

TULARE COUNTY CIVIL GRAND JURY FINAL REPORT 2022-2023



TABLE OF CONTENTS

5 TC CIVIL GRAND JURY (Information Page)

7 TC CIVIL GRAND JURY PICTURE

9 LETTER FROM THE JUDGE

11 LETTER FROM THE FOREMAN

13 COMPLIANCE REVIEW

21

**THE DREAM CENTER, HOPE FOR FOSTER
AND HOMELESS YOUTH**

25

FIRE! FIRE!

29

IS YOUR FOOD SAFE?

33

**SCHOOLS, LEARNING IN A SAFE
ENVIRONMENT SCHOOL SAFETY
IN TULARE COUNTY**

37

STILL RAINING CATS AND DOGS!!

43

**WHO LET THE DOGS OUT?
K9S IN TULARE COUNTY**

49

VISALIA ALA CART

52

SOUTH COUNTY DETENTION FACILITY

55

**SPECIAL DISTRICTS WEBSITE
REQUIREMENT**

59

SYNOPSIS

63

CITIZEN COMPLAINT FORM

65

2024-2025 APPLICATION

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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 Shall inquire into the condition and management of prisons within the county.
- ❖ 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: grnd_jury@tularecounty.ca.gov
OR MAIL FORM TO: Tulare County Civil Grand Jury
5963 S. Mooney Blvd.
Visalia, CA 93277

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Tulare County Civil Grand Jury 2022-2023



*Back row: Doc Ray Cerniga, Salvatore Massaro, Thomas Mitchell (Pro-Tem), Deidra Vance (Foreperson), Lynda Fillmore, Richard Pavich, Raymond Shebairo, Bonnie Paulli, Sharon Kordan.
Front row: Laurie Avila, Paul Fry, Tommie Benc, Ellen Pearson, Jack Mori, Ron Abec.*

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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 2022/2023 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. Your efforts are especially appreciated during these difficult times. With the recent pandemic challenges and hurdles, the Civil Grand Jury remained diligent and worked hard to complete their duties.

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 insure 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 insure 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.

A handwritten signature in blue ink that reads 'Nathan D. Ide'.

Nathan D. Ide
Assistant Presiding Judge

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LETTER FROM THE FOREMAN



Tulare County Civil Grand Jury

5963 South Mooney Boulevard
Visalia, CA 93277

(559) 624-7295 • Fax (559) 733-6078

Honorable Judge Juliet L. Boccone
Presiding Judge of the Superior Court
State of California
County of Tulare

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

Dear Judge Boccone and Judge Ide,

Pursuant to California Penal Code 933, the 2022-2023 Tulare Civil Grand Jury presents this final report to the Court and citizens of Tulare County. The purpose of this report is to make the public aware of issues concerning government agencies and make recommendations to correct these issues.

Still feeling the effects of the Covid pandemic, the Jury operated with only 16 members instead of the usual 19. These members spent long hours working hard to evaluate local government operations and make appropriate dispositions regarding citizens' complaints. It has been a pleasure and privilege to have worked with each of the men and woman on this jury.

I would like to extend my personal thanks to both Judge Boccone and Judge Ide who served as our court advisors, as well as Superior Court Executive Secretary Ellen Kennedy. I would also like to thank the Tulare County Counsel for their assistance, County Printing for their many years of expertise and our Grand Jury Clerk Annette Jones.

The members of the 2022-2023 Civil Grand Jury feel that it has been a privilege and gratifying experience to serve he citizens of Tulare County. We hope that our effects will further the efficiency and effectiveness of Tulare County local government operations.

Respectfully,

A handwritten signature in cursive script that reads "Deidra Vance".

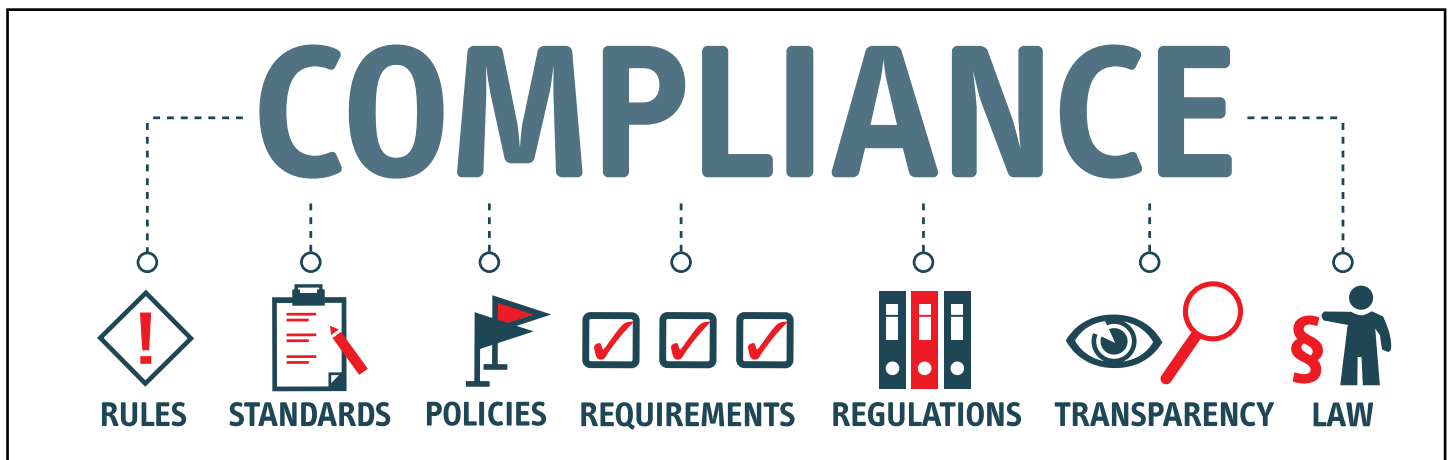
Deidra Vance, Foreperson
2022-2023 Tulare County Civil Grand Jury
grnd_jury@tularecounty.ca.gov

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GRAND JURY RESPONSE 2021-2022 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

TULARE COUNTY CIVIL GRAND JURY FINAL REPORT 2022-2023

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 2021-2022 Grand Jury Final Report
2. Inquired into the status of implementation of the 2019-2020 Grand Jury recommendations
3. Reviewed relevant California Government and Penal Codes
4. Compiled statistics regarding the responses

The 2021-2022 TCCGJ required responses from the following agencies and reports:

Tulare County Office of Education

Education beyond Planet Earth

Vaping: Just a Smokescreen

Visalia Police Department

What Happens When A Case Goes Cold?

Alta Health Care District Board of Directors

Alta Health Care District

Lindsay Local Hospital District Board of Directors

Lindsay Local Hospital District

Tulare County Public Librarian

More Than Just Books: Tulare County Library

Tulare County Sheriff

Bob Wiley Detention Facility

Health and Human Services

Mental Health: Do You Need Help?

Who You Going To Call: TCOES

General Services Agency

Parks: Relax and Enjoy

Surplus Store: A Plus

Tulare County Board of Supervisors

Parks: Relax and Enjoy

TULARE COUNTY CIVIL GRAND JURY FINAL REPORT 2022-2023

County Administrative Officer

Who You Going to Call: TCOES

DATA REVIEWED:

1. There were 11 TCCGJ reports published requiring 11 agencies to respond in the 2021-2022 Final Report.
2. There were 41 findings and 16 recommendations in the 2021-2022 Final Report that required responses from the agencies listed above.
3. 9 agencies agreed with the findings. 2 agencies partially agreed with findings. All the agencies agreed with the recommendations in the 2021-2022 Final Report.

SUMMARY

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

The 2021-2022 Final Report and responses may be found on the Tulare County Civil Grand Jury website: <http://tularecounty.ca.gov/grandjury>

REVIEW OF 2019-2020 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 2019/2020 Civil Grand Jury Final Report included 7 reports with 17 recommendations. 8 agencies were required to respond with 4 agencies invited to respond. The TCCGJ is obligated to follow up and verify implementation of recommendations made in these past reports.

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

SUMMARY:

Of the 7 reports, 5 agencies responded they had implemented the recommendations and 2 agencies responded that they would be implementing the recommendations in the future, 1 agency responded that they would not be implementing the recommendation. Letters were sent to 2 agencies to ascertain if the changes had been made.

