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Finding 13. The four fire agencies, NCCFD, GVFD, PVFPD and NCFD serving the vast majority of western Nevada County will soon be without fire chiefs, the highest level of management, creating an opportune time to explore reorganization.

**The PVFPD disagrees partially with the finding.**

**PVFPD has participated in discussions, but any reorganization would not be pursued if the same level of service were not provided to the District nor if costs were to increase.**

Recommendation 1. The Nevada County Fire Chief's Association should continue to move forward to integrate administrative functions under a JPA in western Nevada County.

**The recommendation is being implemented. A JPA is just one of the options being considered. PVFPD has participated in discussions, but any reorganization would not be pursued if the same level of service were not provided to the District nor if costs were to increase.**

Recommendation 2. The Nevada County Board of Supervisors should direct LAFCo to begin research on the steps necessary to reorganize western Nevada County fire districts into a single fire authority. This should be a priority for the safety of residents in western Nevada County.

**The recommendation will not be implemented as it is not warranted or is not reasonable. This recommendation is beyond the authority of PVFPD. All of the current special districts fulfill the taxpayer's wants and needs. The PVFPD does not have authority over the Board of Supervisors. However, prior to initiating a proposal for reorganization, LAFCo is required by Government Code (GC) 56375(a) (3) to conduct a study pursuant to GC Section 56378, 56425 or 56430, and the commission makes the determination specified in subdivision (b) of Section 56881.**

Recommendation 3. The proposed new fire authority should consider:

- Having one governing board selected by the Board of Supervisors, using the current district designations for representation purposes,
- Having one chief and one business office,
- Retaining current fire tax fees for each current district,
- Having a plan to implement a leveling of the fees within four years,
- Being called the Western Nevada County Fire Authority,
- Not initially including Ophir Hill Fire Protection District, Peardale-Chicago Park Fire, Rough and Ready Fire, or North San Juan Fire District.

**The recommendation will not be implemented as it is not warranted or is not reasonable. This recommendation is beyond the authority of PVFPD. However, the**

**Health and Safety Code Division 12 Part 2.7 addresses governing boards of fire districts. It appears that changing from an elected board to an appointed board would require an election. An appointed board would remove local control from the voters who created each district. Having one business office would make non-emergency services less accessible to the residents and businesses in each district. PVFPD would need to have personnel in its office for ambulance billing and other administrative functions not provided by the new fire authority. As taxes and parcel fees are established by ballot measures, any changes would require additional elections at additional expense.**

Recommendation 4. An interim JPA should be established which would be an interim governing body. That governing body would be a transitional board until a permanent board is established. The interim board would consist of one elected official and one staff member of each agency and one member from the Nevada County Board of Supervisors.

**The recommendation will not be implemented as it is not warranted or is not reasonable. This recommendation is beyond the authority of PVFPD. As recommendation three (3) would make all districts involved dependent with appointed members, who would the elected official be?**

Recommendation 5. The included districts on the new fire authority should begin discussions for reorganization into an independent fire authority that is under the supervision of the Nevada County Board of Supervisors in order to preserve fire protection services in western Nevada County:

- Nevada County Consolidated Fire District
- Penn Valley Fire Protection District
- Rough and Ready Fire Protection District
- Grass Valley Fire Department
- Nevada City Fire Department
- Higgins Area Fire Protection District
- North San Juan Fire Protection District
- Ophir Hill Fire Protection District
- Peardale-Chicago Park Fire District
- Washington County Water Fire District

**The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study. Out of the ten (10) agencies listed above six (6) agencies have not participated and chose not to be involved. Grass Valley Fire and Nevada City Fire are fire departments (as opposed to Special Districts) and**

administratively managed in a different way. It has not been established that such a consolidation would benefit the public within PVFPD. Existing proposals would include significant reductions in oversight and increases in cost. Sharing one duty officer for four (4) departments would reduce oversight during significant incidents. It is common for more than one incident to occur at the same time within the ten agencies. The sample organizational chart indicates three (3) personnel for each engine. This would cause PVFPD to hire six (6) additional full-time people as these personnel are not available to staff the ambulances, there would be the additional cost for ambulance coverage. The sample organizational chart would increase staffing to 145 personnel with associated costs to all districts. Staffing for all districts is approximately ½ of that currently. Closing the PVFPD office would reduce service forcing residents and businesses to travel further for services. Ambulance billing would also have to be addressed. The sample organization chart indicates a significant increase in administrative staff over existing PVFPD staff. There is nothing to indicate any cost savings to the District.

