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## SUMMARY OF COMMITTEE ACTIVITIES

<b>COMMITTEE NAME</b>	<b>NUMBER OF:</b>			
	<b>MEETINGS*</b>	<b>INVESTIGATIONS#</b>	<b>INTERVIEWS</b>	<b>REPORTS#</b>
<b>AUDIT AND FINANCE</b>	<b>9*</b>	<b>1</b>	<b>3</b>	<b>1</b>
<b>CITY GOVERNMENT</b>	<b>12*</b>	<b>1</b>	<b>3</b>	<b>0</b>
<b>COMPLAINT</b>	<b>29*</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>CONTINUITY</b>	<b>5*</b>	<b>0</b>	<b>0</b>	<b>1</b>
<b>COUNTY GOVERNMENT</b>	<b>17</b>	<b>1</b>	<b>7</b>	<b>1</b>
<b>CRIMINAL JUSTICE AND PUBLIC SAFETY</b>	<b>16</b>	<b>0</b>	<b>0</b>	<b>5</b>
<b>EDITORIAL</b>	<b>18*</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>LOCAL AGENCIES AND DISTRICTS</b>	<b>19</b>	<b>2</b>	<b>9</b>	<b>1</b>
<b>AD HOC: CARR FIRE INCIDENT</b>	<b>16*</b>	<b>1</b>	<b>4</b>	<b>1</b>
<b>AD HOC: CORONER'S OFFICE</b>	<b>18*</b>	<b>1</b>	<b>8</b>	<b>1</b>
<b><i>TOTALS</i></b>	<b><i>159</i></b>	<b><i>7</i></b>	<b><i>34</i></b>	<b><i>11</i></b>
*Due to COVID-19, some business was conducted by secure email or GoToMeeting. #Not all investigations resulted in a report.				

## 2020-2021 Sites and Facilities Visited by Grand Jury

SITE AND FACILITY VISITED	DATE	REPORT WRITTEN		REPORT TYPE*
		YES	NO	
Redding Police Department	3/9/2021	✓		N
Community Corrections Center/Day Reporting Center	3/11/2021	✓		N
Juvenile Rehabilitation Facility	3/12/2021	✓		N
Shasta County Sheriff/Coroner's Office	8/16/2021	✓		I

\*Type of Report: N = Non-investigative Status Report I = Investigative Report

## 2020-2021 Guest Speakers, Briefings, and Presentations to the Grand Jury

DATE	GUEST SPEAKER / DEPARTMENT	TOPIC
11/10/2020	Shasta County Jail Presentation	Shasta County Jail
1/3/2021	Shasta County Probation Presentation	Shasta County Probation Department
2/24/2021	Sugar Pines Conservation Camp	Sugar Pines Conservation Camp

## Focusing on the Shasta County Grand Jury

### What is the Grand Jury?

Historically, the roots of the Grand Jury can be traced back to the Assize [court session or assembly] of Clarendon in 1166 which provided the groundwork for our present Grand Jury system. During the reign of Henry II (1154-1189), in order to regain the powers for the crown, which were usurped by Thomas Becket, Chancellor of England, twelve "good and lawful men" in each village were assembled to reveal the names of those suspected of crimes. It was during this same period that juries were divided into two types, civil and criminal, with the development of each influencing the other.

In the early decades of the United States, grand juries played a major role in public matters. During that period counties followed the traditional practice of requiring all decisions be made by at least 12 of the grand jurors, (e.g., for a 23-person grand jury, 12 people would constitute a bare majority). Any citizen could bring a matter before a grand jury directly, from a public work that needed repair, to the delinquent conduct of a public official, to a complaint of a crime, and grand juries could conduct their own investigations. The grand jury served to screen out incompetent or malicious prosecutions. The advent of official public prosecutors in the later decades of the 19th century largely displaced private prosecutions.

While all states currently have provisions for grand juries, today approximately half of the states employ them and 22 require their use, to varying extents. California and Nevada are the only remaining states which mandate conducting civil investigations and audits of local governments to insure efficient and proper operation of all local government, and to detect and expose fraud/malfeasance.

The California constitution always requires all 58 counties to have at least one grand jury impaneled. Grand juries are governed by Title 4 and Title 5 of the California Penal Code and are not subject to the Brown Act. These county-level grand juries primarily focus on oversight of government institutions at the county level or lower. Therefore, California's grand juries are often called civil grand juries. Almost any entity that receives public money can be examined by the grand jury, including county governments, cities, and special districts.

Each county has a grand jury that is convened on an annual basis by the Superior Court to carry out three functions:

- Investigating and reporting on the operations of local government ("watchdog" function)
- Issuing criminal indictments to require defendants to go to trial on felony charges, and
- Investigating allegations of a public official's corrupt or willful misconduct in office, and when warranted, filing an "accusation" against that official to remove him or her from office.

Regarding its watchdog authority, the grand jury is well suited to the effective investigation of local governments because it is an independent body, operationally separate from the entities and officials it investigates. It conducts its investigations under the auspices of the Superior Court and has broad access to public officials, employees, records and information.

The grand jury's fact-finding efforts result in written reports which contain specific recommendations aimed at identifying problems and offering recommendations for improving government operations and enhancing responsiveness. In this way, the grand jury acts as a representative of county residents in promoting government accountability.

In some counties, the regular grand jury issues indictments. In others, the Superior Court, at the request of the District Attorney, impanels a separate "criminal grand jury" to hear evidence in support of an indictment. Overall, grand juries throughout the state spend considerably more time on investigating and reporting on local government operations than they do on criminal matters.

The Shasta County Grand Jury is an independent body comprised of 19 Shasta County citizens that functions as an arm of the judicial branch of government operating under the guidance of the Presiding Judge of the Shasta County Superior Court. In this capacity, the Grand Jury inquiries into and investigates the operations of local government agencies and officials, ensuring that their activities are authorized by law and services are efficiently provided. Members of the Grand Jury are selected through an application and interview process by the Superior Court.

### **Why does the Grand Jury matter?**

The Grand Jury acts as a watchdog for the county. It helps local government to be more accountable and efficient. Empowered by the judicial system, it is a fact-finding body that develops meaningful solutions to a wide range of government problems which, in turn, facilitates positive change in the county. The Grand Jury examines statutory aspects of the city governments, county government, special districts, the local agency formation commission, school districts, housing authorities, joint powers agencies, and non-profit agencies established by or operated on behalf of a public agency. The Grand Jury determines whether monies of local government agencies are handled properly and that all accounts are properly audited – in general, assuring honest, efficient government in the best interest of the county residents.

### **By what authority does the Grand Jury act?**

The California State Constitution requires the Superior Court in each county to impanel at least one Grand Jury each year. Grand juries are governed and guided by California Penal Code Section 925, et seq. The code authorizes the Grand Jury to investigate and report on the operations of any local governmental agency within the county. On rare occasions, the Grand Jury may even review criminal cases.

All communications with the Grand Jury are confidential. Because the Grand Jury is exempt from the state's open meeting law (the Brown Act), actions are taken by a vote of the Grand Jury in accordance with their own rules and procedures. The ability to internally police itself allows the Grand Jury to operate completely independent of external pressures.

When there is a perception of a conflict of interest involving a member of the Grand Jury, that member has been required to recuse from any aspect of the investigation involving such a conflict

and from voting on the acceptance or rejection of that report. None of the 2019-2020 Grand Jurors were recused from any investigations. Had any jurors found it necessary to recuse themselves, they would have been excluded from all parts of the specific investigations requiring recusal, including interviews, deliberations, and the making and acceptance of the report.

### **Would you like to serve on the Grand Jury?**

Citizens over the age of 18 in Shasta County are given an opportunity to serve on the Grand Jury. For specific information regarding juror qualifications and applications to serve on the Grand Jury, either contact or visit the following address:

Shasta County Superior Court  
1500 Court Street, Room 205  
Redding, CA 96001  
[www.shastacountygrandjury.org](http://www.shastacountygrandjury.org)

### **How do you file a Citizen Complaint with the Grand Jury?**

The grand jury reviews all complaints and investigates when appropriate. All complaints are treated confidentially. The complainant may be asked to appear as a witness. A citizen complaint form may be obtained online at [www.shastacountygrandjury.org](http://www.shastacountygrandjury.org) or by contacting:

Shasta County Grand Jury  
P.O. Box 992086  
Redding, Ca. 96099-2086  
(530) 225-5098  
[www.shastacountygrandjury.org](http://www.shastacountygrandjury.org)

### **How are Grand Jury reports written and published?**

The content and subject matter of the Grand Jury reports are the result of a diligent effort by the members of the Grand Jury. The reports are prepared by members of the Grand Jury and reviewed by County Counsel, or the District Attorney, and the Presiding Judge of the Superior Court. The reports are then made available online at [www.shastacountygrandjury.org](http://www.shastacountygrandjury.org) and at the Shasta County Clerk's Office. A Consolidated Final Report is printed by the Record Searchlight at the end of each term.