Reports requiring no follow up:

Buses Getting from Here to There

Recommendations:

1. VT should continue to review and enhance, as needed, public notice procedures when routes are considered for consolidation or elimination, in order to reach the broadest number of affected ridership.
2. VT should continue to seek operating efficiencies, but be sensitive to the disruption to service areas that are highly dependent on bus ridership.
3. VT and TCAT should continue to upgrade their respective fleets with environmentally-friendly vehicles.
4. VT and TCAT should continue the review of a “regional transportation plan” concept, with the overriding goal being to achieve operating efficiencies and better service.

Responses required from the City of Visalia Transit (VT) and Tulare County Area Transit (TCAT) a division of Tulare County Resource Management Agency (RMA)

Both agencies agreed with the recommendations.

Graduation: Nothing to do with CAASPP Test Scores

Recommendation

1. That more information be disseminated to parents and the public regarding the purpose of the CAASPP, the use of the results and its role in the academic process and support of the individual student.

Response required from Tulare County Office of Education

Response

The Tulare County Office of Education will not implement the recommendation because the CAASPP test is only administered to a select number of students and only one per year as a cumulative assessment. Parents already receive results and the California Department of Education has ample information on their website, which is included with student results reports. We provide many other assessments of student learning at the time it is needed. The CAASPP results provide information about student learning after students have completed their learning of those standards.

Special Needs, Special Attention

Recommendation:

1. Health and Human Services Agency continue recruitment efforts to attract Special Needs Resource Families.

Response required by County Health and Human Services Agency

The agency agreed with the recommendation.

Tulare County Sheriff's Office: From Horses to Helicopters

Recommendations:

1. The TCSO should continue to upgrade staffing, operating procedures and facilities in order to meet the evolving demands of law enforcement.
2. The TCSO should continue to target programs for enhancement to a "best-of-class" status.
3. The TCSO should strive to increase revenue sources from Federal, State and other grant sources.

Response required from Tulare County Sheriff (TCSO)

The agency agreed with the recommendations.

Reports that required follow-up

Give Me Land, Lots of Land

Recommendations:

1. That the PMD continue to refine their Real Estate Policy and Procedures Manual.
2. That the PMD enhance their website to include: key people, available properties that are for rent and lease and current Request for Proposals.

Response required from County General Services Agency

Agency agreed with recommendation 1, but had not yet implemented recommendation 2.

Follow-up by Grand Jury

Review of website indicated updated information had been posted.

Tulare Public Cemetery District

Recommendations:

1. An independent forensic audit of TPCD should be conducted covering the last five years.
2. A complete restricting of TPCD's polices, procedure and internal controls be implemented within the next 12 months.

TULARE COUNTY CIVIL GRAND JURY FINAL REPORT 2022-2023

3. The agenda be posted at least 72 hours in advance of any regularly scheduled meeting as required by the Brown Act.
4. Transfer of endowment funds needs to be made on a more regular basis.
5. The TCBOS consider exercising its authority under the applicable sections of the CHCS 9026 with a view toward bringing the governance of the TPCD into compliance with generally accepted practices and State requirements.

Required responses from Tulare Public Cemetery Board (1-4) and Tulare County Board of Supervisors (5)

The Tulare County Board of Supervisors advised they will not be implementing recommendation.

The Tulare Public Cemetery Board responded that they had implemented recommendations 3 and 4 and had partially implemented recommendation 1. Recommendation 2 will be implemented.

Follow-up by Grand Jury

A letter was sent to the Tulare Public Cemetery Board requesting updated information on recommendation 2. They responded that they had implemented this recommendation.

More Money on Time: Delinquent Accounts in Special Districts

Recommendation:

1. The Boards of LTRID, PID and GCSD review their collection policy annually.

Response required from Lower Tule River Irrigation District (LTRID), Pixley Irrigation District (PID) and Goshen Community Services District (GCSD)

Responses:

LTRID and PID responded they are already doing this recommendation.

GCSD responded that they have not yet implemented this recommendation.

Follow-up by the Grand Jury

A follow-up letter was sent to GCSD to request an updated on the recommendation. No response was received.



photo taken by Zachary Blythe

THE DREAM CENTER HOPE FOR FOSTER AND HOMELESS YOUTH

SUMMARY:

The Dream Center provides homeless and foster youth up to age 25 with resources including education, housing, job skills and independent living. The Tulare County Civil Grand Jury decided to explore the center and the services it offers.

BACKGROUND:

The Dream Center was created as part of the CA Department of Education Foster Youth Coordination Program. It was opened in 2019 by Tulare County Office of Education (TCOE) after seeing the progress of the Kern County Dream Center.

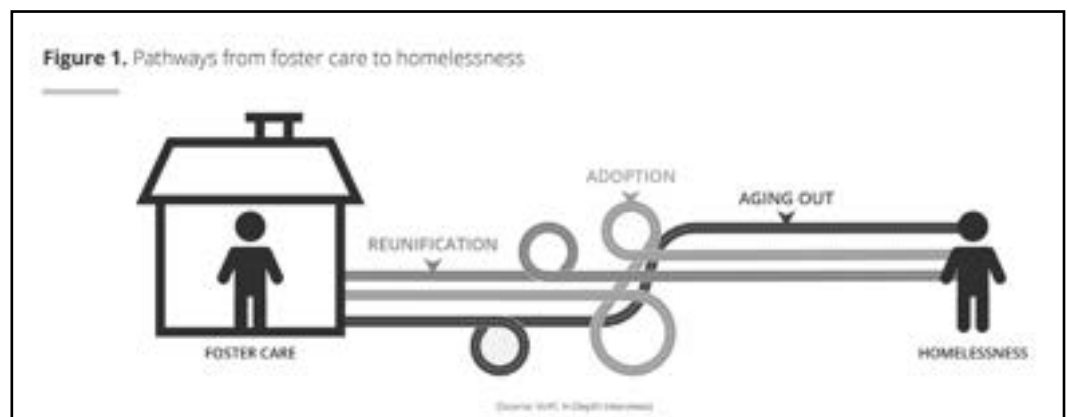
Located at 1730 W. Walnut Avenue in Visalia, it is open from 8:00 A.M. to 4:30 P.M. Monday through Friday. The Center is currently run by staff and social workers from TCOE's Foster and Homeless Youth Services, Tulare County Child Welfare Services, Tulare County Child Abuse Prevention Council and Tulare County Health and Human Services.

METHOD OF INVESTIGATION:

1. Site visit
2. Interviewed personnel
3. Reviewed specific documents

DISCUSSION:

Foster youth are moved an average of 9 times during foster placement and they lose an average of 6 months education with each move which equals 4 years of lost education for average foster youth. Additionally, as of 2021, 4 year graduation rates showed 53% of California foster youth graduated versus 83% of youth in the general population. Figures show that homeless youth are 9



TULARE COUNTY CIVIL GRAND JURY FINAL REPORT 2022-2023

times more likely to repeat a grade, 4 times more likely to drop out of school before high school graduation and 3 times more likely to be placed in special education programs than their peers.

The Dream Center provides resources and referrals including education services, transitional housing, job skills/employment and independent living services. Available workshops include college enrollment, college tours, financial literacy, parent education and support groups. They offer educational case management, resources for school districts, referral to community services and transitional age youth support.

The center offers skilled guidance counselors/project specialists, learning and job skill training and independent living assistance. Showers, washers, dryers, school tutoring, counseling, snack food, drinks and a clothing closet are included in the services provided. There are inspirational slogans on the walls along with paintings done by program participants.

Other agencies providing support include: CSET, College of the Sequoias, Porterville College, Reedley College, Kings County Homeless Alliance, Public Health and Tulare County Behavioral Health Services.

Future expansion plans include, one-on one tutoring, social and emotional learning skills for preschoolers, training for parents and a partnership with CA Food Bank's backpack program.

Tulare County Child Abuse Prevention Council started their own Lisa Project, a walkthrough exhibit that gives visitors a view into the realities of child abuse, at the Dream Center.

