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2013/2014 DEL NORTE COUNTY GRAND JURY

BAR-O BOYS RANCH

SUMMARY

The Del Norte County Grand Jury is mandated by California State law to annually “inquire into the condition and management of the public prisons within Del Norte County [California Penal Code §919(b)].” In compliance with this requirement, the 2013/2014 Del Norte County Grand Jury Detention Committee participated in a tour of Bar-O Boys Ranch.

BACKGROUND

Bar-O Boys Ranch is a male residential treatment center located in Del Norte County. This facility is available to court-committed boys between 14 and 18 years of age. In addition to accepting wards from the court system, the ranch can also contract directly with parents for the placement of their children who are currently in the juvenile justice system.

Originally known as Bar-None-Camp, this rehabilitation camp has been in operation since 1955. John Ostrum and his wife, the founders of Bar-O Boys Ranch, purchased an old dude ranch on sixty acres of land for the express purpose of opening a rehabilitation camp where boys would be helped to **develop their own good character traits**.

The Del Norte County Probation Department currently oversees the operation of Bar-O Boys Ranch. Although 59 years have come and gone, the purpose of the ranch remains the same.

METHODOLOGY

On Wednesday, October 13, 2013, members of the Grand Jury Detention Committee interviewed the Deputy Director of Bar-O Boys Ranch. He enthusiastically provided us with background information regarding Bar-O. We discussed statistics concerning staff to student ratio, overall philosophy regarding day to day living, and facility adequacy for the current wards. After we took in the information presented to us, we had a time whereby the Deputy Director answered our questions, both general and specific. This question/answer session included discussion regarding the two recommendations made by the 2012-2013 Grand Jury. At the end of our meeting with the Deputy Director, he shared contact information with us and gave directions on how to reach Bar-O Boys Ranch. We set our tour date for Thursday, October 24, 2013.

DISCUSSION

At 1:00 p.m. on Thursday, October 24, 2013, the Detention Committee of the 2013-2014 Grand Jury arrived for our tour of Bar-O Boys Ranch located just over 30 miles north of Crescent City, California, on Hwy 199.

Welcome

We were greeted in the student/staff-landscaped area just off the parking lot. The Deputy Director talked with us about the pride involved in student/staff landscaping, maintenance, and other utilitarian efforts that enhance the surrounding natural beauty of the ranch. It was, indeed, heartwarming to see the garden which aids in self sufficiency, to enjoy the rock walkways which were beautiful and practical at the same time; as well as to hear the sounds of both the small spring rivulet within the courtyard and the Smith River just a short distance from camp. This initial conversation created a sense of a “Home away from Home” rather than that of a “detention” facility.

Administration

Our tour began with the administrative facility where daily business is conducted and all records are kept current. The staff adeptly handles parents, governmental agencies, educational expectations, facility dilemmas, and the million and one requests and disputes affecting the lives of some 30+ teenage boys.

Barracks

The barracks were of special interest to us because it was highlighted by the 2012-2013 Grand Jury as in need of remodeling or replacement. No positive changes have taken place in the barracks. One additional dilemma was obvious. There was a fire issue as a result of the bricks in the back of the barracks’ stove having collapsed without awareness of the fact that the heat barrier that the bricks provided was gone. The radiant heat kindled the wall to the point where embers began to form inside the wall. The fire was dealt with quickly and effectively.

Another issue concerning the barracks was a carryover from a 2012-2013 Grand Jury Recommendation. It dealt with “the continual backup of the septic system, even, at times, backing up into the shower.” Seeing as how this was “a sanitary as well as a health issue,” the 2012-2013 Grand Jury Recommendation to “immediately correct the septic system” was a point of review for this year’s Grand Jury.

Kitchen/Dining

The kitchen and dining area were well organized and neatly maintained. Food storage is overseen by the cook, but directly handled by students. Students are taught all aspects of culinary skills and can receive certification for future employment opportunities.

Education

The Del Norte County Office of Education provides the educational component of Bar-O Boys Ranch. Instructional staff is provided to the school and emphasis is placed on improving each student’s basic reading, writing, speaking, spelling, mathematics and problem solving skills. In addition to regular academic classes, the school at Bar-O offers certification in the Culinary Arts, Construction Technology, Computer Science, and Landscape Maintenance. Additional life experience classes can be enjoyed, such as, photography, kayaking, small engine repair, pottery, woodshop, welding, screen-printing and stained glass.