Throughout the course of the 2019-2020 term, the Grand Jury met, discussed policies and procedures, and reviewed possible subjects for inquiry and/or investigation. Committees were formed to perform specific investigations. Subjects for investigation were initiated by citizen complaints or by members of the Grand Jury. Upon completion of the individual investigations, reports were prepared and edited by the Grand Jury and then forwarded on to County Counsel or the District Attorney for legal review. After legal review, the reports were forwarded to the Presiding Judge for final review and approval to release to the public.

The 2019-2020 Grand Jury released individual reports prior to the end of its one-year term. At the end of its term, all investigative reports, including those previously released, are compiled into one report referred to as the Consolidated Final Report of the Grand Jury, and released to the public.

## **Who responds to the Findings and Recommendations of the Grand Jury report?**

Typically, each report includes both Findings and Recommendations. The Findings consist of conclusions, relevant to the specific entity investigated, which are of concern to the Grand Jury. The Recommendations are proposals by the Grand Jury which will help to remedy problems or inefficiencies within the agency or organization. California Penal Code Section 933 requires responses to the final report be submitted to the Superior Court in a timely manner. Required responses are to be submitted within 60 days for elected officials and 90 days for elected governing bodies, and within 60 days for non-elected officials. It is anticipated that the various agencies and governments will respond in a manner that is in the best interest of the residents of the county.

# Non-Investigative Status Reports

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# REDDING POLICE DEPARTMENT



## SUMMARY

The 2020-2021 Shasta County Grand Jury was invited to examine the internal affairs files of the Redding Police Department (RPD) to confirm complaints are investigated thoroughly and in a timely manner. The jury accepted that invitation. The jury visited RPD on March 9, 2021. This jury looked specifically at internal affairs investigations which fell within our term. We were also shown the data for the past five years. It appears that an average of thirty inquiries and investigations are conducted each calendar year.

Internal affairs investigations are conducted due to a formal citizen complaint. RPD also initiates an investigation for employees possibly in violation of policies and procedures or a criminal matter. Internal affairs investigations are also required for any critical incident, i.e., officer involved shooting, in-custody death, or a fatal traffic collision involving a Redding Police Officer. Trained investigators delve deeply into all allegations to determine if any departmental policies have been violated or if any crimes have been committed. After a thorough investigation by specially trained internal affairs investigators, the allegations are sustained (found to be true) or not sustained. Sustained allegations result in disciplinary action if it is a violation of a departmental policy or it could be referred to the District Attorney if a criminal violation is believed to have occurred.

RPD is using new software specifically developed to track data related to internal affairs investigations. The software is also being used to track data related to all use of force incidents, including K-9, occurring within RPD. This software enables accurate and up-to-date tracking and retrieval of information for use by the department as well as the data that statutorily must be shared with others, such as the District Attorney's Office. RPD holds employees accountable for their actions. In viewing the procedures used, it is quite evident that the RPD operates on a mindset that all RPD employees must act appropriately and with integrity when serving the citizens of Redding.

The 2020-2021 Shasta County Grand Jury found RPD is striving to achieve a higher standard throughout the entire department.

# SHASTA COUNTY PROBATION DEPARTMENT

## SUMMARY



The Shasta County Probation Department has four major components: Adult Division, Community Corrections Center, Juvenile Division, and the Juvenile Rehabilitation Facility. Each component of the agency develops goals for each fiscal year based on extensive data gathered on all aspects of the tasks allocated to that division. It is evident that the entire Probation Department is working toward their mission “to facilitate positive offender change and reduce recidivism as we serve the courts, protect the community, assist victims, and enhance lives through proactive investigation, intervention, prevention, and enforcement”. In order to operate these divisions, the Probation Department has a staff of 130 spread over four offices.

The Adult Division supervises the adult offender population which consists of three types of supervision: Formal Felony Probation, Mandatory Supervision, and Post-Release Community Supervision. In 2019-2020, there was an average of 1,708 persons on Formal Supervision, 358 persons on Post-Release Community Supervision, and 106 on Mandatory Supervision per month. The Adult Division collaborates with many community resources to provide services for offenders to assist them in completing their supervision requirements and to reduce recidivism.



The Community Corrections Center opened with a goal of leading a coordinated effort to provide offenders with an orientation process and re-entry services related to their supervision requirements. Evidence-based assessments and treatment programs are utilized to facilitate successful re-entry into the community after incarceration and/or sentencing. There are several different services provided at the Community Corrections Center to support offender's re-entry, reduce recidivism, increase successful completion of supervision, and reduce re-entry into the criminal justice system. Even when COVID-19 hit with the stay-at-home orders and continued with restrictions, staff here adapted and continued to provide services. Many services had to be provided virtually but staff stepped up to make sure that supervision requirements were being met.

In March 2021, members of this grand jury were given a tour of the Community Corrections Center. Throughout the tour, members were introduced to staff who described the responsibilities of their jobs. This grand jury was impressed by the obvious engagement each staff member had with each other, and individuals released on probation, ensuring there is a path to successful completion of probation.

The Juvenile Division supervises the juvenile offender population. Once a youth has gone through the court process and is placed on supervision, a probation officer is assigned to supervise them. Officers assist youth and families in rehabilitation through case planning, assessments, case management, and accountability. The supervision strategies are developed based on the criminogenic needs of the youth and typically include family involvement and accountability, home and school visits, and referrals to treatment services. The Juvenile Division also maintains a diversion program for youth. Diversion allows for the youth to be referred to community-based organizations without having to enter the criminal justice system. There were 127 youth referred to programs that focus on life skills, drug and alcohol education, peer conflict and money management. Seventy-nine percent of youth completing the diversion program during 2019-2020 were successfully diverted.



In conjunction with the Probation Department is the Day Reporting Center (DRC) which is housed next door to the Community Corrections Center. While operating separately, the DRC is a partner in providing services for offenders to change their path away from a return to incarceration and toward becoming productive members of society. The DRC is open twelve hours per day, seven days per week. Services are provided to offenders to address their criminogenic needs and create real changes in behavior. Some broad areas covered are Orientation, Moral Reconciliation Therapy (seeks to reduce recidivism by increasing moral reasoning), Substance Abuse, Life Skills, and an Education and Employment Lab with many subsets determined by the specific needs of the person. Offenders work through three phases of the program as well as aftercare. This grand jury was impressed with the wide range of services provided at the center as well as the obvious dedication that staff has in helping people seek change.



# SUGAR PINE CONSERVATION CAMP

## SUMMARY



Sugar Pine Conservation Camp is located 24 miles east of Redding, off Highway 299, near Bella Vista, California. The California Department of Corrections and Rehabilitation (CDCR) and the California Department of Forestry and Fire Protection (CAL FIRE) have operated the camp jointly since it opened June 24, 1988. The primary mission of Sugar Pine is to provide inmate fire crews for fire suppression principally in the Shasta/Trinity County region and surrounding areas as needed. In addition to fire suppression, inmate crews provide a work force for disaster relief and recovery, conservation projects, and community service work. Sugar Pine's in-camp projects include a CAL FIRE engraving shop which manufactures name tags, desk/wall name plates, and personalized awards and plaques. Additionally, Sugar Pine Camp has a full-service mechanic shop that provides repairs and maintenance to California State equipment throughout CAL FIRE and CDCR in the Northern Region.