FINDINGS:

- F1. The Dream Center is an inviting place to offer opportunities to youth and families; it is a clean, safe, comfortable place to relax.
- F2. The food pantry and clothing closet provide additional resources.
- F3. The staff are well qualified to offer their special services to youth.
- F4. The paintings and inspirational slogans are displayed to encourage participants.
- F5. Community support helps to keep the food pantry and clothing closet supplied.

RECOMMENDATIONS:

- R1. Continue to reach out to schools and other organizations to increase the awareness of the Dream Center.
- R2. Continue to help the youth in need in our community.

REQUIRED RESPONSES:

Tulare County Office of Education Findings F1-F5 Recommendations R1-R2



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

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FIRE! FIRE!

SUMMARY:

The Tulare County Civil Grand Jury has reviewed how Tulare County Fire Department (TCFD) manages its resources and operational procedures. Considering during the past 7 years there has been a huge shift in extraordinary seasonal fires requiring much more staff training and new ways to handle fire suppression. New and updated equipment is also necessary.



BACKGROUND:

Prior to 2007, County fire protection was provided by CAL Fire via a contract with the County. Due to proposed increases in firehouse staffing as well as significant State negotiated salary increases, the County chose to discontinue a partnership with CAL Fire and establish a county fire department. TCFD was established on July 1, 2007. In September of 2017, TCFD moved its headquarters from its original location in Farmersville to the building it currently occupies at 835 S. Akers St in Visalia. In 2022, the fire dispatch operations center moved from a small trailer in Mooney Grove Park to a state of the art facility at the Akers location. This allowed for the Sheriff's Office and TCFD to combine services at one location, including 911 operations. All County fire stations were originally staffed with one person per shift but as of January 2022, TCFD has increased its staffing at 6 stations to 2 full time personnel partly due to the horrendous fire conditions and growing communities.

METHOD OF INVESTIGATION

1. Presentation
2. Review of documents
3. Review various websites
4. Site visit

DISCUSSION:

TCFD receives approximately 15,000 calls for services yearly and covers an area of 4,839 square miles (3,096,960 acres). Some of these calls have a response time of 3 hours and 47 minutes due to the locations and terrain.

TCFD is a 24/7 fire and emergency services provider to the unincorporated areas of Tulare County and several contract cities. The services they provide are:

TULARE COUNTY CIVIL GRAND JURY FINAL REPORT 2022-2023

- Fire Suppression
- Emergency Medical Services
- Vehicle & Technical Rescue
- Hazardous Materials Mitigation
- Fire Prevention & Inspection including weed abatement working with code enforcement agencies
- Public Education
- Fire Code Enforcement
- Fire Cause & Investigation
- Other Life Safety Services

TCFD cites challenges they face every year are an increase in volume and the complexity of the fires, forest management versus suppression, need of upgraded facilities, recruitment of both fulltime and partime personnel, unfunded mandates and title 14 regulations. Due to the strenuous hiring process, only one half of applicants will be hired.

TCFD functions on an annual budget of 30 million dollars and receive calls for help or fire suppression daily utilizing the following:

- 140 Full Time Personnel
- 80 Extra Help Volunteer Fire Personnel including 16 Fuel Crews (which are seasonal and have a constant turnover)
- 27 Fire Stations (23 valley, 4 mountain)
- 56 equipment pieces comprising of 26 engines (at the cost of 1.5 million dollars each), 4 reserve engines, 12 patrols, 6 water tenders, 2 trucks, 2 OES (Office of Emergency Services) engines, 2 light and air's and 2 water rescues. In addition, there are support vehicles (SUV's, sedans, etc.) which are utilized by Fire Department command and support staff.

Major incidents that have occurred since 2018 include the following and should be noted no County personnel were lost, but multiple structures were lost in fires.

- 2018 Camp Fire-153,336 acres burned
- 2018 Mendocino Complex Fire-459,123 acres burned
- 2019 Kincade Fire-77,758 acres burned
- 2020 Porterville Library Fire
- 2020 SQF Complex-175,000 acres burned, 232 structures destroyed
- 2021 French Fire -26,533 acres burned

TULARE COUNTY CIVIL GRAND JURY FINAL REPORT 2022-2023

- 2021 KNP Complex -88,307 acres burned
- 2022 There were 21 major incidents with over \$300,000 in losses with 452 acres of vegetation burned
There were communications issues in past years with low numbers of radio channels/bands but now those have increased significantly making communications easier and quicker with other public safety agencies.

TCFD works in partnership with other County agencies including Resource Management Agency, Health and Human Services, Office of Emergency Services and Tulare County Sheriff's Office. They also have cooperative agreements with local fire agencies.

TCFD also has outside contracts with 3-4 crews of "tree fallers" to clear County hills and mountain roadways. There are approximately 30 million dead trees in Tulare County with 40,000 trees cleared in the last five years. A few of these trees were milled but unfortunately most are too badly diseased or scorched and must be chipped and spread over the landscape.

There are currently 11 fire apparatus on order, and these will arrive incrementally in 2023. They consist of 2 trucks, 6 engines and 3 Tender Engines. These will replace apparatus that are greater than 20+ years old.

FINDINGS:

- F1. There is an increased volume and complexity of the calls for service in Tulare County.
- F2. The last 5 years have been extremely challenging with the increase of fire spread, Covid 19 slowing staff training and the need to add outside tree crews to get a handle on dead or diseased trees.
- F3. The new facility in 2022 helped with room and brought in state of the art equipment for much quicker response times.
- F4. TCFD has spent their budget appropriately to continue operating safely and economically to protect Tulare County communities.
- F5. TCFD needs to continue recruiting efforts to find and hire qualified individuals.

RECOMMENDATIONS:

- R1. Continue to work with local fire agencies through cooperative agreements.
- R2. Continue recruiting efforts.

REQUESTS FOR RESPONSE:

1. Tulare County Fire Department Findings F1- F5 Recommendations R1-R2



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).

IS YOUR FOOD SAFE?

SUMMARY:

The Tulare County Civil Grand Jury decided to see how well Tulare County Environmental Health (TCEH) is protecting the general health of the public, using mandated inspections of food facilities.

BACKGROUND:

There are over 2,300 food facilities in Tulare County covering 7 geographic areas. Over 3,000 inspections are conducted annually. The facilities are divided between permanent and mobile food facilities. Permanent food facilities are inspected 1-3 times annually based on the level of risk in that facility. Risk 1: Low risk, 1 inspection per year. Risk 2: Medium risk, 2 inspections per year. Risk 3: High risk, 3 inspections per year. Mobile food facilities receive 1 routine annual inspection at the office. They also undergo unannounced field inspections and are inspected at community events. The retail food oversight program is 1 of 19 TCEH programs.

METHOD OF INVESTIGATION:

1. Received presentation of the current oversight program
2. Reviewed local media reports on inspections
3. Reviewed specific documents

DISCUSSION:



Retail food program oversight includes restaurants, retail stores, bars, schools, bakeries, temporary food facilities, mobile facilities, organized camps and detention facilities. Mobile facilities are defined as any vehicle used in conjunction with a commissary or other permanent food facility where food is sold. The TCEH food oversight program primary function is to address safety issues that pose a threat to the health, safety and well-being of residents and visitors. The food oversight program division is responsible for notifying vendors of code violations.

A food handler card is required by California food safety laws. It is designed to ensure that commissary chefs, short order cooks, food handlers and other kitchen staff receive training in the fundamentals

TULARE COUNTY CIVIL GRAND JURY FINAL REPORT 2022-2023

of food safety and are equipped with knowledge of modern food safety practices to reduce the potential for foodborne illnesses or food contamination.

TCEH inspects 445 Risk 1 facilities with 445 annual inspections, 1,263 Risk 2 facilities with 2,526 annual inspections and 176 Risk 3 facilities with 528 inspections annually.

Permanent food facilities are inspected in four areas:

1. Employee health and hygiene (hair, nails, clothing, handwashing, salmonella, hepatitis A and norovirus).
2. Food temperatures (cooling, reheating and hot and cold holding).
3. Approved food source (growers, distributors, processing facilities and restaurants).
4. Sanitary facility conditions (vermin free, equipment and food preparation surfaces clean and sanitized).

