these nonreporting Districts listed in the 2022-2023 report have not filed audits for several years.

TULARE COUNTY CIVIL GRAND JURY FINAL REPORT 2024-2025

There are Special Districts in Tulare County, based on audit information which indicates deteriorating financial conditions, if not rectified, might lead to bankruptcy. There may easily be other Special Districts with similar weak financial positions who have not filed the required audits.

Web Site Disclosure

Required information available through website disclosure includes posting of notice and the agenda of next Board of Directors meeting (including minutes of last Board meeting), contact information (address and telephone number of District offices), convenient access to information (easily navigable by user) and the audit report required to be sent to Tulare County Auditor-Controller and State Controller's Office.

Tulare County's LAFCO has an opportunity to review website availability and compliance with information posted to the site when performing a Municipal Service Review (MSR). The MSR function was included in the expanded authorities of LAFCO under the Cortese-Knox-Hertzberg Reorganization Act of 2000. MSR reviews *"attempt to capture and analyze information about the government structures and efficiencies of service providers and to identify opportunities for greater coordination and cooperation"* (California Association of Local Agency Formation Commissions website).

The issue of website compliance and lack of transparency is not a problem unique to Tulare County. The Riverside County Grand Jury report for 2023-2024, states *"Riverside County Special Districts appear to operate in relative obscurity, hidden from the scrutiny of the public they were created to serve. Less than 50% have websites...."* (Riverside County 2023-2024 Grand Jury Report, pg. 14 Finding #3).

The Special Districts continue to provide essential services to constituents in their respective communities. The concern is the lack of oversight or mechanism to ensure compliance with existing State laws requiring financial audits and website transparency for various interested parties to access information. These issues have been noted in 5 different TCCGJ reports over the last decade, as well as numerous other County Grand Juries throughout the State.

Through TCCGJ review of State of California legislation, published reports by other County Grand Juries and discussions with representatives from local agencies, there is a lack of clear authority to enforce compliance with California State Regulations discussed in this report.

The Little Hoover Commission found that *"independent special districts often lack the kind of oversight and citizen involvement to promote efficient operation"* (The Little Hoover Commission, Special Districts: Improving Oversight and Transparency, Report 239 August 2017).

TULARE COUNTY CIVIL GRAND JURY FINAL REPORT 2024-2025

FINDINGS:

- F1.** There is a clear lack of financial information available for Tulare County taxpayers in relation to Special Districts. This is the direct result of the lack of compliance by many Special Districts to State of California Government Code.
- F2.** Revenues collected from taxpayers by Tulare County Special Districts continue to increase as demand for services continues to grow.
- F3.** There is lack of compliance with disclosure requirements or easy access to information on entities' websites.
- F4.** There is no clear accountability of Special Districts, particularly the Board of Directors, to ensure compliance with audit reports or information disclosures.

RECOMMENDATIONS:

- R1.** Through County stature or other similar legal requirements, authorize the County of Tulare Auditor-Controller, to provide accounting services to produce 'reviewed financials' to Districts that are not in compliance with required audits. Reviewed financials would still provide financial data but avoids conflict of interest issues a full audit may encounter. The County Board of Supervisors would need to provide additional funding in future budgets for this service.
- R2.** Authorize County Auditor-Controller to contract with a CPA firm to conduct audits or sufficient financial review on behalf of taxpayers for Special Districts that continue to fail to meet audit requirements, at the expense of the Special Districts.
- R3.** Implement regulation at County or State level allowing Counties to withhold funding or levy fines to noncompliant Special Districts related to audits.
- R4.** Encourage LAFCO when conducting MSR's to require review of Special District websites for compliance with State Regulations and withhold final report until the Special District is compliant.
- R5.** If LAFCO can't coordinate with Special Districts to meet compliance with website disclosure requirements, LAFCO should forward information to County agency to withhold funding or levy fines to noncompliant Special Districts related to audits.
- R6.** Become proactive regarding financial information and audits. Create standards requiring financial oversight by Tulare County Controller's Office if Special District appears to be in deteriorating financial condition.

TULARE COUNTY CIVIL GRAND JURY FINAL REPORT 2024-2025

REQUEST FOR RESPONSES:

REQUIRED:

Tulare County Board of Supervisors	Finding: F1-F4	Recommendations: R1-R6
------------------------------------	----------------	------------------------

INVITED:

- | | | |
|-------------------------------------|----------------|------------------------|
| 1. Tulare County LAFCO | Finding: F1-F4 | Recommendations: R1-R6 |
| 2. Tulare County Auditor-Controller | Finding: F1-F4 | Recommendations: R1-R6 |

DISCLAIMER

Grand Jury reports are based on documentary evidence and the testimony of sworn or admonished witnesses, not on conjecture or opinion. However, the Grand Jury is precluded by law from disclosing such evidence except upon specific approval of the Presiding Judge of the Superior Court, or another judge appointed by the Presiding Judge (Penal Code Section 911, 924.1 (a) and 929). Similarly, the Grand Jury is precluded by law from disclosing the identity of witnesses except upon an order of the court for narrowly defined purposes (Penal Code Section 924.2 and 929).

POPLAR COMMUNITY SERVICE DISTRICT



SUMMARY:

The Tulare County Civil Grand Jury (TCCGJ) received a complaint regarding the operations of The Poplar Community Services District (PCSD). Included in the complaint was the PCSD Board’s compliance with State Regulations on public disclosure of information related to meetings, the eligibility of Board member to serve, and conflict of interest regarding potential sale of a PCSD asset (land).

BACKGROUND:

PCSD is a special district organized under state regulations and approved by the Local Agency Formation Commission, or “LAFCO” of Tulare County.

As stated in the preamble section of the PCSD by-laws, “*Whereas PCSD was organized in 1959 under the laws of the State of California for the purpose of providing water, sewer, and recreation service to the residents of the district*”. “*Whereas the district has an obligation to provide good water and sewer service to the residents at lowest possible cost that conforms with State and Federal law*”.

PCSD assumed an additional responsibility for the management of Poplar Park when the local Chamber of Commerce was disbanded.