Inmates must volunteer for the fire camp program. Volunteers must have "minimum custody" status or the lowest classification for inmates based on their sustained good behavior in prison. Inmates must conform to rules within the prison and participate in rehabilitative programming. Inmates receive a week of classroom instruction and a second week of field exercises taught by CAL FIRE staff at the California Correctional Center (CCC) in Susanville. Inmates are paid for their work. Skilled inmates, which include mechanics, clerks, cooks, plumbers, welders, carpenters, and electricians, may earn up to \$3.56 per day. While fighting fires, eligible inmates may earn an additional \$1.00 per hour. Inmates may also receive credits toward their sentenced time reducing their actual time incarcerated.

Several changes have occurred which have resulted in a reduced population at Conservation Camps throughout the state:

- Public Safety Realignment: AB109, SB 678, Propositions 47 and 57
  - Mandated to reduce the prison population, the reduction in inmate population had a significant impact on the Conservation Camp populations as many inmates that would have qualified for serving their sentences in Conservation Camps were released from prison.
- Consolidation of Fire Camps

- In October 2020, CAL FIRE and CDCR announced the depopulation of eight of the State's 43 conservation camps. The depopulation process was completed as of December 12, 2020.
- COVID-19
  - State accelerated the release of inmates that were within six months of parole
  - Reduced the number of inmates housed at fire camps to allow for distancing
    - Currently Sugar Pine is at approximately 1/3 of the capacity (Capacity = 120 inmates)
    - Sugar Pine used to be able to field six dedicated fire crews. Changes in the law and COVID -19 have reduced the number of available crews at Sugar Pine to two.

The Shasta County Grand Jury is mandated to inquire into the condition and management of public prisons within the county, Sugar Pine Conservation Camp. A tour of the facility was not possible due to COVID-19 restrictions. However, this jury received a presentation from representatives of CDCR and CAL FIRE. An update was provided regarding all changes that have occurred since the prior Shasta County Grand Jury report was issued on June 30, 2020. The camp continues to operate as a working structure based on teamwork. Maintaining the camp and preparing for fire season continues as before with adjustments due to population reduction and following health and safety guidelines due to COVID-19 protocols. A positive step in continuing safety at Sugar Pine has been the availability of the COVID-19 vaccine being made available to all inmates and staff wishing to receive the vaccine.



# SHASTA COUNTY JAIL

## SUMMARY



Construction of the Shasta County Jail was completed in 1984. Designed to last for many decades, it was at capacity within ten years. In 2018, Sheriff's Office staff contacted the Board of State and Community Corrections (BSCC) to request an increase in the overall rated capacity. Modifications required adding showers to the housing units and restrooms to the recreation yard. Construction of the modifications was completed in January 2019 and the overall rated capacity is now 484. The Shasta County Jail must follow Shasta County Superior Court Order No. 115258 which directs jail officials to release inmates when the average daily population (ADP) exceeds 90% of the rate capacity limit. The most recent data for calendar year 2020 shows an average daily jail population of 411 inmates. Due to the court ordered capacity limitations, an average of 183 inmates were released each month. Jail staff use a risk assessment tool, the Virginia Pretrial Risk Assessment, to determine which inmates are released. The majority of those released are unsentenced inmates awaiting trial.

The Shasta County Jail has several programs to assist in the rehabilitation of the inmate population. Some of the programs include substance abuse education, Narcotics Anonymous, Alcoholics Anonymous, Malachi's Dad, Inmate GED Program, and religious services.

Of particular note to this Shasta County Grand Jury was the Jail Base Competency Treatment Program (JBCT) established to treat those with mental health competency issues. The JBCT is operated in conjunction with Wellpath, Shasta County Jail personnel, and the Department of State Hospitals (DSH). Specifically, this program personnel include a clinical psychiatrist, onsite psychologist, JBCT designated correctional deputy, and a support service person. Modifying the treatment area from a sterile jail setting to a warmer more comfortable setting enables inmates to seek treatment in a safe environment. By maintaining or improving mental health, while stemming deterioration, staff is able to help these inmates move forward on a positive path.



How it used to look ↑

How it looks now ↑

How it looks now ↑

Shasta County Jail also operates an Alternative Custody Program that allows offenders to complete their sentences without being incarcerated in the jail facility. During 2020, an average of 127 offenders per day served on the work release program. Offenders are assigned to multiple job sites including the Alternative Custody Garden, Alternative Custody Car Wash, the Senior Nutrition Center, Cal-Trans, Redding Police Department Community Clean-up Crew, as well as others. Over 12,000 pounds of fresh produce from the Alternative Custody Garden and 2,900 eggs from chickens cared for in the program were used for meals at the Shasta County Jail. The hours worked in the Alternative Custody Program clearly benefit our society as offenders are learning and practicing skills that translate to occupations, as well as saving tax dollars by using the harvested food in the jail.



Shasta County Jail made required changes due to the Covid-19 pandemic. Screenings are done upon intake and one pod is used as an isolation pod. Temperatures are taken and face masks are worn when inmates are moving within the facility and when going to court. The jail follows all CDC guidelines in an attempt to keep inmates and employees healthy and safe. In-person visiting was suspended on March 13, 2020, and replaced with video visits. Religious observations were suspended and are now conducted by tablet. In March 2020, the governor placed a moratorium on transporting prisoners to state prisons. Once that moratorium was lifted, only one facility was available for the intake of inmates to state prison. The Shasta County Jail Transportation Unit has followed all protocols carefully and is one of the few in the state that has not had an inmate refused due to violation of safety protocols. Shasta County Jail also received COVID vaccine and has administered it to inmates wishing to receive it. Having inmates and staff vaccinated should help mitigate the transmission of the virus.

The Shasta County Grand Jury learned that the staff at the Shasta County Jail works diligently to provide services to inmates aimed at re-engagement versus retribution while maintaining a secure facility to protect the public.

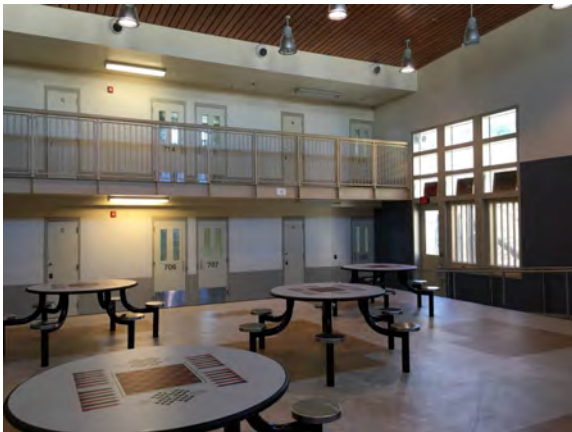
# JUVENILE REHABILITATION FACILITY

## SUMMARY



The Shasta County Juvenile Rehabilitation Facility (JRF) provides treatment and services within a safe and secure environment to youth offenders. Individualized care that supports the emotional, educational, pro-social and physical development of these residents is facilitated by staff serving as role models. The staff upholds high professional standards and offers JRF residents dignity and respect with their attitude and approach. The intent of the JRF is to rehabilitate the residents prior to re-entering the community with the goal of reducing recidivism. The staff strive to instill in the residents the possibility of positive change.

The youth detained in the JRF are pending court hearings, serving commitment time, or awaiting out-of-home placement. The average daily population for fiscal year 2019-2020 was 26, with a length of stay of approximately 57 days. During the 2020-2021 Shasta County Grand Jury’s facility visit, two of the three housing pods were utilized: the “900” pod housing older, more criminally sophisticated youth; and the “800” pod housing younger and gender diverse residents.



The third pod will house the new Rivers Edge Academy which will be a 10 to 15 bed in-custody residential treatment program. The program will focus on youth requiring the level of care and treatment provided by a Short Term Residential Treatment Programs (STRTP). The pod will be transformed from a custodial setting to a treatment program in a home-like living situation. Activities to promote positive social skills, community outings and enhanced treatment services will be offered. This program is scheduled to open prior to the end of fiscal year 2020-2021.

COVID-19 had significant impacts on the JRF:

- The JRF lobby closed on March 12, 2020, and reopened on June 22, 2020, with modifications.
- Title 15 Regulations (Minimum Standards for Juvenile Facilities): education programs, recreation and exercise, religious programs, and in-person visits were temporarily suspended on March 13, 2020.
- All rehabilitative treatment programs and school were transitioned to a virtual platform and video conferencing the week of March 16, 2020.
- Juvenile Court was conducted via video conferencing as needed.
- JRF COVID-19 Operational Procedures were developed and implemented within a very short period of time after the state stay-at-home order was put in place. A complete and thorough outline was provided to maintain the health and safety of residents and staff.
- The JRF continues to modify the protocols to abide by Health Department and State guidelines in accordance with the tier levels currently in use.