In addition to the basic requirements for a permanent food facility, mobile food inspections also include checks for structure/equipment adequate for menu, housing insignia, fresh/wastewater tanks, and approved commissary, access to toilet facilities, emergency exits and compression units. Any inspection with vermin or no running water will have an immediate closure.

In 2010, the Excellence in Food Safety Awards Program was started. It recognizes restaurants that have consistent safe food-handling practices that achieve a score of 95 percent or above on three consecutive routine inspections. In 2019 awards were distributed to 447 restaurants. The program was put on hold in 2020 due to the COVID-19 pandemic.

Local news media frequently publishes the results of food inspections.

FINDINGS:

- F1: The TCEH through its programs is protecting the health of the County's citizens.
- F2: The Excellence in Food Safety Program has been a value to the community.
- F3: Media reports brings public attention to food issues in the County.

RECOMMENDATION:

- R1. Continue to protect the health of our citizens.
- R2. Continue the Excellence in Food Safety Program.

REQUEST FOR RESPONSE:

Tulare County Health & Human Services Agency: Findings F1-F3 Recommendation R1-R2



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SCHOOLS, LEARNING IN A SAFE ENVIRONMENT SCHOOL SAFETY IN TULARE COUNTY

SUMMARY:

Due to the numerous incidents that have occurred on school campuses throughout the Country, the Tulare County Civil Grand Jury decided to look into what local school districts are doing to ensure the safety of students and faculty.

On September 27, 2018, Governor Brown signed into law Assembly Bill 1747 School Safety Plans. The California Constitution guarantees California children the right to attend public schools that are safe, secure, and peaceful. The California Department of Education, public school districts, county offices of education, schools and their personnel are responsible for creating learning environments that are safe and secure.



BACKGROUND:

The data from US Department of Education and US census states that since 2012, there have been 180 (K-12) school shootings with 356 victims. Each year since, the number of shootings has increased. Data shows 93 shootings in the last school year which is an increase of 11 from a decade ago. More school shootings with casualties occurred during the 2020-2021 school year than the previous year.

Assumption of safety cannot be taken for granted. We cannot wait for an emergency to occur in Tulare County schools. We need to identify and implement a responsive measure.

METHOD OF INVESTIGATION:

1. Attended school crises response safety seminar
2. Interviewed witnesses

TULARE COUNTY CIVIL GRAND JURY FINAL REPORT 2022-2023

3. Reviewed specific documents
4. Conducted a school safety survey

DISCUSSION:

Per California Department of Education guidelines, schools, districts and County offices of education share responsibilities as well as play distinct roles in school safety planning and implementation. Every school in California is required to have a school safety plan. They recommend school districts provide training and support for school policies, establish relationships with local first responders to learn respective roles before an emergency and complete threat assessments for safe schools, such as fencing and doors that lock from the inside.

A questionnaire sent to the high schools consisted of four areas:

1. **Physical Safety Barriers:**
Most schools have 6 foot fences and entrances that are monitored by staff and/or cameras in the morning, during lunch and after school. Most had solid classroom doors, while some of the newer schools had small windows. The doors also locked from the inside. Most schools have police guards on duty and/or security systems.
2. **Police and Security Systems:**
Some schools have School Resource Officers for break or lunch only, but they are available at all times for an emergency. Some schools have a full-time police officer on the campus. Visalia Unified School District (VUSD) has police officers as helpers and not so much as guards. All schools have alarm systems and/or video cameras. Most schools have a technologically advanced security system with direct communication to first responders.
3. **Emergency Procedures:**
Teachers and staff have been trained for emergency situations and have regular drills with students. Schools have the required scheduled practice drills for fire, earthquake and lockdowns. They receive emergency evacuation instructions and training. Schools have current and up-to-date contact information for all students and staff. They have varied communications systems between the classrooms and office.
4. **Student Threats:**
Schools have different ways to handle students who have threatened violence. Some schools are in the process of response training for teachers and staff, others have a “threat response steps” procedure, while others call the local police department.

In the crisis response demonstration, officials recommended to block a door with heavy furniture, turn off lights, silence cell phones or other noise sources and remain quiet.

New computer technology allowing police and first responder’s access to real time school cameras and digital

TULARE COUNTY CIVIL GRAND JURY FINAL REPORT 2022-2023

school maps is in the planning phase. This would give authorities immediate intervention in a crisis. The Tulare County Office of Education has developed an interactive crisis information system called ActVnet. VUSD uses a system called Raptor. These programs have direct contact with first responders and can provide information to parents/guardians. Law enforcement can log into these systems and access detailed maps of the school including whether doors are solid or full glass, the location of emergency shutoff valves if there is a gas leak or if electrical power needs to be shut down. The ActVnet system can access a digital floor plan of the campus, connect with campus security cameras and has building signs with special ID's to help first responders navigate the campus. So far 26 schools districts in Tulare County have signed up for ActVnet and are in various stages of implementing the system.

FINDINGS:

- F1. ActVnet and Raptor are impressive intervention tools for any potential school emergency.
- F2. As stated by law enforcement agencies, it is not a matter if a shooting will occur, but when.
- F3. School districts are working to improve and strengthen school safety.
- F4. Training and drills help prepare students and personnel for a potential crisis.

RECOMMENDATIONS:

- R1. School districts should strongly consider implementation of a comprehensive security system.
- R2. School districts should continue to provide the latest training and technology.
- R3. School districts need to ensure there is effective communication between schools, parents/guardians on emergency procedures.

REQUEST FOR RESPONSES:

- | | | |
|--|----------------|-----------------------|
| 1. Tulare County Office of Education | Findings F1-F4 | Recommendations R1-R3 |
| 2. Visalia Unified School District | Findings F1-F4 | Recommendations R1-R3 |
| 3. Tulare Joint Union High School District | Findings F1-F4 | Recommendations R1-R3 |
| 4. Exeter Unified School District | Findings F1-F4 | Recommendations R1-R3 |
| 5. Porterville Unified School District | Findings F1-F4 | Recommendations R1-R3 |
| 6. Woodlake Unified School District | Findings F1-F4 | Recommendations R1-R3 |
| 7. Farmersville Unified School District | Findings F1-F4 | Recommendations R1-R3 |
| 8. Dinuba Unified School District | Findings F1-F4 | Recommendations R1-R3 |



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STILL RAINING CATS AND DOGS!!

SUMMARY:

The Tulare County Civil Grand Jury (TCCGJ) investigated the issues that un-homed and neglected dogs and cats bring to our neighborhoods and to all of our shelters throughout the County of Tulare. Part of this is due to the recent pandemic years when so many people were at home and needed company. Many people have returned to work and the animals have been left to roam the streets or returned to the shelters for yet another round

of rehoming. As a result, shelters face daily struggles related to housing, caring for and rehoming these animals. The daily struggles that the shelters face in order to house, care and rehome these animals is staggering.

BACKGROUND:

The American Society for the Prevention of Cruelty of Animals (SPCA) made its way to the US from Britain in 1866 when Henry Bergh formed a society. The US recognized the first official “pound” for dogs in Pennsylvania in April of 1869. It was opened by a group of women activists led by a woman named Carolyn Earle White. In 1877, The American Humane Association was formed followed by the formation of The Humane Society in 1954. In September of 1937, the first “pound” in California was opened due to the rabies epidemic and for not just the sick dogs but cats as well. Over time, the pound has come to be referred to as a shelter, as it houses dogs and cats that are not only sick, but hurt, lost, dropped off or otherwise unloved and unhoused. In the

1960’s and 1970’s, the perception that animals had the “pet” potential rather than the being viewed as a public health hazard. This led to the formation of more non-profit animal shelters in conjunction with the municipal shelters already formed to aid in bringing in strays and finding them homes. The Humane Society cites that 2.4 million healthy, adoptable animals are euthanized in U.S shelters each year, amounting to roughly one every 13 seconds. These animals are often the offspring of family pets that are not spayed or neutered.

Here in Tulare County communities, there are only six shelters that take in dogs, cats and other domestic animals on a daily basis at a high rate of intake. Four of them are city or county run (municipal) and two are operated by nonprofits. In Tulare County in 2018, there were 7,022 animals taken in and of those 4,248 were rehomed.