TULARE COUNTY CIVIL GRAND JURY FINAL REPORT 2024-2025

METHOD OF INVESTIGATION:

1. Interviewed Board Members and staff of PCSD.
2. Written questionnaire with direct responses from Board Members of PCSD.
3. Reviewed PCSD by-laws.
4. Reviewed website of PCSD.
5. Reviewed websites of other Special Districts in Tulare County.
6. Reviewed State of California Government Code (Sec 61000 et seq) related to Special Districts; State of California Code (Sec 87100 – 87505) related to conflict of interest; State of California Government Code (Sec 53234) and AB 1234 Training related to Ethics Training; SB929 related to information disclosure for Special District websites.

DISCUSSION:

There are very specific state regulations which Special Districts are required to maintain compliance with:

- Annual audit reports from third party CPA firms or County Auditor is required as outlined in California Government Code Sec 26909. This section also requires the annual audit to be submitted to the county auditor within 12 months of fiscal year end.
- The California Government Code Sec 61000 et seq. requires Special Districts to develop websites providing public information for district residents. One requirement is the posting of the agenda of board meetings. SB 929 requires special districts to “post meeting agendas 72 hours in advance. *“The website must include on the home page a direct link to the current agenda. The posted agenda should be easily accessible and searchable.”*
- Board members must be residents living within the district boundaries.

Special districts have developed and adopted policies and procedures related to normal business activity. *“Board policies should guide district governance such as board meetings, agendas and minutes, board conduct and rules of order. Policies should also be adopted concerning district finances, personal, and other key functions.”* (Special District Board Member Handbook page 11). Other key functions include policies related to contract bid process, contract review process, conflict of interest disclosure and recusal.

California Government Code (sec 87100 – 87505) states *“Board members, management or officer shall not be financially interested in any contract made by them in their official capacity or by any contracts made by a body or board which they are members. Nor shall Board members, management or officer be purchasers at any sale or vendors at any purchased made by them in their official capacity.”* The potential for conflict of interest in

TULARE COUNTY CIVIL GRAND JURY FINAL REPORT 2024-2025

awarding sales of assets or signing contracts to companies in which Board Members, key employees of the district, family members or friends who have financial interest in the bidding company creates a major transparency issue.

During multiple interviews with PCSD, it was stated that PCSD is understaffed. The understaffing issue becomes critical when the district is considering large business projects such as new water wells or sewer system improvements. Funding for large projects are sourced from grants. The staff and Board do not have the time or expertise to search, review, analyze and apply for the grants. Therefore, PCSD relies on a third-party engineering company to perform these services.

One of the key points of the citizen complaint was the pending sale of PCSD land for residential development. The sale requires key analysis related to the asset's fair market value, asking (sales) price on the land, tax implications of the sale, transfer of water rights, possibility that water transfer could impact the overall District's water supply and impact on future growth of the district. This transaction requires legal and financial expertise outside the resources of the current Board, management or staff.

FINDINGS:

- F1. The PCSD website does not contain the required link on the home page leading users directly to the agenda.
- F2. PCSD has not had an annual audit completed since 2018 and is out of compliance with the California Government Code Sec 26909. In 2024 a new CPA completed the 2019 audit, but subsequent years are still incomplete.
- F3. PCSD has minimal Board and operating policies. In written responses to TCCGJ requests for materials, PCSD responses included the following statement. *“Unfortunately, we have had a difficult time locating our policies as past PCSD Board and staff did not provide and pass district policies”*. PCSD stated, *“the conflict of interest policy adopted in 1999 by the District however, we could not locate the policy”*.
- F4. PCSD is considering a major sale of one of the district's land assets to a third party for potential development. This is a complex transaction in which there are no current policies outlining the contract process, conflict of interest issues as well as the legal and financial issues outlined above.
- F5. There is a potential conflict of interest impacting one PCSD Board member who has a financial interest in one of the potential buyers of the property.
- F6. There have been questions regarding a Board member's eligibility, with numerous complaints that one Board member lives outside the district, but is using a relative's address to qualify. The issue has not been addressed publicly or confirmed in discussions with TCCGJ.
- F7. Although PCSD is underfunded and understaffed it continues to provide services to the community through efforts of the dedicated employees.

TULARE COUNTY CIVIL GRAND JURY FINAL REPORT 2024-2025

RECOMMENDATIONS:

- R1. PCSD should bring the website into compliance and update information monthly.
- R2. If PCSD needs assistance with website compliance, there are vendors and not-for-profit associations in the State of California that provide expertise related to website requirements for Special Districts which can be contacted.
- R3. Make a priority to have audits updated for all years after 2019 posted to the website and then annually complete the audit as required by the Government Code Section 26909.
- R4. Review and update all Board and operating policies and procedures at least every two years. These should be relevant to PCSD business, clearly stated and understood by all.
- R5. Consider hiring a third-party financial group to provide clear financial and legal analysis of impact from sale or lease of any assets.
- R6. Create and enforce a clear policy related to Board member eligibility.

REQUIRED RESPONSE:

Poplar Community Service District Findings F1- F7 Recommendations R1-R6

DISCLAIMER

Grand Jury reports are based on documentary evidence and the testimony of sworn or admonished witnesses, not on conjecture or opinion. However, the Grand Jury is precluded by law from disclosing such evidence except upon specific approval of the Presiding Judge of the Superior Court, or another judge appointed by the Presiding Judge (Penal Code Section 911, 924.1 (a) and 929). Similarly, the Grand Jury is precluded by law from disclosing the identity of witnesses except upon an order of the court for narrowly defined purposes (Penal Code Section 924.2 and 929).

TULARE COUNTY CIVIL GRAND JURY FINAL REPORT 2024-2025

HOMELESS SHELTERS

SUMMARY:

The 2023/2024 Tulare County Civil Grand Jury (TCCGJ) reported on homelessness in Tulare County. The report covered the history of homelessness in Tulare County, the efforts of County agencies and available short-term shelters. The report also mentioned long-term facilities that were being planned. Since several of these long-term facilities are now open the TCCGJ decided to review how they operate and the services they provide. The TCCGJ also looked at the involvement of the Tulare County Health and Human Services Agency (HHSA).

BACKGROUND:

The TCCGJ focused on four centers that were planned or opened in Tulare County. The Visalia Navigation Center in Visalia broke ground in April 2023 and opened to its first residents in November 2024. Salt and Light opened The Neighborhood Village in Goshen in September 2024. The City of Tulare's designated encampment, Tulare CARES Temporary Encampment site, opened in January 2023. In 2024, the City of Tulare broke ground on the new Tulare Navigation Center which will accommodate up to 400 individuals with an anticipated opening at the end of 2025. The Lofts at Fort Visalia opened in December 2023.