# NEVADA COUNTY HOLDING FACILITY TRUCKEE COURTHOUSE

## Summary

The Nevada County Grand Jury is statutorily required to inspect public prisons annually within Nevada County. The Nevada County Sheriff's Office has responsibility for the management of county correctional facilities, including inmate holding facilities at the Nevada County Sheriff's Office Truckee Sub-Station and the Nevada County Superior Court, Truckee Branch.

There is a holding area in the Nevada County Superior Court Truckee Branch used to hold inmates awaiting court appearances. This holding area and its access is one segment of this report.

The Nevada County Grand Jury is concerned about officer safety and court office privacy and safety. The Nevada County Grand Jury observed that there is open viewing of a court office. There are no barriers to keep an out of control vehicle from crossing the sidewalk adjacent to the building and impacting the outside wall of the court office.

The Nevada County Grand Jury also found that there is an open unsecured walkway that is used once the inmate has debarked from the transport van and prior to entering the courthouse interior. Once inside, there is a toilet facility that has a solid door that doesn't allow supervision by corrections staff of inmates using that facility.

The Nevada County Grand Jury strongly recommends the Superior Court, Nevada County Sheriff's Office and Nevada County Board of Supervisors work together to obtain funding for safety and security upgrades.

## Reasons for Investigation

The California Penal Code §919(b) states, in part, "*The grand jury shall inquire into the condition and management of the public prisons within the county.*" The Nevada County Grand Jury (Jury) defines public prisons as any adult or juvenile correction or detention facility within the county.

## Background

The Nevada County Sheriff's Office (NCSO) is a county sheriff's office within the State of California as defined by the California Penal Code. The NCSO is responsible for the management of the county correctional facilities located at the Truckee Sub-Station (Sub-

Station) and the Nevada County Superior Court, Truckee Branch (Court). The administrative staff of the Court is responsible for the daily functions of this facility.

Criminal and civil court activities are conducted within the government administrative building, also commonly known as the Joseph Center. The Joseph Center also houses Nevada County departmental offices.

The operation of the Joseph Center is governed by a Joint Occupancy Agreement (JOA) between Nevada County and the Judicial Council of California (Council). The Administrative Office of the Courts (AOC) implements the Council's policies and decisions.

The Court holding facility is a Type 1 facility as defined by the Corrections Standards Authority, an agency of the California Department of Corrections and Rehabilitation. The holding facility is a low-security risk, temporary holding facility. The holding facility is used to hold inmates awaiting court appearances that day.

The 2011-2012 Grand Jury Report contained two recommendations each for the NCSO and Nevada County Board of Supervisors (BOS):

- NCSO: R.5.: *“In conjunction with the Nevada County Board of Supervisors, secure the open inmate loading/unloading area at the Courthouse with a fenced enclosure, commonly known as a sally port.”*
- NCSO: R.6.: *“In conjunction with the Nevada County Board of Supervisors, secure the open walkway area used to transport inmates into the Court with a fenced enclosure.”*
- Board of Supervisors: R.7. *“Provide funding to secure the open inmate loading/unloading area at the Joseph Center with a fenced enclosure, commonly known as a sally port.”*
- Board of Supervisors: R.8. *“Provide funding to secure the open walkway area at the Joseph Center, used to transport inmates into the Courthouse, with a fenced enclosure.”*

The 2011-2012 Jury Report recommendations listed above were not implemented. The responses to the Jury report from the NCSO and BOS stated that funding was not available.

## **Procedures Followed**

On September 12, 2013, the Jury inspected the holding area within the Joseph Center, located at 10075 Levon Avenue, Truckee, California. The Jury toured the facilities and interviewed representatives from the NCSO. On subsequent dates, the Jury interviewed Nevada County Superior Court staff and reviewed documents concerning the Truckee holding facilities and the Court.

## Facts

- Fa. 1** Nevada County (County) is the owner of certain real property, located in the Town of Truckee and having a street address of 10075 Levon Avenue, commonly known as the Joseph Center.
- Fa. 2** The Joseph Center was built in the 1950s. The County purchased the property and structure and in 1992 remodeled the facility providing space for the Court and county offices.
- Fa. 3** Ownership of the Joseph Center is shared by the County [70.68%] and the Administrative Office of the Courts (AOC) [29.32%]. This arrangement was completed in 2008 and is known as: Transfer of Responsibility for Court Facility Agreement; Joint Occupancy Agreement (JOA), and Memorandum of Joint Occupancy Agreement.
- Fa. 4** Maintenance costs are shared by the above percentages in the common areas. The Court pays for their exclusive area and the County pays for their exclusive area. The County performs all maintenance and is reimbursed by the AOC. The County is responsible for the maintenance of the common area.
- Fa. 5** The common area includes: driveways, adjacent parking lot areas, walkways and any means of access to the portion of the Joseph Center.
- Fa. 6** At the end of Fiscal Year 2011-2012, there were 24 pending requests for funding of maintenance and security projects to the AOC for this facility. The total cost for these requests is \$2,601,301.
- Fa. 7** To date, none of the 24 requests have been funded by the AOC.
- Fa. 8** There is no NCSO facility in the building other than a holding cell.
- Fa. 9** Inmates are transported from the Wayne Brown Correctional Facility and the Sub-Station to the Court by armed NCSO correctional staff in a secure transportation vehicle.
- Fa. 10** There is no fenced enclosure, commonly known as a sally port, at this location.
- Fa. 11** At the Court, the inmates are moved from the secure vehicle and into the holding facility along an outdoor, unsecured, unfenced, public area, adjacent to an open parking lot.
- Fa. 12** This area is located in near proximity to a public library and county offices operating in the Joseph Center, frequented by the public.