TULARE COUNTY CIVIL GRAND JURY FINAL REPORT 2022-2023

The four municipalities are:

1. Tulare County Animal Services
2. Porterville Animal Services
3. Visalia City Animal Shelter
4. Tulare City Animal Shelter

The two nonprofits are:

1. SPCA
2. The Central Valley Railroad Rescue

METHOD OF INVESTIGATION:

1. Websites
2. Questionnaires
3. News Articles
4. Site Visits

DISCUSSION:

The biggest source of operating dollars for the municipal shelters is the cities or County General Fund, while there can be monetary donations from individuals or organizations and fees collected for services rendered to neighboring towns or the public (such as licensing fees, citations and clinical services). The municipal shelters also apply for grants, which are used for special projects like the Spay and Neuter programs, fee-waived adoptions and fee assistance to reclaim your own animal.

Porterville Animal Services currently has 114 dog kennels, with 89 kennels that are functional and they are the only shelter that is a dog-only shelter. The rest of the shelters house mainly dogs and cats but will try to house small animals such as rabbits, goats and sheep for a very short time and work diligently to find their owners as needed. The larger animals rescued such as cows, horses, pigs, chickens or roosters are housed at the Tulare County Animal Services where they are equipped to handle those animals. The remaining shelters have between 50-80 dog kennels and 24-99 cat cages, with multiple small animals housed together in a kennel/cage only if needed. All grounds are equipped with exercise yards as well.

Only dogs are taken in at the Porterville Animals Services, the remaining shelters currently house dogs, cats, chickens, roosters, horses, pigs and fowl.

As of October 2022, the total number of dogs/puppies housed per shelter ranged in numbers from 33-117 of all sizes and breeds. Cats/kittens in these shelters ranged in numbers from 7-29. Also housed were 10 roosters, 3 horses, 2 pigs and 1 fowl. There are 85 animals in “foster” care homes. The animals that are fostered out can be returned to the shelter if signs of behavioral issues arise or not rehomed etc. Every shelter’s numbers fluctuate

TULARE COUNTY CIVIL GRAND JURY FINAL REPORT 2022-2023

daily depending on intakes and outgoing animals (mainly dogs/puppies) due to rescues, drop-offs, reuniting with owners or adoptions.

The only shelter with a full-time veterinarian on site is the Tulare County Animal Services. They have performed 2,600 spay and neuter surgeries for the shelter and the public sector. The remaining shelters have no veterinarian(s) on site but contract out for these services with many vets throughout the different communities. The veterinarians will also provide oversight with staff training, maintenance of required permits, medication prescriptions etc.

The first and foremost policy is finding a quality home if at all possible. However, all of these shelters follow a guideline/policy in that in the event an animal has aggressive behavioral issues towards other animals and/or humans that are untreatable, has life-threatening issues or overpopulation where herd health is affected, the animal will be euthanized. Some shelters have detailed policies regarding the number of staff to be present, the needle size, the euthanasia agent to be used and checking for microchips etc.

Feral or community cats are unique in that they are considered ownerless, and legally free-roaming with no leash laws or any legal obligation to enter a shelter. Historically, cats have been caught and taken to a shelter and euthanized. The shelters responded from having no written policy to utilizing a city ordinance. However, all shelters follow a program called Trap, Neuter and Release (TNR) in which a person can bring in a trapped feral cat to be spayed/neutered for free but must be released back to the feral cats' original neighborhood. There is also the Visalia Feral Cat Coalition which is a non-profit corporation who offers the TNR service with a \$30 copay for a veterinary partner to provide spay/neutering.

Porterville Animal Services provides for the care, control & custody of dogs for the Porterville, Woodlake and Lindsay areas. Visalia Animal Care Center provides sheltering and license billing to Visalia, Dinuba, Exeter and Farmersville. They also provide animal control services to Visalia, Exeter and Farmersville. Tulare Animal Services provides its services to Tulare. Tulare County Animal Services provides services to all unincorporated areas of the county which includes small communities as far away as Allensworth, California Hotsprings, Traver, the mountain areas such as Three Rivers, Camp Nelson, Springville and the outskirts of Visalia and more. This service encompasses nearly 4,800 square miles that are broken down into three large service areas and only employ three Animal Control Officers. They have recently started an "Adventure Paws" program where residents can go to the shelter and sign out a dog for the day.

Problems encountered at the shelters range from volunteer shortages, overwhelming calls from the public for assistance or complaints, shelter location and the availability to the public and availability of low cost veterinarian services. They also cited irresponsibility of pet owners at large and their reluctance to spay or neuter their animals and keep them secure. Three of the shelters mentioned that during Covid 19, an enormous amount of damage was caused with so many animals being adopted and then later returned or let loose and the disruption of staffing that still goes on today. All of the shelters interface with each other and they have a network of outside partners (some as far away as Oregon) that come in all forms such as vets, volunteers and stores etc. that assist them in many ways.

TULARE COUNTY CIVIL GRAND JURY FINAL REPORT 2022-2023

FINDINGS:

- F1 The funding provided through the cities or County General Fund or funds collected through donations and services revenue, is used in a positive manner to the best benefit of animal and consumer.
- F2. The shelters, kennels, office spaces and ground are clean and organized.
- F3. The staff is dedicated to their mission of taking in, caring for and ultimately rehoming the animals.
- F4. There seems to be every effort on behalf of the shelters to advertise for more staff and/or volunteers. There is low response that may be attributed to the pandemic that caused such a disruption in the flow of all services and the slow recovery back to normal.
- F5. The shelters try to come up with innovative ways to advertise for volunteers.
- F6. There are few outreach programs for volunteer opportunities.
- F7. Pet owners have been lacking in spaying/neutering their pets or keeping them secure.

RECOMMENDATIONS:

- R1. Conduct outreach to high schools and colleges for community service credit.
- R2. Continue to apply for grants to cover the cost of spay/neuter programs.
- R3. Conduct more aggressive public education to promote services to reduce and control the pet population.

REQUESTS FOR RESPONSES:

- 1. Tulare County Health and Human Services Agency
Findings F1-F7 Recommendations R1-R3
- 2. City of Porterville Police Department Animal Control
Findings F1-F7 Recommendations R1-R3
- 3. City of Visalia General Services
Findings F1-F7 Recommendations R1-R3
- 4. City of Tulare Police Department Animal Control
Findings F1-F7 Recommendations R1-R3



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WHO LET THE DOGS OUT? K9s IN TULARE COUNTY

SUMMARY:

Law enforcement agencies have been using dogs for assistance for over 100 years. The Tulare County Civil Grand Jury decided to look into the usage of K9s in Tulare County. A survey was sent to local police agencies to ascertain the number of dogs each department has and their usage in each agency.

BACKGROUND:

Dogs, which were descended from wolves, were first domesticated thousands of years ago. They have been used since Roman times for security, hunting, sentry, scout, patrol and messengers.

Starting in the late 1800's, they were used by police forces in England, Belgium, and Germany. It wasn't until the 1970's that dogs started being used by police forces in the United States.

During the Vietnam War, dogs were used to clear caves and tunnels, detect booby traps and land mines. More recently, they have been used to detect hidden and buried weapons in several Middle Eastern countries.

The most widely trained dogs for regular patrol work are German Shepherds. Other frequently used breeds

include Belgian Malinois (Mal-in-wah), Dutch Shepherds, Labrador Retrievers and Giant Schnauzers. Some breeds are specially trained to detect illegal drugs and explosives and to track fugitives and missing persons.

Police dogs are referred to as K9s. It is a shortened version of "canine" and likely came from what the Army War Dog Program called their "K9 Corps". K9s are now considered to be an important part of police forces. In some departments they even have their own badges and, in all departments we have researched, they have specialized equipment. There are breeders that specialize in raising dogs for law enforcement



TULARE COUNTY CIVIL GRAND JURY FINAL REPORT 2022-2023

purposes and there are training organizations that specialize in training selected dogs for specific police purposes. Most K9s start work/training at about 1 year and retire at about 10 years of age.