Management

“Bar-O Boys Ranch provides a structured environment wherein each boy works on self image, rule following, work habits, and values clarification. As each boy progresses through the three-step program he is equipped to accept more responsibilities. Excuses are not heard and accomplishments are rewarded. The individual’s personal issues are stressed and focus is placed on those behaviors that led to his incarceration. Through this intense living experience, the boys are continually forced to look at their personal weaknesses and strengths and encouraged to take responsibility for them. The boys are inspired to begin to develop the self-image of being “contributors rather than “takers”.” (County of Del Norte Bar-O Boys Ranch – Pride in Work....Pride in Self - web page: <http://www.co.del-norte.ca.us/departments/bar-o-boys-ranch>)

FINDINGS

- F1. There are a multitude of finished and in progress examples of both student and student/staff projects. A garden, an orchard, a fountain, a stone decorative garden bridge, pottery, stained glass, and delicious, warm, homemade banana bread are only a few of the pieces of handiwork we enjoyed on our tour.
- F2. The 2013-2014 Del Norte County Budget funds a staff of twelve for Bar-O Boys Ranch as follows:
- * 1 Deputy Director
 - 1 Youth Program Coordinator (under funded)
 - 2 Senior Youth Group Counselors
 - * 7 Youth Group Counselors
 - 1 Supervising Cook
 - 1 Cook
- * 5 positions designated as ranch resident positions
- F3. There is one clerical employee on staff. This individual is responsible for the boys’ accounts and also serves as the laundry room supervisor. There is also one maintenance man who works 24 hours per week.
- F4. Bar-O Boys Ranch is a 43-bed facility and there are currently twenty boys in residence.
- F5. Last year’s Grand Jury made a point of recommending immediate correction to the unsanitary and unhealthy conditions regarding a failing septic system. We found that the septic tank issue has been resolved. They had a new holding tank installed and all is clean and working well.
- F6. This year’s fire, due to an aged heat system, provides another serious hint that time is taking its toll on all structures and systems within the barracks. The firebrick in the stove was replaced, and a new heat shield barrier was put behind the stove; thus solving this latest barracks issue.
- F7. The barracks were maintained in a neat and orderly manner, but the physical conditions of the barracks itself remain as per last year’s Grand Jury’s Finding, “outdated and in dire need of remodeling or replacement.” Every facility has a maximum lifespan. The barracks

at Bar-O is reaching its “end times.” Being “outdated” can be dismissed, to a point, as merely an issue of decor or the trappings of style; but last year’s failing septic service issue and this year’s fire dilemma, are serious hints that time has taken its toll. Fortunately, no one was ill, injured, or worse.

- F8. We visited the school while it was in session. The students were transitioning from one activity to another and did so with neither fuss nor muss. It appeared to be a friendly atmosphere, and the boys conversed with us as we made our slow procession through their classrooms. It was evident that the boys had been schooled in “visitor etiquette”.
- F9. We saw evidence of the step program wherein each boy was wearing either a white, blue, or green shirt. Advancement in this three step program is considered once each month. Boys in this program do not receive a release date until they reach the last step of the program.

RECOMMENDATIONS

F1 – F6 there are no Recommendations

R7. For the second year in a row, the Grand Jury Detention Committee recommends “funds to be allocated for repair or replacement of the barracks at the Bar-O Boys Ranch.”

F8 – F9 there are no Recommendations.

COMMENDATIONS

C1. The Detention Committee, representative of the 2013-2014 Grand Jury, appreciates all individuals involved in the operation of Bar-O Boys Ranch. Having the opportunity to observe first-hand the heart and mind at work together for the benefit of the next generation of our society is a heart-warming and poignant experience. We thank you for the work you do with these young men.

**2013/2014 Del Norte County Grand Jury
BUILDING HEIGHT REQUIREMENTS
IN THE TSUNAMI ZONE**

SUMMARY

The 2013-2014 County Grand Jury received a letter from a concerned citizen and local businessman who raised a question about the building foundation height requirements required in the Crescent City Tsunami zone along the 101 corridor, south of the city beginning at the “Big Curve” and running south to South Beach.