Even though COVID is a grave concern, staff at the JRF continue to ensure that residents receive educational opportunities administered by the Shasta County Office of Education. Mental health services are provided by Shasta County Mental Health and other community-based organizations. A wide variety of rehabilitative programs emphasizing a trauma sensitive approach, evidence-based programs, positive social activities and much more are available.

The Gardening, Responsibility and Ownership of Self and Community Wellbeing (GROW) Program teaches youth practical gardening and farming skills. Participants learn how to care for and nurture living things. This was especially impressive to visiting members of the grand jury. Eggs from the chickens, fruits and vegetables from the garden became part of their meals helping these youth see a direct connection between work and reward. Youth learn skills to use when back in the community as a positive path toward change.



### **Grand Jury Facility Visit**

Members of the 2020-2021 Shasta County Grand Jury visited the JRF and were given a tour by staff members on March 12, 2021. The facility is exceptionally clean and very well maintained. There is obvious pride in making it a safe and comfortable facility for residents and staff even though it is a detention facility. The staff were informative and enthusiastic. It was evident they are proud of the work they do to help these youth successfully return to the community as better and more productive citizens.

The 2020-2021 Shasta County Grand Jury commends the Juvenile Rehabilitation Facility staff for:

- Assisting youth to return to the community with new skills to become better citizens and reduce recidivism
- Developing and implementing a COVID-19 protocol to keep everyone safe and healthy
- Developing the Rivers Edge Academy so Shasta County youth can receive treatment here instead of being housed in other counties

# 2020-2021 Investigative Reports

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# 2020-2021 GRAND JURY COMPLIANCE REPORT

## Responses to the 2019-2020 Shasta County Grand Jury Reports

### SUMMARY

This Compliance Report covers the responses to the 2019-2020 Grand Jury Consolidated Report. The full Consolidated Report, approved by the Shasta County Superior Court, is available to the public and is archived online at [www.shastacountygrandjury.org](http://www.shastacountygrandjury.org). California Penal Code Sections 933 and 933.05 mandate there be responses to final Grand Jury Reports. The current sitting Grand Jury may review the responses to the Investigative Reports from the prior year's Grand Jury to ensure timely and adequate responses to the reports from the elected officials and governing bodies of the public agencies, special district or educational institution that are the subjects of the reports.

Elected officials must respond within 60 days; governing bodies (i.e., City Council) must respond within 90 days after a report is released to the public. The Grand Jury fully reviewed the Reports from 2019-2020 and the responses from the governing bodies charged with preparing those documents. It is with great appreciation that we report all were in total compliance with the required time period for compliance with Penal Code §933 and all responses complied with Penal Code §933.05.

### BACKGROUND

The goal of the Grand Jury is to provide analysis of local government functions, their effectiveness, compliance with law and effect upon the public. The Grand Jury is also charged with developing verifiable findings and recommendations, appropriate to the governing body or elected official who has jurisdiction over the subject of the investigation. To fully understand an investigative report's findings and recommendations, a careful read of the report is necessary.

### METHODOLOGY

This year's Grand Jury fully reviewed the Grand Jury Reports from 2019-2020 and the responses from the governing bodies and elected officials charged with preparing those documents. The prior year's Grand Jury produced the following *Final Investigative Reports*:

- County Clerk/Elections "Shasta County-Your Vote Counts"
- Fire Fuel Management "Summer of Fire"
- French Gulch Whiskeytown School District "So Much with So Little"
- Jail Inspection "It's a Jail"
- District Attorney "Fighting the Good Fight"

In addition, the 2019-2020 Grand Jury produced the following *Summary Reports* to which there were no recommendations made to, or response needed from, the governing bodies or entities:

- Sugar Pine Conservation Camp
- Juvenile Rehabilitation Facility
- Community Corrections Center (CCC)
- Day Reporting Center (DRC)

## **DISCUSSION**

The 2019-2020 Shasta County Grand Jury Consolidated Final Report contained five individual investigative reports with a consolidated total of 47 findings and 44 recommendations.

There were 12 required respondents and one invited respondent identified in the 2019-2020 Consolidated Final Report. All required responses, to findings and recommendations, have been received. The 2019-2020 Shasta County Grand Jury reviewed the responses to recommendations for compliance with the Penal Code.

According to the Penal Code § 933.05(b), for each Grand Jury recommendation, *the responding person or entity shall report one of the following actions:*

- (1) The recommendation has been implemented, with a summary regarding the implemented action.*
- (2) The recommendation has not yet been implemented, but will be implemented in the future, with a timeframe for implementation.*
- (3) The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or head of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six months from the date of publication of the grand jury report.*
- (4) The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor.*

## TABLES SUMMARIZING RESPONSES RECEIVED

The responses to each mandated responding agency/entity of the Investigative Reports are summarized in the table below. To review the complete responses of all respondents, go to the Shasta County Grand Jury's website at [www.shastacountygrandjury.org](http://www.shastacountygrandjury.org)

### 2019-2020 SHASTA GRAND JURY RESPONSE SUMMARY CHARTS

<b>Shasta County District Attorney – “Fighting the Good Fight”</b>		
<b>THE 2019-2020 SHASTA COUNTY GRAND JURY FOUND AND/OR RECOMMENDED:</b>	<b>REQUIRED RESPONDENT</b>	<b>RESPONSES</b>
<b>F1.</b> The DA's office caseload is large and the lack of more financial resources is resulting in a loss of experienced attorneys and increased difficulty in hiring qualified replacements.	Shasta County District Attorney	The District Attorney concurs with this finding.
<b>F2.</b> AB109 and Props 47, 57, and SB1437 have caused major workload increases in the DA's office resulting in burn-out and difficulty in hiring new attorneys.	Shasta County District Attorney	The District Attorney concurs with this finding.
<b>F3.</b> Rural Shasta County is not competitive with wages in the private sector or some other counties, leading to difficulty in hiring new attorneys.	Shasta County District Attorney	The District Attorney concurs with this finding.
<b>F4.</b> In the past, the DA's office relied on state and federal grants to fund some of their needs but many grants have been discontinued or have restrictions that hinder the functioning of the DA.'s office.	Shasta County District Attorney	The District Attorney concurs with this finding.
<b>F5.</b> People committing misdemeanors and nonviolent crimes are now booked and released within hours because of the lack of jail space. This impedes the DA's ability to prosecute because many offenders do not show up for their court hearing/arraignment and may continue to commit additional crimes.	Shasta County District Attorney	The District Attorney concurs with this finding.
<b>F6.</b> Plea Bargaining is used in approximately 90% of the cases which saves time, court costs and court space.	Shasta County District Attorney	The District Attorney concurs with this finding.
<b>F7.</b> Some prosecutors respond 24/7 to evaluate major crimes, which can cause burn-out.	Shasta County District Attorney	The District Attorney concurs with this finding.
<b>F8.</b> The DA's office has done an outstanding job of keeping morale high in spite of limited resources.	Shasta County District Attorney	The District Attorney appreciates this observation by the grand jury. The high level of morale in the office is a testament to the office's excellent staff, who daily work hard to ensure justice is done.
<b>R1.</b> No recommendation is given for F1.		It has long been recognized that additional resources were needed to address the challenges faced by the DA's office. Measure A was placed on to the March 2020 ballot in the hopes that voters would approve additional funding for public safety agencies. Measure A did not pass, and the lack of funding remains. Continued changes in the law along with new challenges created by the COVID-19