METHOD OF INVESTIGATION:

1. Toured sites
2. Interviewed sites' personnel and management
3. Reviewed sites' documents and websites

DISCUSSION:

Visalia Navigation Center:

The Visalia Navigation Center was built at a cost of \$11.5 million. It was funded by a combination of grants, local donations and City and County funds. It houses up to 100 temporary residents and provides access to services through Community Services Employment Training (CSET) and their partner organizations. The County has a 25 bed set-aside with all referrals coming through HHSA's Integrated Services. The center reduces common barriers to entry, including the need to bring partners and/or pets and store personal



TULARE COUNTY CIVIL GRAND JURY FINAL REPORT 2024-2025

possessions. On-site resources include beds, showers, laundry facilities, meals, phone/mail services, animal kennels, storage space and parking for residents. Residents are able to stay for six months, with some exceptions made on a case-by-case basis. The residents receive on-site services which include employment training, help with obtaining public benefits, health services, substance abuse and mental health services. It provides connections to permanent housing opportunities. HHSA offers direct on-site services as well as additional funding for supporting services.

More information for the Visalia Navigation Center may be found at cset.org/fls or by emailing fls@cset.org.

Neighborhood Village:

Neighborhood Village opened in September 2024. It was built by and is operated by Salt and Light, a 501c3 not-for-profit organization. The 53-unit permanent housing community (50 units are available to the public with 3 occupied by onsite staff) includes: furnished modular homes, a coffee kiosk, marketplace, park, memorial garden, dog park, library, chapel, organic garden, outdoor eating area and community kitchen. On site programs and services include residential care, income opportunities, job training and workplace development, mental and physical health services, coordination of benefits and case management, wellness and financial classes and Narcotics Anonymous and Alcoholic Anonymous meetings. Once a week they provide transportation for food shopping. Salt and Light operates a mobile food truck and partners with HHSA through those services in addition to the Neighborhood Village permanent supportive housing site. Residents are selected through a list that is shared between agencies that is housed in HMIS “Homeless Management Information System” which gives a complete history of each person, including their intensity of need.

City of Tulare:

In 2022 the City of Tulare obtained a \$1.5 million grant through the California Interagency Council on Homelessness and has established a temporary encampment that can begin to meet the needs of the homeless. The Tulare CARES Temporary encampment is 2 acres and can house up to 178 individuals located at East Walnut and South O Street in Tulare. It opened January 25th, 2023. Residents have access to case managers who work to put them in permanent housing. Three days a week, various nonprofits donate food, supplies and a shower trailer. Twice a week, Tulare County and Adventist Health provide mobile medical and social services. Also provided are barbecue grills and portable toilets. Two former transit buses serve as cooling and warming stations when needed. Residents of the Tulare Encampment are required to follow specific rules and work together to keep the area clean. The encampment is still foreseen to continue to be open until the Tulare Navigation Center is completed.

In September 2024 the Tulare City Council approved a \$14 million funding package for the construction of the Tulare Navigation Center on the Hillman Health Center campus. Funding of the project comes from a variety of sources including federal and state grants. The long-term goal of the City is to develop an emergency shelter for the homeless to live in as they transition back to permanent housing. The primary focus of the facility will be to address the needs of homeless individuals in Tulare, however some space will be available for county area homeless. The facility will feature preassembled homes and a large building that will house bed space, services and a food bank. It will have between 100 and 400 beds. HHSA has a 25% bed set-aside once the center opens. A groundbreaking ceremony was held on December 12, 2024 with anticipated opening at the end of 2025.

TULARE COUNTY CIVIL GRAND JURY FINAL REPORT 2024-2025

The Lofts at Fort Visalia:

The Lofts at Fort Visalia is an 80-unit multifamily complex located in downtown Visalia. The Lofts reserves 40 units as permanent supportive housing units supporting formerly unhoused residents or those at risk of homelessness. There are on-site services and support staff who work with local agencies to ensure a healthy and safe community for both residents and neighbors. Included are studio, 1 bedroom or 2 bedroom units, community kitchen space, a computer lab with internet access, a laundry center and an outdoor courtyard with BBQ's. Built by Self-Help Enterprises, the Lofts opened in December 2023. HHSA has a funded program, My Voice Media Center, co-located on site.

FINDINGS:

After our review and demonstrated by the information in our report, the TCCGJ finds that:

- F1. The property at the Neighborhood Village is well maintained.
- F2. Tulare County HHSA's partnership with the various homeless locations provides a valuable service to the community.
- F3. Tulare CARES Temporary Encampment is scheduled to close when the new facility is opened in Tulare.

RECOMMENDATION:

- R1. HHSA continue to support the needs of the homeless through involvement in community organizations.

REQUEST FOR RESPONSES:

Required Response:

Tulare County Board of Supervisors; Finding F2 Recommendation R1

Invited Response:

HHSA Finding F2 Recommendation R1

DISCLAIMER

Grand Jury reports are based on documentary evidence and the testimony of sworn or admonished witnesses, not on conjecture or opinion. However, the Grand Jury is precluded by law from disclosing such evidence except upon specific approval of the Presiding Judge of the Superior Court, or another judge appointed by the Presiding Judge (Penal Code Section 911, 924.1 (a) and 929). Similarly, the Grand Jury is precluded by law from disclosing the identity of witnesses except upon an order of the court for narrowly defined purposes (Penal Code Section 924.2 and 929).

BODY-WORN CAMERAS



SUMMARY:

The California Penal Code 832.18 was updated on August 19, 2023, to establish policies and procedures to address issues related to the downloading and storing data recorded by body-worn cameras (BWCs) by a peace officer. It requires law enforcement agencies to consider best practices when establishing these policies and procedures for BWCs. The Tulare County Civil Grand Jury (TCCGJ) decided to inquire into local law enforcement agencies' usage and policies concerning BWCs.

BACKGROUND:

BWCs are relatively small devices that record interactions between community members and law enforcement officers. The camera is typically worn on the officer's uniform with a forward-facing viewable area. The video evidence is uploaded through a docking station on a local storage device or through an online web-based digital media storage platform. Some models also allow for video uploading while in the field. They provide a way to capture an accurate depiction of the events as they occur and to protect officers and the public from unwarranted or untrue complaints. The camera only records one angle and may not show everything the officer is seeing.