The 2013-2014 Grand Jury made inquiries to the City Planning Commission and the Crescent City Public Works Director. Building codes and Federal Regulations were researched regarding restrictions to buildings in flood zones and Tsunami zones in coastal areas of the United States and Crescent City in particular.

The Grand Jury found all recent construction projects along the 101 corridor south of Crescent City met all legal requirements.

BACKGROUND

After receiving a complaint regarding building foundation height requirements along the South 101 corridor the area in question was reviewed. The Grand Jury began an investigation to assure all recent construction met the necessary requirements.

METHODOLOGY

The investigation was completed by researching building codes and Federal regulations; and interviews with City of Crescent City officials.

A list of questions was prepared to focus the interview(s) on the building requirements for new construction along the South 101 corridor.

1. Describe the role and responsibility of the Director of Public Works.
2. What are the documentary steps taken to start a new construction on the South 101 corridor?

3. What are the building height requirements and foundation heights for new construction along the Tsunami zone?
4. What is the inspection process and who is responsible?
5. Are records kept of completed inspections and projects?
6. What is the relationship between the City Planning Commission and the Public Works Department?

DISCUSSION

The Crescent City Public Works Director presented a paper copy of a power point presentation describing the scope of work done by the Public Works Department in its mandate to maintain the physical and mechanical infrastructure of Crescent City. Any new development that occurs in Crescent City proceeds through a regulated process beginning with the Community Development Officer. The Community Development Officer also functions as the specific project coordinator through all phases of a project. The project proposal then goes to the Planning Department, Building Department, and finally the Fire Department to assure all code specifications meeting building, fire and infrastructure needs and connectivity are met; i.e. electrical, water and sewer requirements specific to each project.

All documentation of any project is held in files at City Hall, filed by parcel number. A FEMA flood insurance map based on a projected 100 year flood occurring is used to set insurance rates as well as building foundation requirements. The current foundation height limits for the City of Crescent City were set by the 1964 Tsunami flood zone map. The minimum height of a foundation must be 17 feet above the current Crescent City Harbor waterline. All new construction on the 101 corridor has elevation certificates on file at City Hall.

All new construction is inspected in regular phases as the work on the project is completed. Currently the City has its own building inspector as does the County. In the past the Public Works Department would hire an independent expert to do its inspections.

FINDINGS

F1. The Grand Jury finds that all recent construction projects along the 101 corridor south of Crescent City meets all legal requirements.

CITY OF CRESCENT CITY
2012-2013 GRAND JURY RECOMMENDATIONS FOLLOW UP

SUMMARY

Each newly appointed grand jury is responsible for monitoring the responses legally required to the recommendations made in the grand jury report from the previous year.

On behalf of the City of Crescent City, then Mayor Richard Enea sent a response dated September 17, 2013 to the Del Norte County Grand Jury regarding the 2012-2013 Recommendations. The full text of the response can be found on the grand jury website at <http://www.co.del-norte.ca.us/departments/grand-jury>.

DISCUSSION

The City of Crescent City complied, where possible, with the suggested recommendations and is commended for doing so. The grand jury recommended that the City Committee follow up on several items.

RECOMMENDATIONS

- R1. The grand jury asks the City Committee to follow up on progress made by the City Manager in taking a list of policies and procedures to the City Council and scheduling priorities and completion, as well as implementing an annual review by the Department Directors.
- R2. The grand jury recommends that the City Committee follow up on the progress made by City Staff in addressing the possible reuse of the Cultural Center.
- R3. The Grand Jury recommends that the City Committee follow up on progress made by City Staff in researching the idea of using the waste water treatment plant as a training center.

**2013/2014 Del Norte County Grand Jury
CITY OF CRESCENT CITY
FOLLOW UP ON 2012-2013 JURY RECOMMENDATIONS**

SUMMARY

The 2013-2014 County Grand Jury at the recommendation of the Continuity Committee, conducted a follow up to the specific recommendations made by the 2012-2013 Grand Jury Final Report to the City of Crescent City and to assess the City's progress in implementing the recommendations and what specific future actions would be taken, if any, in implementing these recommendations.

The 2012-2013 Grand Jury Final Report and the specific recommendations regarding the City of Crescent were reviewed. The City Manager was contacted and he agreed to be interviewed. He was interviewed by two Grand Jury Committee members on January 28, 2014.