- Fa. 13** Movement of inmates is in the immediate area of a Court office with exterior windows.
- Fa. 14** There is no one-way material on the window to prevent individuals from viewing all activities of the Court office at any time.
- Fa. 15** The parking lot is adjacent to the outside wall of a Court office.
- Fa. 16** On December 13, 2013, the AOC issued a memorandum outlining their safety inspection of the Joseph Center that identified areas of safety concern and recommended work.
- Fa. 17** The December 13, 2013 memorandum outlined and suggested upgrades to the following areas:
- barriers at the first floor Court office,
  - upgrade the windows at the first floor Court office,
  - addition of security cameras on second floor areas,
  - second floor Court office window upgrade,
  - partitions at the clerk's counter and,
  - first floor holding area restroom door modification.
- Fa. 18** The NCSO is responsible for submitting an annual budget BOS for approval.
- Fa. 19** The BOS has the responsibility of approving the NCSO's budget.

## Findings

- Fi. 1** The current conditions at the Joseph Center are believed to pose an imminent threat of serious injury to the public, courthouse employees and county employees.
- Fi. 2** Safety improvements identified by the county and AOC have not been approved and/or funded by the AOC.
- Fi. 3** Proposed safety improvements would enhance the safety of the public and Court and county employees.
- Fi. 4** The BOS and the Court have not provided leadership in urging the AOC to release the necessary funds to improve the safety at the Joseph Center.

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## Recommendations

- R. 1** The Nevada County Board of Supervisors, the Nevada County Sheriff's Office, the Administrative Offices of the Court and the Nevada County Superior Court should take all the measures necessary to move forward with a formal agreement which provides the recommended safety improvements immediately to ensure the safety of the public and employees.
- R. 2** The Nevada County Board of Supervisors, the Nevada County Sheriff's Office, the Administrative Offices of the Court and the Nevada County Superior Court staff should prioritize funding requests to implement the recommended safety improvements.
- R. 3** The Nevada County Board of Supervisors, the Nevada County Sheriff's Office, the Administrative Offices of the Court and the Nevada County Superior Court staff should coordinate efforts to follow through with the request for funding, the implementation of the safety improvements and ensure the required work is completed.

## Responses

Nevada County Sheriff: Finding 1 – 4 and Recommendations: 1, 2 and 3.  
Due Date: July 29, 2014.

Nevada County Board of Supervisors: Finding 1 – 4 and Recommendations: 1, 2 and 3.  
Due Date: August 29, 2014.

Nevada County Superior Court: Finding 1 – 4 and Recommendations: 1, 2 and 3.  
Due Date: July 29, 2014.



**NEVADA COUNTY SUPERIOR COURT  
OFFICE OF THE JURY COMMISSIONER  
201 CHURCH STREET, SUITE 6  
NEVADA CITY, CA 95959**

Thomas M. Anderson  
*Presiding Judge of the  
Grand Jury*

Audrey M. Golden  
*Deputy Jury Commissioner*

**(530) 265-1475**

**August 6, 2014**

Keith Overbey Foreman  
Nevada County Civil Grand Jury  
950 Maidu Avenue  
Nevada City, CA 95959

Dear Keith:

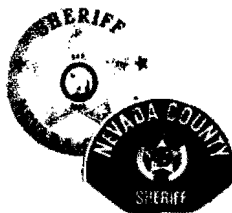
Enclosed is the response from the N.C. Sheriff's Office on the Holding Facility at the Truckee Courthouse.

Sincerely,

A handwritten signature in black ink, appearing to read "Audrey M. Golden", written over a horizontal line.