METHOD OF INVESTIGATION:

1. Surveyed local police agencies on use of K9s
2. Attended K9 demonstration by the Sheriff's Department
3. Interviewed K9 training officers and a K9 trainer
4. Search of internet for relevant information

DISCUSSION:

Police dogs (K9s) are trained to assist police and other law enforcement officers. Their duties may include tracking for missing persons and suspects, finding crime scene evidence, school safety patrols, rescue missions and cadaver searches. They are also used for basic patrol duty, narcotic, firearms and explosives detection, illegal contraband searches in jails, tactical incidents, public enforcement and crowd control, handler protection and for public demonstrations and education in schools.

Selected K9s enter an extensive, certified training program with the handler with whom they have been partnered. They continue regular training sessions throughout their lives and must be recertified annually. Handler training is as important as training the K9s. Candidates for K9 handler positions must be a high level proficiency proactive officer who possess personality traits such as appropriate demeanor, predilection for working with animals, professional bearing, intelligence and excellent communication skills. The bond that grows between K9 teams is strong and powerful. They train and serve at their handler's command, often living with them and their families. The pair work, train and live together for the duration of the dog's life in most cases. The handler is responsible for their care and well-being. They must maintain control over the dog's behavior at all times. In addition to his or her duties, the officer must lead and command a highly trained, potentially aggressive animal. Any mistake on their part can result in injury, potential harm and possible litigation as the public points fingers at the "dog's owner". The handler must also maintain precise records of the dog's work activities, incident reports, training records, medical records and costs associated with his or her canine partner.

The purchase price of a dog selected for police duty ranges from \$5500 to \$7000. The cost of training will run \$2500 to \$3500 depending on the level of training. The equipment needed to outfit a K9 is \$3000 and the cost of modifying a car to accommodate the K9 is \$6000 to \$7000. In addition to the initial expenses, there is the cost of food, medical care and additional specialty training.

Results of the survey sent to local law enforcement agencies:

Dinuba K9s are used for apprehension, searches and narcotics detection. They have not received nor solicited donations from private organizations for K9s or training.

Exeter K9s will perform basic patrol or narcotics detection. They have received/solicited donations.

TULARE COUNTY CIVIL GRAND JURY FINAL REPORT 2022-2023

In Farmersville the most common use is for the detection of illegal narcotics as one is assigned to the regional High Intensity Drug Trafficking Areas team full time. The other works in operations but is still most used for narcotics detection. On occasion they are called upon to assist with scene containment and suspect control. They have received donations for the K9 program, but the last donations were more than 5 years ago.

Porterville has three K9s assigned to the Patrol Division. They are used to search for lost/missing persons, searching for wanted persons concealed in open areas or buildings, vehicle searches, high risk tactical incidents, bomb detection, illegal firearm detection and illegal narcotic searches. One K9 is assigned to a school resource officer to serve Porterville Unified School District, Burton School District and Porterville College. This K9 is used for searching for illegal firearms, ammunition or gunpowder and illegal narcotics. They have received anonymous donations for the purchase of K9s, training and equipment.

Tulare K9s are assigned to patrol. They are used for tracking, searching, article search, suspect locations/apprehension/placating. One dog is currently being trained for narcotics detection. They are also used for public demonstrations/education as well as juvenile education at school and public events. Tulare has received /solicited donations.

Visalia K9s are currently in the Patrol Division. They are used for building searches, narcotic detection, suspect apprehension, handler protection and community presentations. They have a non-profit foundation, Friends of Visalia K9 (nonaffiliated with the department) which collects money for the purchase of new K9s.

Woodlake's K9 is used for detection only. It is trained to detect narcotics, marijuana, vape and firearms. They have not received any private donations for K9s.

The Tulare County Sheriff's Department has two K9s working in detention and one assigned to operations. They act as goodwill ambassadors for the Sheriff's Office and assist in the apprehension of criminals, detection of illegal substances in the jails and searches for lost or missing persons. They are available to all local law enforcement agencies, free of charge, when requested for assistance. The K9s also do numerous public demonstrations showing their training and experience. The Sheriff's Office does not solicit donations, however they have received donations from various organizations, private companies and citizens.

<u>Department</u>	<u>Authorized</u>	<u>Active</u>	<u>Breed</u>
Exeter PD	4	0	
Dinuba PD	2	2	2 Belgian Malinois
Porterville	4	4	3 Belgian Malinois, 1 Springer Spaniel
Woodlake	1	1	1 Springer Spaniel
Visalia	7	3	2 Belgian Malinois, 1 Dutch Shepherd
Farmersville	2	2	2 Belgian Malinois
Tulare	4	2	1 Belgian Malinois, 1 Dutch Shepherd
Tulare County Sheriff	10	3	1 Belgian Malinois, 1 Lab Mix, 1 Springer Spaniel

TULARE COUNTY CIVIL GRAND JURY FINAL REPORT 2022-2023

FINDINGS:

- F1. K9s provide a valuable service to police agencies and the public.
- F2. Local law enforcement agencies are maximizing their use of K9s even with the financial restraints.
- F3. Use of K9s has saved lives and has improved law enforcement efforts.
- F4. The high costs involved hampers a department's ability to purchase and train dogs.
- F5. The cost of obtaining, training, outfitting and maintaining a K9 is significant.
- F6. Handlers must make a dedicated commitment for a minimum of 5 years' service.
- F7. Handling a K9 carries a special responsibility for an officer.
- F8. The public, through financial contributions, help make K9 programs possible.
- F9. Multiple breeds of dogs can be used as K9s.

RECOMMENDATION:

- R1. Educate the public to the importance of supporting the purchase and training of additional K9s.
- R2. Continue to seek funding sources.
- R3. Continue to provide public demonstrations and outreach programs to increase awareness of the value of K9s.

REQUIRED RESPONSES:

- | | | |
|--------------------------|----------------|-----------------------|
| 1. Dinuba Police | Findings F1-F9 | Recommendations R1-R3 |
| 2. Exeter Police | Findings F1-F9 | Recommendations R1-R3 |
| 3. Farmerville Police | Findings F1-F9 | Recommendations R1-R3 |
| 4. Porterville Police | Findings F1-F9 | Recommendations R1-R3 |
| 5. Tulare Police | Findings F1-F9 | Recommendations R1-R3 |
| 6. Visalia Police | Findings F1-F9 | Recommendations R1-R3 |
| 7. Woodlake Police | Findings F1-F9 | Recommendations R1-R3 |
| 8. Tulare County Sheriff | Findings F1-F9 | Recommendations R1-R3 |



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VISALIA ALA CART



SUMMARY:

Code Enforcement is a vital function in every community. In Visalia the responsibility falls under the Neighborhood Preservation Division (NPD). It adds to the well being and beautification of the city. Among the duties of Code Enforcement is to pick up abandoned shopping and grocery carts within the city boundaries. Research has shown this to

be a pervasive issue in communities and cities in California and throughout the country. The Tulare County Civil Grand Jury initiated an investigation to determine how the City of Visalia is addressing this issue. Although the NPD is not a police agency, they do have the ability to assess and levy fines and penalties.

BACKGROUND:

The NPD in Visalia was established in 2006 and is tasked with enforcing the Visalia Municipal Code to improve the conditions and beauty of Visalia neighborhoods. The NPD exists to address safety issues for both residents and visitors to Visalia. The office is located at 315 E. Acequia in Visalia. Code Enforcement has a website address with complaint forms used to report code violations. The NPD also has a Code Violation Hotline telephone number (559-713-4534). In 2013 the City of Visalia enacted an ordinance (Municipal Code 870) specific to abandoned shopping carts. The ordinance was reaffirmed in 2018. The NPD has staff consisting of 1 manager, 1 support staff and 8 inspectors. The inspectors include 5 full time enforcement technicians, 1 full time vehicle abandonment officer for private property, 1 part-time signage violations technician and 1 part-time shopping cart enforcement technician.