BACKGROUND

The 2012-2013 Grand Jury recommended that the City of Crescent City include a list of policies and procedures in its next Strategic Plan Review with a list of priorities and a schedule of completion for those priorities (Page 3-R-3-Second paragraph).

The Grand Jury was interested in any progress that has been made to the Strategic Plan Review's evaluation of the Cultural Center's transition to a City Hall facility (Page 4-R4-Last paragraph).

The Grand Jury was also interested in any progress being made by the City in reviewing a proposal to create a training center in the Waste Water Treatment Plant (WWTP) facility to insure and attract trained personnel.

METHODOLOGY

A list of questions was prepared ahead of time to focus the discussion on the identified recommendations selected for follow-up.

1. Have the City's Policies and Procedures (P&P) been updated?
2. Is there a procedure to review and update the P&P every six months?
3. What is the current status of the review and updating of the P&P?

FINDINGS

F1. The City of Crescent is continuing to upgrade its Policies and Procedures and it appears to be an ongoing process influenced by personnel shortages. There is a plan to contract out the review and updating of the P&P.

F2. The recommendation of the 2012-2013 Grand Jury to establish a schedule for reviewing and updating the P&P has not been done.

F3. The conversion of the Cultural Center to a City Hall or an Interagency Visitor Center is in limbo; hampered by renovation costs and limited revenue sources that could be allocated for the renovation. The City did not follow through on investigating alternate uses for the Cultural Center.

F4. The WWTP training center is an excellent idea, but lacking sufficiently trained personnel to implement a training center. No plan has been developed as to how the plant can operate as a training center and meet its current and future staff and infrastructure needs.

RECOMMENDATIONS

R1. Department Directors should be utilized to review and update Policies & Procedures.

R2. The City Manager still needs to establish a schedule for reviewing and updating the P&P as well as implementing an annual review by the Department Directors.

R3. The City should review the suggestions made by the 2012-2013 Grand Jury regarding alternate uses for the Cultural Center. It is suggested a Citizen's Advisory Committee be established to investigate alternate uses, fee schedule, and creative ways of re-energizing and moving toward sustainability of the facility. The Cultural Center should be a hub of activity within the community.

R4. The City should explore alternate avenues of implementing a training center at the WWTP. It is suggested that contacts be made with College of the Redwoods, Rural Human Services and ROP to pursue possible partnerships. Establish recruitment and retention incentives. Utilize Pelican Bay State Prison as a model for training and operation.

**2013/2014 Del Norte County Grand Jury
ANIMAL CONTROL'S
RELATIONSHIP AND RESPONSIBILITIES WITH KLAMATH**

SUMMARY

The Grand Jury received a written complaint regarding the disparity of animal control service in the Klamath area. Many examples were submitted by complainant. These cases ranged from continuous problematic dog barking, animal neglect, animal cruelty and loss of livestock and pets. The complaint detailed specific instances of the violations with dates, locations and official documentation showing correspondence with Animal Control and the Yurok Police Department.

There were warning notices issued to the offending parties by Animal Control and/or the Yurok Police. According to the Yurok Tribal Animal Ordinance, the Yurok Police Department is the sole authority responsible for animal control on tribal land. Del Norte County Department of Animal Control is responsible for enforcement on non tribal land. This creates a dilemma as to the responsible entity. A loose dog may be reported to either the Yurok Tribal Police or to County Animal Control, but may be traveling in and out of Tribal land. The very nature of the problem creates confusion among the residents of Klamath as to which agency enforces the animal control ordinances at the time of the reported violation. There is concern by both jurisdictions of undermining the other's authority.

BACKGROUND

The complaint derives from the lack of animal control service in the Klamath area and the repeated violations of animal control ordinances without any response from County Animal Control as well as Yurok Tribal Police. The complaint asserts that Klamath is being underserved and there is no follow through when a complaint is reported and a citation is issued. The complaint states the loose enforcement has put the residents of Klamath at risk.

METHODOLOGY

The Grand Jury committee reviewed the following documents:

1. The cases submitted by the complainant
2. The Animal Control Log Book

The Grand Jury committee conducted the following interviews:

1. Complainant
2. Interim Del Norte County Animal Control Officer.

NOTE: There were attempts to interview the Yurok Tribal Chief of Police. He did not respond to the Grand Jury request.