METHOD OF INVESTIGATION:

1. Surveyed local law enforcement agencies on body-worn camera usage
2. Reviewed California laws regarding BWCs
3. Internet research

DISCUSSION:

California law does not require police officers to wear body cameras, but many law enforcement agencies have implemented them. There are specific laws that govern their usage:

Penal Code 832.18 requires agencies to consider the following best practices when establishing policies and procedures regarding downloading and storage of body-worn camera data:

TULARE COUNTY CIVIL GRAND JURY FINAL REPORT 2024-2025

1. Designate the person responsible for downloading the recorded data from the body-worn cameras. If the storage system does not have automatic downloading capability the officer's supervisor should take immediate possession of the camera and should be responsible for downloading the data in the case of an incident involving the use of force by an officer, an officer-involved shooting or other serious incident.
2. Establish when data should be downloaded to ensure the data is entered into the system in a timely manner, the cameras are properly maintained and ready for the next use and for purposes of tagging and categorizing the data.
3. Establish specific measures to prevent data tampering, deleting and copying, including prohibiting the unauthorized use, duplication or distribution of body-worn camera data.
4. Categorize and tag body-worn camera videos at the time it is downloaded and classified to the type of event or incident captured in the data.
5. Specifically state the length of time that recorded data should be stored.
6. State where the body-worn camera data will be stored.
7. Establish rules if third-party vendors are used to manage data storage systems.
8. Require that all recorded data from body-worn cameras are property of their respective law enforcement agency and shall not be accessed or released for any unauthorized purpose, explicitly prohibit agency personnel from accessing recorded data for personal use and from uploading recorded data onto public and social media internet websites and include sanctions for violation of this prohibition.

Body-worn camera footage is a public record and is subject to disclosure under the California Public Records Act. Processing public record requests can be time consuming and expensive for the agencies. Additional storage and maintenance are also required. Disclosure may be denied if exceptions apply, including if the release compromises the privacy of a victim or witness, or if it would interfere with an ongoing investigation.

Video and audio recordings from BWCs can be used by law enforcement to demonstrate transparency, to document statements, observations, behaviors and other evidence and to deter unprofessional, illegal and inappropriate behaviors by both law enforcement and the public. BWCs provide a reduction in liability for the officer wearing it. They protect officers and the public from false claims or conversations that did not happen.

Local agencies were surveyed to determine if they used BWCs and their policies. TCCGJ reached out to the Dinuba, Exeter, Farmersville, Lindsay, Porterville, Tulare, Visalia and Woodlake Police Departments, and also to the Tulare County Sheriff's Office. Each of these local agencies surveyed advised they are currently using BWCs.

In addition to the Penal Code requirements, local law enforcement agencies' policies may include provisions related to:

TULARE COUNTY CIVIL GRAND JURY FINAL REPORT 2024-2025

- Situations when the camera may be turned off
- Training
- Retention
- Monitoring usage
- Disciplinary action

In general, local department policies require that body cameras be activated “during any interaction with the public” including traffic stops, arrests, searches and questioning. Exceptions to this include: BWCs do not need to be turned on during confidential conversations with informants or during activities that are considered administrative or non-enforcement in nature. Officers should remain sensitive to the dignity of all individuals being recorded by discontinuing recording whenever it reasonably appears that privacy may outweigh any law enforcement interest in recording. An officer is also not expected to jeopardize their safety to activate a recorder or change the recording media.

The surveyed Tulare County agencies indicated that full-time officers are issued individual BWCs. Most reserve officers have shared BWCs.

During their field training officers receive detailed instructions on BWC usage, operation and department policies. Additional training is provided when the equipment is updated or changed or there are legal updates or policy changes. Real-life footage of incidents can be analyzed to improve officer performance and can be used for training purposes.

Agencies conduct formal and informal audits to ensure BWCs are being utilized in accordance with departmental policies and procedures. They review all high-liability incidents or in response to a complaint. All agencies have formal policies for misuse of equipment.

FINDINGS:

- F1. BWCs can be used to assist the District Attorney’s Office with cases submitted for prosecution.
- F2. Local agency policies comply with the requirements of CA Penal Code 832.18.
- F3. The cost of BWCs storage and maintenance is a concern to the agencies. Public records requests could be time-consuming and expensive for agencies and may require additional personnel to handle requests.
- F4. BWCs can lead to a decrease in both the number of complaints and the incidents of frivolous complaints and can enhance the resolution process of civilian complaints by providing clear, verifiable evidence that assists in investigations. BWCs may reduce the likelihood of disputes over the accuracy of events and ensure more impartial investigations into complaints against officers.

TULARE COUNTY CIVIL GRAND JURY FINAL REPORT 2024-2025

F5. BWC videos can provide an invaluable resource in helping law enforcement learn from previous interactions by offering real-life footage of incidents that can be analyzed to improve officer performance.

RECOMMENDATIONS:

None

REQUIRED RESPONSES:

None

DISCLAIMER

Grand Jury reports are based on documentary evidence and the testimony of sworn or admonished witnesses, not on conjecture or opinion. However, the Grand Jury is precluded by law from disclosing such evidence except upon specific approval of the Presiding Judge of the Superior Court, or another judge appointed by the Presiding Judge (Penal Code Section 911, 924.1 (a) and 929). Similarly, the Grand Jury is precluded by law from disclosing the identity of witnesses except upon an order of the court for narrowly defined purposes (Penal Code Section 924.2 and 929).

LIBRARY BOOK MACHINES

SUMMARY

The Tulare County Civil Grand Jury (TCCGJ) received a complaint that the library book machine in Cutler has been problematic since day one, further, none of the machines countywide have worked in over two years. The complainant states that although the machines are listed as a community resource to check out books on the Tulare County Library (TCL) website, the machines are being poorly maintained, are not frequently restocked and are non-operative. This complaint prompted the TCCGJ to look into this service provided by TCL.

BACKGROUND

TCL was awarded a \$100,000 federal stimulus grant in 2010 through the United States Department of Agriculture that allowed the TCL to purchase vending machine style apparatuses that would contain library books. These machines allow patrons to scan their library cards to check out the books from the machine.