		pandemic will likely worsen the financial situation. Several clerical support staff positions were added in the FY 2020/2021 budget. While these new positions will help, further attorney and investigator positions are needed to most efficiently address the challenges we face.
<b>R2.</b> By November 1, 2020, the DA's office will develop a program to recognize the prosecutors, acknowledging that they are appreciated.	Shasta County District Attorney	The District Attorney recognizes that the prosecutors in this office are extremely hard working and dedicated to their important work in serving the citizens of Shasta County. The DA seeks to notice and recognize (both publicly and privately) the excellent work of the DA team. Additionally, the DA's office has already taken steps toward implementing a formal system of recognition for those employees most worthy of recognition.
<b>R3.</b> By November 1, 2020, the DA's office will develop a recruitment program that emphasizes the quality of life in Shasta County.	Shasta County District Attorney	Over the last several hiring cycles, the District Attorney has attempted to broaden recruitment efforts by drafting a new recruitment flier and exploring placing the job posting in new forums. We will continue to look to creatively recruit and retain the best talent possible. During the hiring process, the majority of candidates tell us that they will be taking a pay cut if they decide to work in our office. Also, several attorneys who have left our office have indicated that they are able to make more money in civil firms while working fewer hours. Finally, during our recent organizational health survey it was raised by current deputy district attorneys the issue that they feel underpaid especially given the long hours they work to manage their large caseloads. The District Attorney believes that an increase to salary for deputy district attorneys would go far toward increasing both the quality and quantity of job applicants. A pay increase would also help to retain the quality prosecutors already working in the office.
<b>R4.</b> The DA's office will continue to be on the look-out and apply for any new grants that might help with the budget shortfall.	Shasta County District Attorney	Grants can be a useful tool to supplement existing programs or implement new ones. The DA's office will continue to research and apply for those grants that would best assist us in achieving our mission. We will also seek training opportunities for staff in the areas of grant research and application.
<b>R5.</b> By November 1, 2020, the DA's office will negotiate to increase the allocation of beds in the Chronic Offender Program (COP) from 9 beds to at least 15 beds. The increase in the number of beds for COP will emphasize accountability to repeat offenders.	Shasta County District Attorney	The Chronic Offender Accountability Program has been a useful tool to hold accountable those criminal defendants most responsible for draining law enforcement resources. We will continue to work with our law enforcement partners in the program to identify more chronic offenders and dedicate additional resources towards holding them accountable. Retaining offenders in custody will likely be an increasingly difficult goal as the impacts of the COVID-19 pandemic have resulted in sentenced state prison

		inmates remaining in local custody as state prisons are not receiving new inmates.
<b>R6.</b> The DA's office will continue to bargain for rehabilitation programs and/or community service as a viable sentencing option.	Shasta County District Attorney	In each case we prosecute, the goal of the DA's office is to achieve a just result. Often, this just result can be achieved in ways other than simply incarceration. We will continue to evaluate every case and defendant on an individual basis, making efforts of rehabilitative programs as appropriate.
<b>R7.</b> By November 1, 2020, the DA's office will encourage first responders who are involved in major violent cases to make at least one visit to a trauma therapist.	Shasta County District Attorney	The physical and mental well-being of all staff members is of the utmost importance to the District Attorney. We will look to implement this recommendation, as well as any other options that would promote the health of our dedicated prosecutors. We are working on creating a peer support program to help prosecutors deal with the trauma and stress inherent in their jobs. Additionally, we have taken active steps to promote a positive working environment through a team oriented atmosphere and frequent opportunities for staff social events.

**Shasta County District Attorney – “Fighting the Good Fight”**

THE 2019-2020 SHASTA COUNTY GRAND JURY FOUND AND/OR RECOMMENDED:	REQUIRED RESPONDENT	RESPONSES
<p><b>F1.</b> The DA's office caseload is large and the lack of more financial resources is resulting in a loss of experienced attorneys and increased difficulty in hiring qualified replacements.</p>	<p>Shasta County Board of Supervisors</p>	<p>The Board of Supervisors agree with the finding. The Board of Supervisors unanimously voted to put Measure A, “The Shasta County Public Safety Transactions and Use Tax Ordinance” on the March 3, 2020 ballot. Measure A would have provided an estimated \$1.7 million per year to the District Attorney’s Office for hiring and training new staff and an estimated \$195,000 per year for obtaining equipment and supplies. Unfortunately, Measure A failed as it was not supported by a 2/3 majority of the persons voting on the measure.</p> <p>In order to assist the District Attorney’s Office staff with the large caseloads, the Board of Supervisors unanimously approved adding four additional support staff in the FY 2020-21 Adopted Budget for the District Attorney’s Office.</p>
<p><b>F3.</b> Rural Shasta County is not competitive with wages in the private sector or some other counties, leading to difficulty in hiring new attorneys.</p>	<p>Shasta County Board of Supervisors</p>	<p>The Board of Supervisors wholly disagrees with the finding as, unfortunately, there is no data or other information in the report which supports this finding regarding comparing Shasta County attorney wages with private sector attorney wages or attorney wages in some other counties. The only mention of salaries or wages in the report is in the “Hiring” section, which states “...The Shasta County salaries for prosecutors are commensurate with the cost of living in the county. The salaries in Shasta County may be lower than in other areas. However, rents and mortgages have typically been lower than in other parts of California. Additionally, the quality of life in this rural area is excellent ...”</p> <p>However, the Board of Supervisors recognizes that the District Attorney has first-hand information regarding recent recruitment efforts and ongoing retention issues and can discuss any competitive wage concerns with the Shasta County Director of Support Services.</p>

**Shasta County Adult Detention Facility Inspection – “It’s A Jail”**

THE 2019-2020 SHASTA COUNTY GRAND JURY FOUND AND/OR RECOMMENDED:	REQUIRED RESPONDENT	RESPONSES
<p><b>F1.</b> The jail facility is old and wearing out. The jail was never designed to serve for long term incarceration making it difficult to meet current demands.</p>	<p>Shasta County Sheriff</p>	<p>The Shasta County Sheriff’s Office agrees with the finding. The Shasta County Jail was built in the early 1980’s and, in fact, was not designed to house inmates for multiple year sentences. Prior to Assembly Bill (AB109), inmates would usually be sentenced to a county jail facility for up to one year. Although uncommon, there were extenuating circumstances where sentenced inmates would receive non-concurrent sentences, which would leave them confined to the county jail for longer than one year. Concurrently, because of AB109, prison re-alignment initiatives, the jail is now responsible for housing inmates for multi-year sentences, some greater than five years.</p>
<p><b>F2.</b> The jail facility is too small, and its design does not fit current demands. This leads to early releases and classification issues as well as safety concerns.</p>	<p>Shasta County Sheriff</p>	<p>The Sheriff’s Office agrees with this finding. The 1984 facility was designed and built 36 years ago and based on how it was constructed, there is an inability to modify the facility to meet current needs.</p>
<p><b>F3.</b> The jail has an internal approach for the early release of inmates but will be testing VPRAI in the future. Classification of inmates is a multifaceted issue requiring constant change to respond to current laws and bail reform requirements.</p>	<p>Shasta County Sheriff</p>	<p>The Sherriff’s Office partially agrees with this finding and is in the process of securing access to test the VPRAI Release tool via the Shasta County Probation Department. Bail reform, which is proposed in the November 2020 election, could however, impact the use of the VPRAI tool and other classification systems. It is unclear whether the proposed law will only identify certain classification systems as acceptable and if so will VPRAI be one of those systems. The Sheriff’s Office will reassess this subject after the November election if bail reform in fact passes.</p>
<p><b>F4.</b> There are not enough cameras in the facility and many blind spots. The lack of cameras leads to higher potential of violence towards other inmates or correctional officers.</p>	<p>Shasta County Sheriff</p>	<p>The Shasta County Sheriff’s Office disagrees partially with the finding. The Shasta County Jail personnel continually assess the safety and security of the facility, which includes the current surveillance system. The Sheriff’s Office agrees that upgrades to the camera system in the jail would benefit operations. Within the adopted FY 2020-2021 budget is two million dollars in appropriations, which is offset by General Fund Accumulated Capital Outlay. These funds will go towards security upgrades to the Shasta County Jail, which will include an upgraded camera system. Jail policy and procedures are in effect to address any perceived limitations of the current system therefore we disagree the current system may lead to a higher potential of violence between inmates and/or staff.</p>