DISCUSSION

The Grand Jury's investigation found the boundaries between the Yurok jurisdiction and County jurisdiction is problematic. Residents are unsure who to call with animal control issues. Additionally, the record keeping of complaints reported versus those that are being logged is spotty at best. This deficiency could be a potential liability to both the County and the Yurok Tribal Police.

FINDINGS

F1. Unless steps are taken to mitigate the lack of animal control ordinance in Klamath, the situation will remain ripe for the residents of Klamath to be exposed to bodily injury, loss of property and exposure to disease.

RECOMMENDATIONS

R1. A Memorandum of Understanding (MOU) should immediately be established between Del Norte County Animal Control and the Yurok Tribal Police. The MOU should address the enforcement of boundaries between the County of Del Norte and the Yurok Tribe to eliminate the existing confusion of jurisdiction. Ideally, one agency should be responsible for animal control enforcement of the entire Klamath area. This would eliminate the current confusion to residents about which agency to call for reporting issues involving animals.

**2013/2014 Del Norte County Grand Jury
DISTRICT ATTORNEY'S OFFICE
LENIENT SENTENCING**

SUMMARY

The Grand Jury received a written complaint regarding the District Attorney's office. The letter was an assertion of the District Attorney's office pleading out cases and disregarding the severity of the crimes. The complaint stemmed from several high profile arrests as reported in the "Del Norte Triplicate" newspaper. The complainant questioned the District Attorney's reported lenient pleas in proportion to an expected sentence from the public perspective. Example cases indicative of such leniencies were introduced as Exhibits 1 thru 12. The Exhibits illustrated cases involving a myriad of crimes such as drugs, assault, and child molestation.

In the course of the Grand Jury's investigation, the Exhibits are reviewed and vetted. The complainant was interviewed and the cases were studied. The District Attorney was interviewed about the specific cases. Plea agreements were discussed and evaluated.

The Grand Jury determined the assertions were lacking complete and up to date information. Initially, the plea bargaining appeared lenient; however, upon thorough investigation, the sentencing was a sensible course of action. Justice was meted out in the public's interest.

BACKGROUND

During the past year several high profile cases were reported in the "Del Norte Triplicate" newspaper and had become an issue of concern to the community. This concern prompted a complaint letter from a private citizen. The complaint stated the concern was a shared sentiment felt by other citizens. It was asserted justice was not served and criminals were getting away with lenient pleas. It also claimed the District Attorney's office was not following through with cases and was simply dismissing them to clear out their calendar.

METHODOLOGY

The Grand Jury reviewed the following documents:

1. The cases from the complainant's Exhibits 1 thru 12
2. District Attorney's Case Log

The Grand Jury conducted the following interviews:

1. Complainant
2. Interim District Attorney

DISCUSSION

The Grand Jury has found the information was not complete and/or up to date regarding the specific cases outlined in Exhibit 1 thru 12 of the complaint. There was no evidence of plea agreements and/or case dismissals by the District Attorney' office to clear their calendar. There was no indication any cases were pled out with undue leniency.

The Grand Jury did find two factors contributing to the prosecution and sentencing of cases:

1. AB 109 (California Department of Corrections Realignment Legislation)
2. Conflicting marijuana laws, which open the possibility of cases to be appealed.

FINDINGS

F1. The Grand Jury did not find any dereliction of duty in the District Attorney's office.

**COUNTY OF DEL NORTE ADMINISTRATION
2012-2013 GRAND JURY RECOMMENDATIONS FOLLOW UP**

SUMMARY

Each newly appointed grand jury is responsible for monitoring the responses legally required to the recommendations made in the grand jury report from the previous year.

On behalf of the County of Del Norte, Supervisor Michael Sullivan and County Administrative Officer Jay Sarina sent a response dated August 20, 2013 to the Del Norte County Grand Jury regarding the 2012-2013 Recommendations. The full text of the response can be found on the grand jury website at <http://www.co.del-norte.ca.us/departments/grand-jury>.

DISCUSSION

The County of Del Norte complied, where possible, with the suggested recommendations and is commended for doing so. The grand jury recommended that the City Committee follow up on one item.

RECOMMENDATIONS

R1. The grand jury asks the County Committee to follow up on whether a 2x2 was scheduled to address the Memo of Understanding (MOU) between the County and the City of Crescent City and whether there are any plans to revisit and possibly expand the MOU to increase cooperation and cost savings.