In 2010, the TCL purchased a lending library machine as the start of a pilot program in Cutler. Two additional machines for Traver and the Visalia Employment Connection were purchased and in 2012 the Tulare County Board of Supervisors approved two more machines for Tipton and East Porterville. The TCL website listed the locations of the book machines as they became available for use.

The machines were intended to make the library more accessible to residents who lack transportation by delivering library services to underserved areas and to make it easier for children and adults in those locations to check out books without having to visit a library branch.

These machines were maintained under a third-party contract. The books were provided and stocked by the Visalia branch library. Books ranged from children's books to How-To books for teens and adults when applying for employment and attending training courses.



TULARE COUNTY CIVIL GRAND JURY FINAL REPORT 2024-2025

METHOD OF INVESTIGATION

1. Visited sites
2. Interviewed Tulare County Library employees
3. Reviewed online media reports

DISCUSSION:

Members of the TCCGJ visited several of the book sites and found the machines to be inoperable. They were covered in dust, had few to no books and the card readers did not work. After speaking with two different libraries, Dinuba and Visalia, no one seemed to know who oversaw making sure books were stocked, who is responsible to respond to complaints and who is ensuring the machines are operative.

During our investigation it was found that a fee was paid monthly and the maintenance program lacked follow through. The maintenance contract could not be changed due to the software ownership agreement.

At the start of the investigation the book machines were still advertised on the TCL website. This information has since been removed and replaced with a notice of book lockers coming soon. TCL will oversee the running of the new delivery lockers and fulfilling the book requests.

During the investigation the TCCGJ was told by TCL personnel they are working on a new grant of \$150,000 that will place lockers that are like package delivery lockers, in different locations with the same idea of ease for individuals to select, reserve and pick up books.

FINDINGS:

- F1. The Book Machines were thought to be a good idea by the previous TCL librarian for those that could not access the library.
- F2. Some selected locations did not prove to be the best choice.
- F3. The maintenance program seemed to lack efficiency.
- F4. The old machines have been or will be removed.
- F5. It appears that when the notice of the coming book lockers the information in regard to the book machines had been replaced.

TULARE COUNTY CIVIL GRAND JURY FINAL REPORT 2024-2025

RECOMMENDATION:

- R1. Ensure the new book lockers are better managed than the previous book machines.
- R2. Identify and select locations that will be actively used and benefit the communities where they are located.
- R3. Actively manage the program so the community has confidence in their operation.

REQUEST FOR RESPONSES:

Required response:

Tulare County Board of Supervisors Findings: F1-F5 Recommendations: R1-R3

Invited response:

Tulare County Library Findings: F1-F5 Recommendations: R1-R3

DISCLAIMER

Grand Jury reports are based on documentary evidence and the testimony of sworn or admonished witnesses, not on conjecture or opinion. However, the Grand Jury is precluded by law from disclosing such evidence except upon specific approval of the Presiding Judge of the Superior Court, or another judge appointed by the Presiding Judge (Penal Code Section 911, 924.1 (a) and 929). Similarly, the Grand Jury is precluded by law from disclosing the identity of witnesses except upon an order of the court for narrowly defined purposes (Penal Code Section 924.2 and 929).

ELECTION INTEGRITY

SUMMARY:

The Tulare County Civil Grand Jury (TCCGJ) contacted the Tulare County Registrar of Voters (TCRV) to review the requirements by State of California law and utilized by the TCRV for federal, state, or local elections.

BACKGROUND:

Free and fair elections are the basis of our system of democratic government. The integrity of the voting process at every level of elections over the last decade has received tremendous scrutiny. This scrutiny has called into question the validity of voter registrations, the method used to count ballots and claims of election fraud. The TCCGJ reviewed the processes utilized by the TCRV during the November 2024 elections to ensure the integrity of the voting process and minimize the possibility of widespread fraud which could materially impact an election.



METHOD OF INVESTIGATION:

1. Website reviews of Tulare County Registrar of Voters and California Secretary of State
2. Interviewed representatives of the Tulare County Registrar of Voters
3. Reviewed California State Elections Code Section 19001 – 19400; California State Elections Code Section 3000 – 3123; California Secretary of State publication “*California Voting Systems Standards (October 2014)*”, California Code of Regulations Title 2, Division 7, Chapter 6.2 “Procedures and Standards for Reviewing Voting Systems...”

TULARE COUNTY CIVIL GRAND JURY FINAL REPORT 2024-2025

DISCUSSION:

Scrutiny of elections has predominantly focused on three areas: voter registration, distribution and collection of ballots and the integrity of voting machines.

Voter Registration

The applicant to register to vote needs a valid California driver's license or valid California identification card and social security number. An applicant can automatically register to vote with the State of California through the Department of Motor Vehicles (DMV) when the DMV certifies and issues the applicant a driver's license or identification card. An applicant can also enroll online via the Secretary of State's website using the identification listed above. To enroll online, the applicant must have a valid email address and ability to receive phone calls or text messages.

Distribution and Collection of Ballots

TCRV mails vote-by-mail ballots to all active voters as outlined by California State Elections Code sections 3000 – 3026. The voter can return the ballot via the US Postal Service, submit the ballot at polling locations or at drop box locations prior to designated close of voting.

Any submission of vote-by-mail ballot requires the voter's signature on the outside of the envelope. California State Elections Code section 3019 (a)(1) states "Upon receiving a vote by mail ballot, the elections official shall compare the signature on the identification envelope with either of the following....

(A) The signature appearing on the voter's affidavit of registration of the voter

(B) Signature appearing on a form issued by an elections officer that contains the voter's signature and is part of the voter's registration record"

The primary comparison is made against the signature provided to DMV when voters apply for either driver's license or identification card.

If there is a discrepancy in signatures, California State Elections Code Section 3019 (c) (2) outlines the process for review of the signatures by two individual election officials to determine if the ballot is to be accepted.

When each active voter receives a ballot in the mail and the ballot has a distinct identification number which is assigned to the named active voter. When the voter submits the mail in ballot, the voter and that distinct identification number are recorded. Any subsequent attempts to vote by that person via multiple ballots, provisional ballots or at the polling place will be rejected.

This is a strong safeguard against claims of individuals voting numerous times, deceased people voting, or unregistered voters casting ballots that could impact the outcome of an election.