<p><b>F5.</b> The nutrition provided to inmates is above average.</p>	<p>Shasta County Sheriff</p>	<p>The Sheriff's Office agrees with this finding and will strive to continue to provide an above average nutrition service.</p>
<p><b>F6.</b> The request/grievance procedure is well understood by inmates.</p>	<p>Shasta County Sheriff</p>	<p>The Sheriff's Office agrees with this finding as the custody facility has adopted an electronic tablet system for inmates to submit requests and grievances electronically. The system is far more effective than the previous paper system in which grievances and requests were handwritten.</p>
<p><b>F7.</b> The introduction of the iPads has reduced the inmate violence within the housing units.</p>	<p>Shasta County Sheriff</p>	<p>The Sheriff's Office agrees with this finding as personnel assigned to the facility have reported fewer confrontations among the inmate population since the tablets have been deployed.</p>
<p><b>F8.</b> The Inmate Welfare Fund is supplemented by the iPad placement fee paid by GTL. The placement fee is a potential source of revenue to be considered for jail improvements.</p>	<p>Shasta County Sheriff</p>	<p>The Sheriff's Office agrees with this finding and recently secured a body scanner system, which is being used during intake procedures to help eliminate drugs and other contraband from being smuggled into the facility. Additionally, the Sheriff's Office is also attempting to procure a mail scanner as well. Preventing drugs and contraband from entering the facility will help ensure the safety of the inmate population and personnel working inside the facility.</p>
<p><b>F9.</b> Inmates have the opportunity, while incarcerated, to further their education.</p>	<p>Shasta County Sheriff</p>	<p>The Sheriff's Office agrees with this finding as inmates have access to education programming to earn their high school diploma and work toward earning an associate degree via the Step-up Program.</p>
<p><b>F10.</b> The jail is understaffed leading to excessive overtime and low morale.</p>	<p>Shasta County Sheriff</p>	<p>The Shasta County Sheriff's Office disagrees partially with the finding. While it is widely agreed that the jail is understaffed and employees have worked excessive overtime, the jail administration has worked with employee groups to implement changes with the overall goal to enhance workplace satisfaction. Those changes have been received well and include a stronger jail training program. Morale has noticeably improved in the recent months and our personnel shortages have been waning.</p>
<p><b>F11.</b> The Correctional Officers are underpaid based on state employment data. The lack of sufficient pay leads to issues with recruitment and retention of correctional officers and exacerbates overtime.</p>	<p>Shasta County Sheriff</p>	<p>The Shasta County Sheriff's Office disagrees partially with the finding in that the Grand Jury does not cite their source information for the state employment data and how Shasta County compares. In addition, it is unclear whether factors such as size of the County, cost of living, or other factors affecting the level of compensation were considered. "...are underpaid based on state employment data..." the report does not provide comparative data supporting this statement. While compensation is one factor in recruitment and retention, there are many other fac-</p>

		tors. The Board of Supervisors did recently negotiate compensatory raise package, which is competitive with surrounding counties. This included a \$3.00 an hour stipend to most of the personnel assigned to the jail. We believe the increase in compensation will assist in improving morale, retention of personnel, and recruiting new employees.
<b>F12.</b> The Correctional Officers training and continuing education are above the STC requirements.	Shasta County Sheriff	The Sheriff's Office agrees with this finding and will continue working to ensure personnel assigned to the correctional facility receive adequate training that complies with STC Guidelines.
<b>F13.</b> Excessive use of force by Correctional Officers is not used as a form of punishment against inmates. If unauthorized excessive force is used, jail staff are disciplined and held accountable.	Shasta County Sheriff	The Sheriff's Office agrees with this finding and does not condone the use-of-force as a form of punitive action. Use-of-force by correctional officers are reviewed and evaluated to determine whether the use was consistent with Jail's policies and procedures.
<b>R1.</b> By July 1, 2021, alternative custody options shall be explored and a plan shall be established. Options could include a Navigation Center, out of county placement, work camps etc. Existing property assessment fees and monies being held in the county's public safety fund should be utilized.	Shasta County Sheriff	The recommendations will not be implemented as it is not warranted. The Sheriff's Office continuously explores the available alternative custody options considering the continuing limitations and factors impacting the viability of the available options. For example, Shasta County currently utilizes Global Positioning Surveillance (GPS) for qualified inmates, out-of-county jail beds for qualified inmates, and has an alternative custody work program for qualified inmates. A required date for a plan to be established is impractical due to continuing uncertainty and the need to be flexible to meet changing conditions; however, at the September 15, 2020, Board of Supervisors meeting, the Sheriff will provide an update on its ongoing assessment of alternative custody options. In regard to possible funding sources, "property assessment fees" is not defined in the report, so the Sheriff is unclear as to what this means. The County's public safety fund reserves are estimated to have a zero balance by June 30, 2021.
<b>R2.</b> By July 1, 2021, the Shasta County Jail shall obtain and implement an objective classification system.	Shasta County Sheriff	The recommendations will not be implemented because it is not warranted and is not reasonable. The Sheriff's Office agrees that considering the implementation of an objective classification system is warranted. However, at this time, there are many uncertainties regarding what factors should be included in such a system and how future changes in law or regulations might affect the system. As such, it is not warranted and is not reasonable to set a date within the statutory timeframes for implementation or completion of an investigation into the recommendation. As described in F3, Senate Bill 10 (bail reform laws) will be voted on as a ballot measure during the November 2020 election. If Senate Bill 10 passes, it will change the current classification system statewide. After November's voting, we should

		know if these laws have passed although implementation will be unlikely by that date. We feel it would be prudent to wait until after the election instead of investing in a system, which may become obsolete, not knowing the full extent of the proposed laws. Regardless the Sheriff's Office will still analyze the VPRIA program as described in F3.
<b>R3.</b> By July 1, 2021, the Shasta County Jail shall implement a plan to obtain better quality cameras and a plan for installation in sufficient numbers to provide adequate coverage. Funding to be allocated from a portion of the Inmate Welfare Fund, grant sources and yearly budgetary process. Upgrades should be completed within 4 years.	Shasta County Sheriff	The recommendations will not be implemented because it is not warranted and is not reasonable. Improving the jail camera system is an anticipated project during fiscal year 2020-21. Shasta County budget FY 2020-2021 outlines two million dollars in appropriations offset by general funds for the jail security upgrades, including potential upgrades to the jail's security camera system. However, it is not warranted and is not reasonable to commit to a specific timeframe at this time.
<b>R4.</b> By July 1, 2021, the Shasta County Jail shall create a plan to prioritize utilizing a portion of the Inmate Welfare Fund to benefit the safety of inmates by making improvement to the jail facility.	Shasta County Sheriff	The Sheriff's Office has implemented this recommendation and continually assesses the security needs of the facility. This process includes prioritizing their findings and working within the Inmate Welfare Fund (IWF) to finance these improvements. To enhance overall security the Sheriff's Office recently used the IWF to purchase a full body scanner system used to scan both new intakes and housed inmates within the jail. Additional projects related to inmate and staff security are being explored.
<b>R5.</b> By July 1, 2021, the Shasta County Jail shall increase security staffing by at least 10 additional personnel. Funding shall be prioritized and provided through budgetary process with the Board of Supervisors.	Shasta County Sheriff	The recommendation will not be implemented because it is not reasonable in that the recommendation is unclear and unrealistic. To begin with, it is not clear whether the "10 additional personnel" are in addition to the current total positions allocated to the jail or if the "10 additional personnel" would first be used to fill any current vacant positions in the jail. In addition, hiring for all law enforcement positions, throughout California, have been difficult over the past several years. Finding qualified applicants is a challenge most law enforcement agencies are facing. As a result, it is unreasonable to commit to a specific hiring goal given the numerous factors that could impact the Sheriff's Office ability to meet that goal.
<b>R7.</b> By July 1, 2021 Shasta County Jail Administration will create and implement a recruitment team to highlight the benefits of living in Shasta County.	Shasta County Sheriff	The recommendation has already been implemented. However, the Sheriff's Office will continue to evaluate the program to determine whether any additional changes are warranted to meet the current recruitment standard.
<b>R10.</b> By December 31, 2020 the Board of Supervisors will follow through with their request of August 13, 2019 to have the Sheriff present to them an implementation plan that encompasses the recommendations of the CGL report.	Shasta County Sheriff	The recommendation has been implemented. The Sheriff has taken steps to implement recommendations contained in the CGL report where warranted and feasible. In addition, the Sheriff will make a presentation to the Board of Supervisors regarding

		those measures that have been implemented and-future plans for improvements in jail operations on September 15, 2020.
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**Shasta County Adult Detention Facility Inspection – “It’s A Jail”**