METHOD OF INVESTIGATION:

1. Site visits
2. Interviewed witnesses and officials
3. Reviewed specific documents
4. Performed internet research

TULARE COUNTY CIVIL GRAND JURY FINAL REPORT 2022-2023

DISCUSSION:

Visalia based their abandoned cart ordinance on the Business and Professions Code of California. NPD has the authority to assess administrative fees for cart retrieval and fines of \$50 per cart for non-compliance. (Carts not picked up in timely manner after notice). During the period from May 2022 through September 2022, 661 abandoned shopping carts were picked up. COVID reduced the numbers of abandoned carts as there was a reduction in shoppers and more temporary business closures. NPD was also redirected to other activities. Individuals abandoning carts can be the homeless or residents of the neighborhood. The carts retrieved belonged to numerous retail establishments in Visalia. When the carts are retrieved, they are taken to a storage facility. Carts are required to be clearly marked with the name and phone number of the business. When NPD picks up the carts, the business is notified in writing and is given three days to pick up their carts. If the cart is not picked up within a 30 day period, the City has the option to destroy or dispose of them. The NPD has at times given these carts to the Visalia Rescue Mission. If fines/penalties are to be assessed, NPD reaches agreement with the retail establishment to install cart containment or suppression systems in lieu of fines.

Several businesses were contacted and discussions were held with the managers. The businesses sampled varied in size as some were part of larger chains and others were more localized. The chain stores also stated that they have contracted services which retrieve their carts. The smaller stores indicated that they wait for NPD contact to retrieve their carts.

In addition to enforcing the cart ordinance, NPD enforces and handles the following complaints:

- Unsafe to occupy structures – This includes substandard rental properties and other housing which has been determined to be uninhabitable. These types of violations may include lack of running water, sewage build up, no electricity and unsanitary living conditions
- Unsecured swimming pools - Includes pools with inadequate or no fencing which could endanger children and other members of the community. If a swimming pool is deemed to be unsecured, a staff member from NPD will remain onsite until adequate protection is in place. NPD has contractors on call to perform such services. These costs are normally borne by the homeowner or resident
- Construction without required permits
- Public nuisance properties – Inspections include massage parlors, unmaintained pools and illegal camping/substandard living
- Abandoned Private Vehicles – There is a specific telephone number (559-713-4624) dedicated to the reporting of abandoned vehicles. Code Enforcement will have vehicles removed from private property at the request of an owner or resident.

TULARE COUNTY CIVIL GRAND JURY FINAL REPORT 2022-2023

FINDINGS:

- F1. NPD rarely assesses the \$50 per cart fine upon retail establishments for violations of the Municipal Code 870.
- F2. NPD does charge administrative costs for abandoned carts if not picked up by the retail establishment within three days of being notified.
- F3. Phone numbers were lacking on carts at retail establishments. Some carts didn't have the name of the business.
- F4. All of the businesses interviewed stated that they have never been fined for violations of the cart ordinance.

RECOMMENDATION:

- R1. Consider enforcement of the City of Visalia Abandoned Shopping Cart Ordinance by assessing and collecting fines/penalties for non-compliance when appropriate.
- R2. Enforce requirement for phone numbers and store name to be on all carts.

REQUEST FOR RESPONSE:

City of Visalia's Community Development Department
Findings F1-F4 Recommendations R1-R2



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SOUTH COUNTY DETENTION FACILITY



SUMMARY:

A grand opening and ribbon cutting for the new South County Detention Facility was held in August 2019. The Tulare County Civil Grand Jury decided to look at the new facility.

BACKGROUND:

Tulare County was formed in 1852. In the following year, Visalia was named the County seat. During 1854, the Tulare County Board of Supervisors recognized the need for a jail. The first construction of a jail and courthouse was in 1876. In 1962 a new jail was constructed on Burrel Avenue. This jail has since been closed and is scheduled for demolition. The Bob Wiley Detention Facility located at 36712 Road 112 in Visalia was completed in 1992. This facility can house 898 inmates and is operated by the Tulare County Sheriff's Department. In light of the South County Justice Center courthouse located in Porterville, the Board of Supervisors decided to build a South County Detention Facility near the Porterville Airport, which is now functional.

The project to build a new detention facility began in 2012 when Tulare County received funding from AB 900 grant funding process through the State of California. There were various meetings and interviews with State officials based upon the need for additional infrastructure. Construction was completed in June of 2019. The state Fire Marshall approved and granted occupancy June 14, 2019.

The new \$72 million, 100,000 square-foot South County Detention Facility is the first built in Tulare County since the Adult Pre-Trial Facility was built in 1999 and the only detention center built south of Visalia in Tulare County. The new facility is located on Scranton Avenue near Newcomb Street. It was paid for with a \$60 million grant from the State of California and a \$12 million onetime expenditure from the County.

After the groundbreaking on June 8, 2016, Tulare County and the City of Porterville worked with several local and state agencies and companies to build the facility. The DLR Group was the architect, Bernards Brothers were the general contractors and Vanir Construction Managers oversaw the construction.

METHOD OF INVESTIGATION:

1. Site visit
2. Interviewed appropriate personnel
3. Reviewed specific documents

TULARE COUNTY CIVIL GRAND JURY FINAL REPORT 2022-2023

DISCUSSION:

The facility uses a modern pod design with four units branching off one central control station. It has a kitchen, bakery, laundry room, medical area, booking/intake, an administration area and visitation services. The building is designed to provide the safest environment for both detention officers and inmates by utilizing with high definition security cameras and an integrated highly sophisticated security system throughout the building. It currently can house up to 519 inmates.

There are plans for a farm and ranch operations on site similar to the North County facility which provides a significant amount of the food consumed by inmates.

The South County Detention Facility houses inmates who are on trial at the courthouse in Porterville, a few miles away.

Inmates have recreation space, storage space for their belongings, and multi-purpose rooms for programming and various classes.

The facility is focused on rehabilitation and has developed programs for the inmates. These programs include GED and college credits, vocational training, life skills and assistance for employment.

Although the facility has a fully equipped kitchen, there is no specific timeline for staffing it. Food is transported daily from the Bob Wiley Facility.

FINDINGS:

- F1. The location saves transportation times and costs for transport to South County Court House.
- F2. The location reduces costs for Porterville Police Department for transportation to Visalia facilities and saves time in the booking process.
- F3. There are costs incurred to transport premade food from the Bob Wiley Facility.

RECOMMENDATION:

- R1. Source staffing and funding to open the kitchen and farm operations.

REQUIRED RESPONSES:

- | | | |
|---------------------------------------|----------------|-------------------|
| 1. Tulare County Sheriff's Office | Findings F1-F3 | Recommendation R1 |
| 2. Tulare County Board of Supervisors | Findings F1-F3 | Recommendation R1 |



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).

SPECIAL DISTRICTS WEBSITE REQUIREMENT

SUMMARY:

Special districts are local government agencies that provide essential services to residents of the districts, including sewage treatment, water, fire protection, sanitation, utilities and cemetery operations. There are 132 independent special districts including joint powers agencies within Tulare County. These special districts have annual combined operating income in excess of \$1.3 billion with individual special districts budgets ranging from \$12,800 to \$40.2 million per year.

California legislation SB 929, requiring “Special Districts to have Internet Web Sites,” became effective on January 1, 2020, and requires every independent special district to maintain a website that clearly lists:

- agendas and minutes on the website
- contact information on the website
- compliance with California Public Records Act requirements using the website
- Conflict-of-Interest policy

There are limited special exceptions to the law, which must be declared as a hardship to the special district within the first meeting of each year, beginning January 1, 2020.

The Tulare County Civil Grand Jury (TCCGJ) decided to review the Tulare County special districts for website compliance with this legislation.

BACKGROUND:

The Little Hoover Commission was formed in 1962 to improve government agencies in California. Their report #155 of May 2000 found, “independent special districts often lack the kind of oversight and citizen involvement necessary to promote efficient operation and evolution.” In their report #239 of August 2017 one of the commission’s recommendations was that the state should, “. . . expand transparency by requiring every district to have a website with basic information . . .”



TULARE COUNTY CIVIL GRAND JURY FINAL REPORT 2022-2023

To ensure transparency and provide an opportunity for public participation in such meetings, State law SB 929 requires, among other things, public agencies to maintain a website to post agendas online. Public agencies that maintain a website must meet the requirements by posting a current agenda or a direct link to the current agenda on the agency's primary homepage. Under either option,

AB 2257 (*Local Agency Meetings: Agenda: Online Posting*) requires all current online agenda postings to be:

- downloadable, retrievable, indexable, and electronically searchable by commonly used search applications.
- machine-readable and platform-independent; what this means is a stand-alone website and not Facebook, Twitter, or any other social media.
- available to the public free of charge without any restrictions that would impede the reuse or redistribution of the agenda (i.e., no restrictions on printing the agenda or attaching it to an email).