TULARE COUNTY CIVIL GRAND JURY FINAL REPORT 2024-2025

- Collection of mail in ballots in their envelopes at polling places or drop box locations requires two election officials to collect the envelopes containing the mail in ballots.
- The envelopes with the mail in ballots are placed in a locked bag or box which is identified by pick up location.
- The locked bag or box is transported to the registrar's office.
- Once at the registrar's office the envelopes with the mail in ballots are counted twice by the election officials who then record the number of envelopes on a count sheet and sign the sheet to attest to the results.
- The envelopes with mail in ballots are then placed back into the bag or box and locked.
- Two other election officials will open the locked bag or box and confirm the totals on the count sheet.
- At no time during the above steps are the envelopes opened.

Integrity of Ballot Machines

All ballots are entered into machines to be counted. As outlined in the table below, in the November 2024 election almost 140,000 votes were cast for multiple races at federal, state and local levels. The voting machines are essential to a timely and accurate count of all ballots for the various electoral races.

The California State Elections Code 19200 – 19209 recognizes the importance and role voting systems must play to ensure the integrity of the counting of votes. California State Elections Code Section 19202 (a) states that “Except as authorized in California State Elections Code Section 19209, a voting system, in whole or in part shall not be used unless it has been certified or conditionally approved by the Secretary of State prior to any election at which it is to be used.”

California State Elections Code Section 19205 further declares “A voting system shall comply with the following:

- No part of the voting system shall be connected to the internet at any time,
- No part of the voting system shall electronically receive or transmit election data through an exterior communication network, including public telephone system, if the communication originates from or terminates at a polling place, satellite location or counting center,
- No part of the voting system shall receive or transmit wireless communications or wireless data transfers,
- Per Election Code Section 19206 only one voting system shall be used during an election.”

Within the regulations under California State Elections Code 19200 – 19209 the Secretary of State released

TULARE COUNTY CIVIL GRAND JURY FINAL REPORT 2024-2025

“*California Voting Systems Standards (October 2014)*”. This handbook provides detailed processes for the submission, testing and certification of any voting system.

The regulations above provide clear standards and processes to use for review of a voting system and more importantly that each voting machine is a stand-alone entity. This clearly protects against and debunks the claims that the integrity of the voting machines can be impacted from outside sources.

Another key step in the election process is the post-election audits and statistical sampling that state law requires to be completed by each of the 58 counties in California before elections can be certified. Many of these post-election audits are done manually, and the process is viewed and confirmed by multiple election officials.

State election laws require transparency throughout the process. Outside observers are allowed to view actual processes or review data from the testing of proposed new voting systems, the required testing of existing systems prior to an election, the counting of ballots from the election and the post audit review.

TCRV indicated that they rely on volunteers at the election polling locations. This has proven to be a challenge in having adequate volunteers during the polling hours of operations.

The Secretary of State’s website contains for public consumption many of the manuals and references to election regulations used in this report. The website also includes exhaustive data from each of the election races for review and analysis by the public. www.sos.ca.gov

A key issue is the lack of knowledge or understanding by the public of the election process and the safeguards enacted to ensure the integrity of the process.

Tulare County Voting Outcome:

November 5, 2024, Election

Group	Voters Cast	Turnout	Registered Voters
Vote by Mail	109,472	24.67%	
Polling Places	28,569	13.05%	
Election Day *Pro/CVR	1,819	0.83%	
Total	139,860	63.86%	218,999

*“Pro/CVR” refers to Provisional ballots, which are issued when voter eligibility is in question and verified before being counted. CVR stands for Conditional Voter Registration, which allows eligible voters to register and vote on the same day.

November 8, 2022, Election

Group	Voters Cast	Turnout	Registered Voters
Vote by Mail	79,931	38.26%	
Polling Places	12,473	5.97%	
Total	92,404	44.23	208,927

TULARE COUNTY CIVIL GRAND JURY FINAL REPORT 2024-2025

FINDINGS:

- F1.** The TCCGJ found there is tremendous oversight and regulation from the offices of the Secretary of State and TCRV related to the entire election process.
- F2.** The checks and balances employed were found to minimize the chance of widespread fraud that would impact the results of an election and provide clear evidence to debunk many of the claims of election fraud
- F3.** There is a need to further inform the electorate of the process in place to ensure the election and to encourage them to volunteer to be involved with TCRV during election season.
- F4.** It is believed with personal identification requirements, residency addresses and requirements to have email and phone numbers are a strong safeguard against registration of fraudulent individuals to vote.

RECOMMENDATIONS:

- R1.** TCRV and other county agencies fund and organize public awareness of the multiple procedures in place to eliminate the misconceptions of deceased people voting, unregistered voters casting votes, individuals voting numerous times, and breaches of data from the voting machines.
- R2.** TCRV should create a robust campaign outlining the opportunities to become involved as a volunteer during the election season.
- R3.** This information could be distributed via fact sheet in monthly utility bills or presentations to churches or civic groups.

REQUIRED RESPONSES

- 1. Tulare County Board of Supervisors Finding F1 – F4 Recommendations: R1 – R3

INVITED RESPONSES

- 1. Tulare County Registrar's Office Finding F1 – F4 Recommendations: R1 – R3

DISCLAIMER

Grand Jury reports are based on documentary evidence and the testimony of sworn or admonished witnesses, not on conjecture or opinion. However, the Grand Jury is precluded by law from disclosing such evidence except upon specific approval of the Presiding Judge of the Superior Court, or another judge appointed by the Presiding Judge (Penal Code Section 911, 924.1 (a) and 929). Similarly, the Grand Jury is precluded by law from disclosing the identity of witnesses except upon an order of the court for narrowly defined purposes (Penal Code Section 924.2 and 929).

Synopsis

An inquiry generally begins with a Citizen's Complaint submitted to the Grand Jury or with a Grand Jury Initiated Investigation. If it is determined by a committee that the complaint or jury investigation warrants a more in-depth investigation the committee will schedule interviews, visits and data reviews. After the committee completes its investigation, it will determine if the issue warrants a final report.

In 2024-2025 the Tulare County Civil Grand Jury had 19 Citizen's Complaints and 10 Jury Initiated Investigations.

Two final reports were published in response to a filed citizen's complaint.