THE 2019-2020 SHASTA COUNTY GRAND JURY FOUND AND/OR RECOMMENDED:	REQUIRED RESPONDENT	RESPONSES
<p><b>F1.</b> The jail facility is old and wearing out. The jail was never designed to serve for long term incarceration making it difficult to meet current demands.</p>	<p>Shasta County Board of Supervisors</p>	<p>The Board of Supervisors disagrees partially with the finding in that the facility is old but is not wearing out. The 1984 facility was designed and built prior to numerous and continuous statewide fiscal and procedural modifications and impacts which require additional effort to meet current needs and those needs could be met more efficiently with a newer facility. However, through the efforts of the Shasta County Sheriff’s Office, the jail is able to meet the needs of the inmate population and is able to provide the necessary services.</p>
<p><b>F4.</b> There are not enough cameras in the facility and many blind spots. The lack of cameras leads to higher potential of violence towards other inmates or correctional officers.</p>	<p>Shasta County Board of Supervisors</p>	<p>The Board of Supervisors disagrees partially with the finding. The Board of Supervisors agrees that improvements and updates to the jail’s camera system would benefit the operation of the jail. Towards that end, on June 30, 2020, the Board of Supervisors adopted the FY 2020-2021 budget, which includes two million dollars in appropriations offset by General Fund (Accumulated Capital Outlay) for Jail Security Upgrades which are currently planned to include upgrades to the jail’s camera system. The Board of Supervisors disagrees that the current camera system leads to a higher potential of violence towards other inmates or correctional officers as the jail’s operating procedures are designed and implemented to address any limitations in the current camera system.</p>
<p><b>F10.</b> The jail is understaffed leading to excessive overtime and low morale.</p>	<p>Shasta County Board of Supervisors</p>	<p>The Board of Supervisors disagrees partially with the finding in that, while the Board of Supervisors agrees that, according to the report, some individuals interviewed as part of the Grand Jury’s process for the report indicated low morale in the workplace, the mention of low morale by some employees does not directly correlate with there being low morale amongst jail staff in general. In addition, it is the Board of Supervisors’ understanding that the Sheriff works diligently to address overall staff morale in the jail.</p> <p>The Board of Supervisors agrees that there is a high use of overtime spending in the jail budget; this was included in the CGL Jail Operations Review. However, “excessive” is a subjective term. Some overtime is used for transportation and special assignment-related activity. Depending on the jail’s population, overtime is a direct result of maintaining certain staffing levels in the jail when vacant positions exist. The number of local vacant positions under</p>

		current recruitment efforts is part of a nationwide issue of recruitment challenges. The Board of Supervisors recently approved a Memorandum of Understanding with the Deputy Sheriffs Association for "Correctional Officer-Deputy Sheriffs" that provides for scheduled compensation increases over the next three years, which may help to positively affect local recruitment and retention activities, reducing some need for overtime in the jail.
<b>F11.</b> The Correctional Officers are underpaid based on state employment data. The lack of sufficient pay leads to issues with recruitment and retention of Correctional Officers and exacerbates overtime.	Shasta County Board of Supervisors	<p>The Board of Supervisors disagrees wholly with the finding. In regard to "...are underpaid based on state employment data..." the report does not provide comparative data supporting this statement.</p> <p>The Board of Supervisors disagrees with the assertion that there is a linear correlation between insufficient compensation and increased overtime. In regard to pay, while there is some evidence that compensation levels contribute to recruitment and retention issues, there is also evidence that other factors play an important role in whether employment with a particular entity is attractive or whether an officer will choose to remain with a particular entity. As noted previously, on April 7, 2020, the Board of Supervisors approved a Memorandum of Understanding with the Deputy Sheriffs Association for "Correctional Officer-Deputy Sheriffs" covering the period April 1, 2020, through March 31, 2023. This includes three separate salary increases and an additional specialty assignment pay for job classifications assigned to areas where criminally charged persons are confined. This action may help to positively affect local recruitment and retention activities.</p>
<b>F15.</b> Although the deadline was September 30, 2019 for CGL to issue a final report on Jail Operations to the BOS, this Grand Jury has found no evidence of a final report being submitted to the BOS.	Shasta County Board of Supervisors	<p>The Board of Supervisors disagrees partially with this finding in that it is premised on the statement that there was a deadline to issue a final report on "Jail Operations to the BOS [Board of Supervisors]" by September 30, 2019. The agreement did not require CGL Companies, LLC (CGL) to provide a final report to the Board of Supervisors by September 30, 2019. Rather, the agreement provided that CGL was to provide the final report to the "County." In accordance with the agreement, the final report was provided to the County via County Administrative Office Staff on August 16, 2019. Prior to that report being received by the County, CGL made a presentation to the Board of Supervisors at its meeting on August 13, 2019. The County was advised by CGL that the only change to the report delivered to the county on August 16, 2019, was to remove the word "draft" from the report. In addition, Supervisor Moty, as the Board of Supervisors' designated liaison to</p>

		<p>CGL during the preparation of CGL's report, received a copy of the final version of the report on August 19, 2019.</p>
<p><b>R1.</b> By July 1, 2021, alternative custody options shall be explored and a plan shall be established. Options could include a Navigation Center, out of county placement, work camps etc. Existing property assessment fees and monies being held in the county's public safety fund should be utilized.</p>	<p>Shasta County Board of Supervisors</p>	<p>The recommendation will not be implemented as stated because it is not warranted in that, the Sheriff's Office continuously explores the available alternative custody options considering the continuing limitations and factors impacting the viability of the available options. For example, Shasta County currently utilizes Global Positioning Surveillance (GPS) for qualified inmates, out-of-county jail beds for qualified inmates, and has an alternative custody work program for qualified inmates.</p> <p>In addition to the usual limitations and factors impacting the availability of alternative custody options, there is continuing uncertainty about the impact of COVID-19 and Senate Bill (SB) 10 (2018) which abolished cash bail and implemented an inmate risk assessment system. Senate Bill (SB) 10 (2018) is the subject of a referendum that will be on the November 2020 ballot.</p> <p>A required date for a plan to be established is impractical due to continuing uncertainty and the need to be flexible to meet changing conditions; however, at the September 15, 2020 Board of Supervisors meeting, the Sheriff will provide an update on its ongoing assessment of alternative custody options.</p> <p>In regard to possible funding sources, "property assessment fees" is not defined in the report, so the Board of Supervisors is unclear as to what this means. The County's public safety fund reserves are estimated to have a zero balance by June 30, 2021.</p>
<p><b>R3.</b> By July 1, 2021, the Shasta County Jail shall implement a plan to obtain better quality cameras and a plan for installation in sufficient numbers to provide adequate coverage. Funding to be allocated from a portion of the Inmate Welfare Fund, grant sources and yearly budgetary process. Upgrades should be completed within 4 years.</p>	<p>Shasta County Board of Supervisors</p>	<p>The recommendation will not be implemented because it is not warranted and is not reasonable. The Sheriff's Office is currently in the process of evaluating the jail's camera system and the software system supporting the camera system. In addition, on June 30, 2020, the Board of Supervisors adopted the FY 2020-2021 budget, which includes two million dollars in appropriations offset by General Fund (Accumulated Capital Outlay) for Jail Security Upgrades including potential upgrades to the jail camera system. However, it is not warranted nor is it reasonable to commit to specific time frames at this time as the completion date for upgrades could be impacted by construction delays due to COVID-19 and other potential delays, availability of qualified vendors, negotiating and finalizing agreements, and working within the daily safety and security parameters of the jail facility to complete the project.</p>