The California Public Records Act requires a public agency to allow the inspection of any public record during the agency's office hours. AB 2853 (*Local Government: Economic Development Subsidies*) allows an agency to comply with the Act's inspection requirement by posting any requested public record on its website, and in response to the request for a public record, directing the person requesting such records to the location on the agency's website. If the person making the records request asks for a copy of the record because they cannot access or reproduce the record posted online; the agency is obligated to produce a hard copy of the record.

Transparency and accountability help to ensure the electorate is well informed regarding how each special district is performing the people's business. Three key elements for ensuring transparency for special districts are the submission of annual audited financial reports to the State Controller and to the Tulare County Auditor-Controller, the requirement to adopt a Conflict-of-Interest policy and compliance with the "Ralph M. Brown Act."

The Fair Political Practices Commission has adopted a regulation that can be incorporated by reference in special district policies to meet the Conflict-of-Interest requirement or reference the California Code of Regulations [title 2, §18730] in their policies).

The consequences of noncompliance with a district website can lead to fines of up to \$1,400 to \$4,000 by the State. The biggest website downfall is the ADA requirements for the hearing and sight-impaired public.

METHOD OF INVESTIGATION:

1. The TCCGJ reviewed 132 Tulare County special districts and joint powers agencies.
2. Conducted website research on California rules and regulations governing special districts.

TULARE COUNTY CIVIL GRAND JURY FINAL REPORT 2022-2023

DISCUSSION:

All special districts were reviewed for existence of a website. 80% were found to be lacking in compliance with the new laws in one form or another. Although some districts have websites, only 20 were in full compliance. Only one district has provided an approved hardship exemption.

The TCCGJ's analysis of websites revealed weaknesses in other areas including transparency and outreach. For example, the TCCGJ found that not all districts have a website and that some websites were not updated with current information. A conflict-of-interest policy was not always included. The law also requires convenient access to agendas on the website.

FINDINGS:

- F1. Websites are an important tool for the public to access information concerning their special district, yet not all Tulare County special districts have a website.
- F2. Meeting California Public Records Act requirements can be cumbersome, especially for smaller special districts and those who do not have normal business hours.
- F3. The requirements can be fulfilled by posting the requested document on their website.

RECOMMENDATIONS:

- R1. All special districts must have a website that complies with SB 929.
- R2. Special districts should consider using their websites to fulfill California Public Records Act requests.
- R3. All special districts must adopt a Conflict-of-Interest policy.
- R4. All special district websites must be ADA-compliant and easily accessible by the visually and hearing impaired.

REQUEST FOR RESPONSES:

- 1. No responses are required.



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).

Appendix

Attached is the California Website Compliance Checklist provided by the California Special Districts Association and website builder Streamline. Although it provides current website requirements, it does not guarantee compliance with the law, as there may be additional laws passed on the topic at some point in the future.

California Website Compliance Checklist


Use this checklist to keep your district's website compliant with State and Federal requirements.

Public Records Act

<input type="checkbox"/> SB 929: Our district has created and maintains a website Passed in 2018, all independent special districts must have a website that includes contact information (and all other requirements) by Jan. 2020	<input type="checkbox"/> SB 272: Our Enterprise System Catalog is posted on our website All local agencies must publish a catalog listing all software that meets specific requirements—free tool at getstreamline.com/sb272	<input type="checkbox"/> AB 2853 (optional): We post public records to our website This bill allows you to refer PRA requests to your site, if the content is displayed there, potentially saving time, money, and trees
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<h3>The Brown Act</h3> <table border="0" style="width: 100%;"> <tr> <td style="width: 50%; vertical-align: top;"> <input type="checkbox"/> AB 392: Agendas are posted to our website at least 72 hours in advance of regular meetings, 24 hours in advance of special meetings This 2011 update to the Act, originally created in 1953, added the online posting requirement </td> <td style="width: 50%; vertical-align: top;"> <input type="checkbox"/> AB 2257: A link to the most recent agenda is on our home page, and agendas are searchable, machine-readable and platform independent Required by Jan. 2019—text-based PDFs meet this requirement, Microsoft Word docs do not </td> </tr> </table>	<input type="checkbox"/> AB 392: Agendas are posted to our website at least 72 hours in advance of regular meetings, 24 hours in advance of special meetings This 2011 update to the Act, originally created in 1953, added the online posting requirement	<input type="checkbox"/> AB 2257: A link to the most recent agenda is on our home page, and agendas are searchable, machine-readable and platform independent Required by Jan. 2019—text-based PDFs meet this requirement, Microsoft Word docs do not	<h3>State Controller Reports</h3> <table border="0" style="width: 100%;"> <tr> <td style="width: 50%; vertical-align: top;"> <input type="checkbox"/> Financial Transaction Report: A link to the Controller's "By the Numbers" website is posted on our website Report must be submitted within seven months after the close of the fiscal year—you can add the report to your site annually, but posting a link is easier </td> <td style="width: 50%; vertical-align: top;"> <input type="checkbox"/> Compensation Report: A link to the Controller's PublicPay website is posted in a conspicuous location on our website Report must be submitted by April 30 of each year—you can also add the report to your site annually, but posting a link is easier </td> </tr> </table>	<input type="checkbox"/> Financial Transaction Report: A link to the Controller's "By the Numbers" website is posted on our website Report must be submitted within seven months after the close of the fiscal year—you can add the report to your site annually, but posting a link is easier	<input type="checkbox"/> Compensation Report: A link to the Controller's PublicPay website is posted in a conspicuous location on our website Report must be submitted by April 30 of each year—you can also add the report to your site annually, but posting a link is easier
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<h3>Healthcare District Websites</h3> <input type="checkbox"/> AB 2019: If we're a healthcare district, we maintain a website that includes all items above, plus additional requirements Including budget, board members, Municipal Service Review, grant policy and recipients, and audits	<h3>Open Data</h3> <input type="checkbox"/> AB 169: Anything posted on our website that we call "open data" meets the requirements of AB 169 Defined as "retrievable, downloadable, indexable, and electronically searchable; platform independent and machine readable"... among other things	<h3>Section 508 ADA Compliance</h3> <input type="checkbox"/> CA gov code 7405: State governmental entities shall comply with the accessibility requirements of Section 508 Requirements were updated in 2018—if you aren't sure, you can perform a basic test for accessibility at achecker.ca
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California Special Districts Association
Districts Stronger Together

csda.net



STREAMLINE
Website compliance made easy

getstreamline.com

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 2022-2023 the Tulare County Civil Grand Jury had 15 Citizen's Complaints and 9 Jury Initiated Investigations.

9 final reports were published.

Of the 13 complaints 8 were against school districts, 2 against law enforcement actions, 1 against a cemetery district and 2 against Tulare County agencies.

All complaints were investigated. Several had issues that had been corrected or no wrong doing was found. There was no further investigation on 2 complaints as the complainant did not provide the additional information needed. 1 complaint involved possible criminal activity and was referred to the District Attorney.



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photo taken by Zachary Blythe

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

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TULARE COUNTY CIVIL GRAND JURY FINAL REPORT 2022-2023

TULARE COUNTY CIVIL GRAND JURY APPLICATION/QUESTIONNAIRE 2024-2025

2024-2025 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

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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.

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TULARE COUNTY CIVIL GRAND JURY FINAL REPORT 2022-2023

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 **2024-2025** 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 2022-2023

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: _____

TULARE COUNTY CIVIL GRAND JURY FINAL REPORT 2022-2023

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? _____

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: _____

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Tulare County Civil Grand Jury
Government Plaza
5963 South Mooney Blvd.
Visalia, California 93277
Phone: (559) 624-7295
Fax: (559) 733-6078
Email: grnd-jury@tularecounty.ca.gov
Website: tularecounty.ca.gov/grandjury