Audrey M. Golden

**NEVADA COUNTY  
SHERIFF'S OFFICE**



**KEITH ROYAL**  
SHERIFF/CORONER  
PUBLIC ADMINISTRATOR

June 27, 2014 Updated on July 22, 2014

The Honorable Thomas M. Anderson  
Presiding Judge of the Grand Jury  
201 Church Street  
Nevada City, Ca. 95959

RE: Response to 2013-2014 Nevada County Holding Facility Truckee Courthouse Grand Jury Report

Dear Honorable Judge Anderson:

In response to the Grand Jury Report dated May 29, 2014 on the Nevada County Holding Facility Truckee Courthouse.

**FINDINGS:**

1. The current conditions at the Joseph Center are believed to pose an imminent threat of serious injury to the public, courthouse employees and county employees.

**Disagree**

**Due to past experience, we do not feel an imminent threat of serious injury to the public, courthouse employees, and/or county employees exists. We have had an excellent record with our transport of prisoners from transportation units to the Courthouse in Truckee with no threats, escapes or injuries. We are committed to mitigating risk at every opportunity within the County's existing resources. Inmates are transported from the transportation unit to the Courthouse in customary restraints, including leg shackles and waist shackles.**

2. Safety improvements identified by the county and AOC have not been approved and/or funded by the AOC.

**Agree**

3. Proposed safety improvements would enhance the safety of the public and Court and county employees.

**Agree**

4. The BOS and the Court have not provided leadership in urging the AOC to release the necessary funds to improve the safety at the Joseph Center.

### **Disagree**

**Our experience has been that both the BOS and the Court provide leadership and are prudent in prioritizing funding requests to the AOC.**

### **RECOMMENDATIONS:**

1. The Nevada County Board of Supervisors, the Nevada County Sheriff's Office, the Administrative Offices of the Court and the Nevada County Superior Court should take all the measures necessary to move forward with a formal agreement which provides the recommended safety improvements immediately to ensure the safety of the public and employees.

**The recommendation will not be implemented on the part of the Nevada County Sheriff's Office because it is not reasonable. The State of California Administrative Office of the Courts has not approved \$2,601,301 in funding for prior requested maintenance and security projects. The Sheriff's Office has no information to doubt the Superior Courts ability to properly prioritize its funding requests and balance them against safety and security. The Sheriff's Office feels confident it will not be able to insert itself in the middle of the formal annual budget process between the Superior Court and the AOC, nor strike a formal agreement with the AOC outside that process. We are more than willing to work with them should funding from the AOC be identified.**

2. The Nevada County Board of Supervisors, the Nevada County Sheriff's Office, the Administrative Offices of the Court and the Nevada County Superior Court staff should prioritize funding requests to implement the recommended safety improvements.

**The recommendation will not be implemented on the part of the Nevada County Sheriff's Office because it is not reasonable. It is the responsibility of the Nevada County Superior Court to make prioritized funding requests to the Administrative Office of the Courts, who in turn has the responsibility of prioritizing all funding requests for the entire State of California court system. The Nevada County Sheriff's Office has an advisory only role at the Court House when it comes to recommending security concerns. The Sheriff's Office is confident the Superior Court has properly prioritized its funding requests to the AOC and has put great weight into the safety and security of the Courthouse visitors. The Sheriff's Office has no control over funding decisions the AOC makes at a State level.**

3. The Nevada County Board of Supervisors, the Nevada County Sheriff's Office, the Administrative Offices of the Court and the Nevada County Superior Court staff should coordinate efforts to follow through with the request for funding, the implementation of the safety improvements and ensure the required work is completed.

**The recommendation will not be implemented on the part of the Nevada County Sheriff's Office because it is not reasonable. The end product of the recommendation is a completed project. As stated above, prioritized funding requests have been made by the**

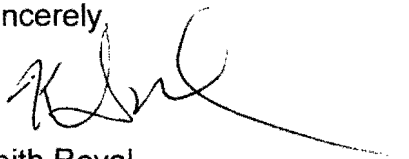
July 22, 2014

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**Nevada County Superior Courts to the State of California Administrative Office of the Courts. As of this date, the AOC has decided not to fund those requests. The Sheriff's Office assumes other funding requests received by the AOC were given greater weight as to their priority. We are willing to work with the involved parties in an attempt to move these projects forward, however, with the apparent lack of funding from the AOC, we feel it is unlikely that this recommendation can be fully accomplished.**

The Sheriff's Office would like to thank the members of the 2013-2014 Grand Jury for their participation and effort in preparing their reports. We are committed to providing the highest level of safety and security to our employees, the public, and inmates.

Sincerely,

A handwritten signature in black ink, appearing to read 'Keith Royal', with a long horizontal flourish extending to the right.

Keith Royal  
Sheriff-Coroner