Of the 19 complaints, 5 were against local schools, 3 against local law enforcement agencies, 6 against special districts, 4 against a city and 1 against a Tulare County agency.

All complaints were investigated. 17 did not qualify for a report; 13 had issues that had been corrected, or no wrongdoing was found, 2 complaints due to lawsuit pending and 2 were out of our jurisdiction.

Of the 10 Jury Initiated Investigations, 5 Tulare County agencies, 1 City, 1 law enforcement, 2 schools and 1 Special District.

All Jury Initiated Investigations were conducted, 5 warranted reports.



TULARE COUNTY CIVIL GRAND JURY FINAL REPORT 2024-2025

TULARE COUNTY CIVIL GRAND JURY CITIZEN COMPLAINT FORM

The Civil Grand Jury of Tulare County, in an attempt to carry out its duties, encourages Tulare County residents to report concerns relating to local and county government and the conduct of public officials. Please note: Tulare County Civil Grand Jury has no jurisdiction over State or Federal Agencies, Courts, Judicial Officers or private companies and organizations.

We recognize that many citizens are reluctant to put details of their concerns in writing. Please bear in mind that your name will never be used by the Civil Grand Jury. All Civil Grand Jury members are bound by an oath of secrecy. Civil Grand Jury documents, including this form, are never available to anyone outside the Civil Grand Jury and cannot be subpoenaed.

For an investigation to be initiated, the Civil Grand Jury must consider the validity of each request. Therefore, please include any pertinent correspondence, documents, dates, names and facts. If necessary, you may be asked to participate in an absolutely confidential interview with members of the Civil Grand Jury.

Name	
Address	
Telephone Number	
Email	

Give a brief summary of the problem (i.e., agency involved, person(s) to be questioned, dates, etc.). If necessary, attach additional pages. All documents submitted become the property of the Civil Grand Jury and will not be returned.

--

Your signature: _____ Date: _____

Return this form to:
Tulare County Civil Grand Jury
5963 S Mooney Blvd, Visalia, CA 93277
559-624-7295 Fax 559-733-6078 • Grnd_jury@tularecounty.ca.gov

TULARE COUNTY CIVIL GRAND JURY FINAL REPORT 2024-2025

TULARE COUNTY CIVIL GRAND JURY APPLICATION/QUESTIONNAIRE 2026-2027

2026-2027 CIVIL GRAND JURY

This jury service differs from jury duty as a trial juror. Your participation is voluntary and it is considered to be a privilege to be chosen to serve on the Civil Grand Jury.

The Civil Grand Jury is composed of 19 active panel members who meet, form committees, investigate and report on the operations, accounts and records of the officers, departments and functions of the county. Service on the panel is from July 1st through June 30th and requires approximately 10-12 hours per week during the fiscal year.

Please complete the application/questionnaire and return it to Room 303, Visalia Courthouse. This questionnaire will assist the Judges of the Superior Court in compiling a list of nominees, which fairly represents a cross-section of our community. Your personal information is confidential and will only be used by the Judges of the Superior Court to assure that the group nominated represents various age groups, economic and social backgrounds. Your application will still be considered even though you may leave some of the questions unanswered.

If there is anything you would like us to know feel free to attach additional information, if necessary.

Your prompt attention to the completion and return of the questionnaire will be greatly appreciated.

Any questions, please call: (559) 730-5000 ext. 1359

Fax application to: (559) 737-4290

Email application to: administration@tulare.courts.ca.gov

Court's website is: www.tularesuperiorcourt.ca.gov

DUTIES OF THE CIVIL GRAND JURY

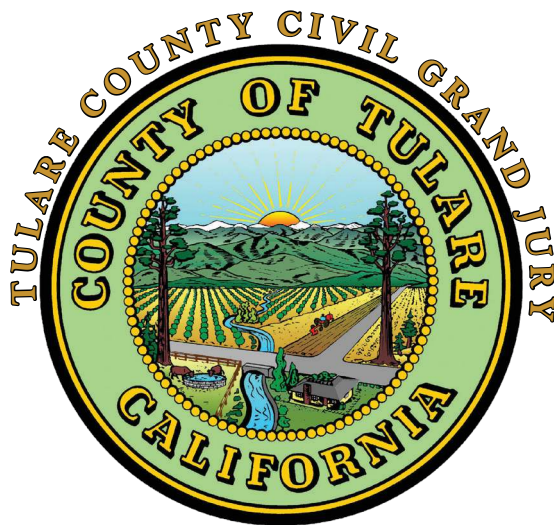
Civil Grand Jurors serve a one (1) year term from July 1st through June 30th. The jury panel consists of nineteen (19) persons who are assigned to various committees plus three (3) alternates. It is understood that Civil Grand Jurors may be absent for reasonable periods for vacations. During your term as a Civil Grand Juror you would be excused from trial jury service in the State Courts.

The Civil Grand Jury is a time-honored component of our Anglo-American legal system. Civil Grand Jurors are selected citizens of the county who are expected to exercise sound judgment in reviewing and commenting upon the actions of governmental agencies.

Essentially, the Civil Grand Jury operates as an investigative agency performing a two-fold function. First, the Civil Grand Jury has powers and duties with respect to the oversight of public offices, officers, and transactions. Designated State and all County and special District agencies that serve Tulare County are routinely reviewed and critiqued by the Civil Grand Jury in its annual and interim reports.

Secondly, the Civil Grand Jury has powers and duties with respect to inquiry into possible public offenses, misconduct in office by public officers and determining whether to return indictments charging the commission of felonies.

The Tulare County Civil Grand Jury selection process will be conducted May - June annually. The process involves completing this questionnaire and being interviewed by the designee of the Presiding Judge of the Tulare County Superior Courts. After selection, the designee of the Presiding Judge will further instruct jurors of their duties. Throughout its term, the Civil Grand Jury may request advice on legal matters from the District Attorney and County Counsel.



2026-2027

TULARE COUNTY CIVIL GRAND JURY FINAL REPORT 2024-2025

TULARE COUNTY CIVIL GRAND JURY APPLICATION/QUESTIONNAIRE ***Pursuant to California Penal Code section 893, the following questions must be answered:***

STATUTORY QUALIFICATIONS: (Place a check in the appropriate box)

- ☐ No ☐ Yes Are you a citizen of the United States?
- ☐ No ☐ Yes Are you eighteen years of age or older?
- ☐ No ☐ Yes Have been a resident of Tulare County for at least one year prior to the date of this application?
- ☐ No ☐ Yes Are you in possession of your natural faculties? Are you of ordinary intelligence and of sound judgment and fair character?
- ☐ No ☐ Yes Do you possess a sufficient knowledge of the English language?

STATUTORY DISQUALIFICATIONS: (Place a check in the appropriate box):

- ☐ No ☐ Yes Are you serving as a trial juror in any court of this State? If Yes, County _____
- ☐ No ☐ Yes Have you been discharged as a grand juror in any court of this State within one year prior to the date of this application? If Yes, County _____
- ☐ No ☐ Yes Have you ever been convicted of malfeasance in office or any felony or other high crime?
- ☐ No ☐ Yes Are you currently serving as an elected public official?

_____ (initial here) I am interested in serving on the Tulare County Civil Grand Jury for the fiscal year **2026-2027** and I understand the time commitment required.

If you answered **NO** to any **STATUTORY QUALIFICATIONS** or you answered **YES** to any **STATUTORY DISQUALIFICATIONS**, you do not qualify. There is no need to continue or to return the questionnaire.

IF QUALIFIED, please continue and complete the questionnaire, returning it to Court Administration – Rm 303

CALIFORNIA RULES OF COURT, Rule 10.625, regarding certain demographic data relating to regular grand jurors.

{Please check the appropriate box to the following}

(A) Age range, please check the appropriate box: ☐ 18-25 ☐ 26-34 ☐ 35-44 ☐ 45-54 ☐ 55-64 ☐ 65-74
☐ 75 and over

(B) Gender: ☐ Male ☐ Female

(C) Please indicate your ethnic origin by **circling one** of the following (may select more than one):

- ☐ American Indian or Alaska Native ☐ Asian ☐ Black or African American ☐ Hispanic/Latino
- ☐ Native Hawaiian or other Pacific Islander ☐ White ☐ Other (please specify) _____
- ☐ Decline to Answer

Place of Residence by Supervisorial District: ☐ District 1 ☐ District 2 ☐ District 3 ☐ District 4 ☐ District 5

TULARE COUNTY CIVIL GRAND JURY FINAL REPORT 2024-2025

THIS QUESTIONNAIRE IS TO ASSIST THE JUDGES OF THE SUPERIOR COURT IN COMPLETING A LIST OF NOMINEES WHICH FAIRLY REPRESENTS A CROSS-SECTION OF OUR COMMUNITY. SOME OF THE QUESTIONS THAT MAY SEEM PERSONAL ARE NECESSARY IN ORDER TO ASSURE THE JUDGES THAT THE GROUP THEY NOMINATE, FROM WHICH THE FINAL NAMES WILL BE DRAWN, REPRESENTS VARIOUS AGE GROUPS, ECONOMIC, SOCIAL AND ETHNIC BACKGROUNDS.

PLEASE PRINT LEGIBLY

1. Full Name: _____ Date of Birth: _____
(First) (Middle) (Last)
2. Address (Phys.): _____ City: _____ Zip +4: _____
Address (Mail): _____ City: _____ Zip +4: _____
Residence Phone: () _____ Business Phone: () _____
Cell Phone: () _____ Fax Number: () _____
Email Address: _____
3. Occupation: _____
Employer: _____
If retired, previous occupation _____
4. Can you afford the time required to be a Civil Grand Juror (approximately 10-12 hours per week)? _____
If not, briefly state why not: _____
5. Do you have any physical or mental condition which would interfere with your ability to function as a Civil Grand Juror? _____ If yes, explain briefly _____
What accommodations would the Court need to provide to accommodate your physical or mental impairment? _____
6. Education (Circle highest grade completed):
6 (or less) 7 8 9 10 11 12 College: 1 2 3 4 5 6 7
Name of schools attended and degrees or certification attained: _____
7. Clubs or organizations: List any civic, service organizations or any volunteer work to which you belong.

8. Spouse / Domestic Partner Name: _____
Occupation: _____
If retired, list previous occupation you retired from _____
Employer: _____
9. Are you or any immediate family member an appointed or elected public officer of any public agency? _____
If yes, explain: _____
10. Are you currently involved in any litigation (law suits) in this county? _____

TULARE COUNTY CIVIL GRAND JURY FINAL REPORT 2024-2025

11. Are you or any of your immediate family members employed by the County of Tulare
or any school district within the county? _____
If yes, where? _____
12. Do you have any significant problems reading or understanding the English Language? _____
13. Do you have any suggestions, comments or other matters you would like to bring to the judges attention in
connection with your application? _____
14. Please tell us about any special skills or abilities that you have which the judges should know about in considering
your application? _____

15. Please tell us why you are interested in serving on the Tulare County Civil Grand Jury. (Please attach additional
pages as needed) _____

16. Describe any background experience or skills you have which would be helpful to grand jury service (i.e., computer
skills, leadership skills, or experience writing/editing reports, working in groups, or conducting investigations
or interviews.) _____

Mail to: Attention: Civil Grand Jury
Tulare County Superior Court
221 S. Mooney Blvd., Room 303
Visalia, CA 93291

Or Fax to: (559) 737-4290

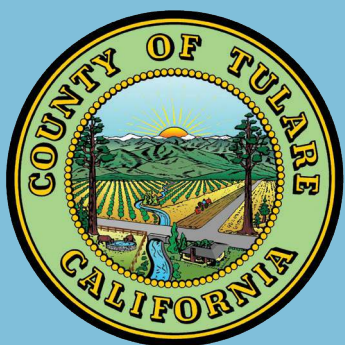
Or email to: administration@tulare.courts.ca.gov

NOTE: Applicants for nomination as a member of the Tulare County Civil Grand Jury are subject to investigation by an appropriate law enforcement agency as to the statutory qualifications for service and the applicant's ability and suitability for service.

In support of my application for selection as a member of the Tulare County Civil Grand Jury, I declare under penalty of perjury that the foregoing information is true and correct.

Signed: _____

Date: _____



Tulare County Civil Grand Jury
Government Plaza
5963 South Mooney Blvd.
Visalia, California 93277
Phone: (559) 624-7295
Fax: (559) 615-3039
Email: grnd_jury@tularecounty.ca.gov
Website: tularecounty.ca.gov/grandjury