		The County of Shasta and the Sheriff continually evaluate the availability of financing for upgrades such as upgrading the jail camera system which includes the availability of Inmate Welfare Fund grants, General Fund, and other potential funding sources.
<b>R5.</b> By July 1, 2021, the Shasta County Jail shall increase security staffing by at least 10 additional personnel. Funding shall be prioritized and provided through budgetary process with the Board of Supervisors.	Shasta County Board of Supervisors	The recommendation will not be implemented because it is not reasonable in that the recommendation is unclear and unrealistic. It is not clear whether the "10 additional personnel" are in addition to the current total positions allocated to the jail or if the "10 additional personnel" would first be used to fill any current vacant positions in the jail. In addition, neither the Board of Supervisors nor the Sheriff's Office has control over how many qualified individuals apply for vacant jail positions. Moreover, the need for jail staffing can be affected by numerous factors and a fixed hiring goal does not allow the Sheriff the ability to adjust the need for staffing based on those changing circumstances whether the need is less than ten or more than ten additional staff.
<b>R6.</b> By July 1, 2021 the Board of Supervisors shall consider taking steps to ensure compensation levels for all Correctional Officers is commensurate with California counties of similar size.	Shasta County Board of Supervisors	The recommendation will not be implemented because it is not warranted and is not reasonable. The report does not provide or reference comparative data showing that the compensation levels for all Correctional Officers is currently not commensurate with California counties of similar size. In addition, regardless of county population, the County of Shasta, like all California counties, have varying levels of funding available to compensate its employees including compensating Correctional Officers. Additionally, the County has finite fiscal resources available to support jail operations, as well as the other facets of the justice system and other county-wide responsibilities.  However, with respect to local compensation, as previously stated, on April 7, 2020, the Board of Supervisors approved a Memorandum of Understanding with the Deputy Sheriffs Association for "Correctional Officer-Deputy Sheriffs" covering the period April 1, 2020, through March 31, 2023. This includes three separate salary increases and an additional specialty assignment pay for job classifications assigned to areas where criminally charged persons are confined.
<b>R8.</b> All future studies/reports commissioned by the BOS, utilizing taxpayer funds, shall be made more easily available to the public on the BOS website within five days of the receipt by the board. This can be accomplished by setting up a Reports link that contains just commissioned reports without a user having to traverse a multi-layered and cumbersome website to locate them.	Shasta County Board of Supervisors	The recommendation will not be implemented because it is not warranted. Studies and reports commissioned by the Board of Supervisors are already made available to the public in the online agenda packet on the Board of Supervisors Meetings and Agendas webpage. This webpage displays materials in an organized manner and allows users to conduct searches by keyword or date. The online

		agenda packet also provides important context for studies and reports, such as the accompanying staff report and contact information for the appropriate County staff.
<b>R9.</b> By December 31, 2020 the Board of Supervisors will ensure that the finalized copy of the CGL Report is received and made available to the citizens of Shasta County.	Shasta County Board of Supervisors	The recommendation will not be implemented because it is not warranted in that the County of Shasta received the final CGL report on August 16, 2019 pursuant to the terms of the agreement. The Board of Supervisors heard a presentation from CGL regarding the report at its meeting on August 13, 2019, and the final report received by the County on August 16, 2019 was to remove "draft" from the report. The final report has been and is available as a public document and there is a link to the document on the County's home page at: <a href="https://www.co.shasta.ca.us/index.aspx">https://www.co.shasta.ca.us/index.aspx</a> .
<b>R10.</b> By December 31, 2020 the Board of Supervisors will follow through with their request of August 13, 2019 to have the Sheriff present to them an implementation plan that encompasses the recommendations of the CGL report.	Shasta County Board of Supervisors	The recommendation has been implemented. The Sheriff has taken steps to implement recommendations contained in the CGL report where warranted and feasible. In addition, the Sheriff will make a presentation to the Board of Supervisors regarding those measures that have been implemented and future plans for improvements in jail operations on September 15, 2020.

<b>French Gulch Whiskeytown School District – “So Much with So Little”</b>		
<b>THE 2019-2020 SHASTA COUNTY GRAND JURY FOUND AND/OR RECOMMENDED:</b>	<b>REQUIRED RESPONDENT</b>	<b>RESPONSES</b>
<b>F1.</b> None of the current district board members and only several key employees have attended Brown Act training.	French Gulch Whiskeytown School District Board	Agree. Our board members, while committed to supporting the school, are all busy; trainings offered by SCOE tend to be on week nights late in the evening, which is not convenient when you work long hours (early in the morning), or have small children at home, or both. The online trainings are typically priced around \$200 per participant, not a small price point when we count every penny spent. That stated, we recognize that this is a gap and have identified some funding to allow those of us who cannot participate in the late night trainings to receive that education soon (see R1).
<b>F2.</b> Volunteers and dedicated paid staff willing to work unpaid extended hours are the life blood of the school and provide the much-needed support to keep the school functional and solvent.	French Gulch Whiskeytown School District Board	Agree. As in many schools, especially those that are small and minimally funded, we rely heavily on our volunteers and dedicated staff members to do go above and beyond with regard to the hours they devote to ensure a functional learning environment for the local children. The old adage, “it takes a village,” easily describes our situation. The school seeks opportunities for additional funding and support, donations, grants, and even ensuring our funding band are annual challenges which we recognize as opportunities which are never guaranteed, but we do it for the children of our community.
<b>F3.</b> Student absenteeism is a chronic problem causing, among other things, financial issues for the school and below average test scores for some of the students. Most of the students live within one mile of the school yet for some reason, still do not attend classes regularly.	French Gulch Whiskeytown School District Board	Agree. Student absenteeism in many cases is directly a result of lack of parental engagement, which unfortunately, we cannot directly impact. Many of our students are multi-generation homes, some raised by grandparents or other relatives, often with an IEP in place. In some cases, the parents are unwilling, and in others they are incapable, of engaging at a higher level to support their children’s education. The staff send out regular reminders of attendance expectations and meet with those families who struggle; we offer Saturday schools often to aid in retaining necessary funding.
<b>F4.</b> A backup generator with switch gear is needed.	French Gulch Whiskeytown School District Board	Agree. We recognize that a generator with switch is the ideal option for dealing with power outages, yet with our tight financial situation we have been very creative ensuring that we have not missed any days due to power outages, we (the board members) also provided refrigerator and freezer space to avoid loss of perishable food items. Our school staff was creative, providing outdoor and expeditionary learning opportunities to keep the students engaged.

<p><b>F5.</b> Internet access for the school is unreliable, causing difficulty for staff to utilize necessary web-based programming.</p>	<p>French Gulch Whiskeytown School District Board</p>	<p>Agree. We have investigated multiple potential solutions for internet access; none have offered additional reliability over our current set up. Being in a rural area, lacking common infrastructure, as well as limited line-of-sight access due to the steep canyon walls, we are at a disadvantage with regard to technology. We do the best that we can, again, creatively combining online and paper resources.</p>
<p><b>R1.</b> The entire school board, current and future, along with the superintendent and office manager must attend Brown Act training. This training shall begin with the next scheduled training offered by SCOE at no personal cost.</p>	<p>French Gulch Whiskeytown School District Board</p>	<p>Agree. Three of our Four Board Members are signed up for Brown Act training August 14<sup>th</sup>, this training is grant funded. Additional training is offered this winter, the final Board Member will attend at that time.</p>
<p><b>R2.</b> A generator and automatic switch gear shall be acquired in preparation for power outages. This can be accomplished through grant funding or school fundraising opportunities.</p>	<p>French Gulch Whiskeytown School District Board</p>	<p>Agree. We have reached out for several quotes to ascertain the exact cost of a generator with automatic switch; to date we are under the understanding that the cost for the generator itself will be approximately \$12k, while the engineering plans (approx. 8k), automatic switch (approx. 10k) and installation costs (approx. 20k) push the total anticipated costs into the 45- 50k range. Along with requesting quotes, we are beginning to research funding opportunities- this will need to be through grants or other means as our district is overall under the federal poverty line and local fundraising is not reliable for more than small projects.</p>

<b>Fire Fuel Management – “The Summer of Fire”</b>		
<b>THE 2019-2020 SHASTA COUNTY GRAND JURY FOUND AND/OR RECOMMENDED:</b>	<b>REQUIRED RESPONDENT</b>	<b>RESPONSES</b>
<b>F1.</b> Fire fuel management for the prevention of wildfires in Shasta County has not been a top priority for far too long, due to lack of funding, and limited manpower leading to a higher risk for the well-being of Shasta County.	Shasta County Board of Supervisors	The Board of Supervisors partially disagrees with the finding. There are several contributing factors to higher risk for wildfires in Shasta County including, but not limited to, drought conditions, excessive heat, private property owners, and absentee landowners. Furthermore, the majority of the unincorporated lands in Shasta County are in the State Responsibility Areas (SRA). Therefore, the jurisdictional responsibility is with CalFire, not the Shasta County Fire Department.
<b>F2.</b> Fire Fuel management is an ongoing process that requires maintenance of previously completed projects so regrowth remains manageable.	Shasta County Board of Supervisors	The Board of Supervisors agrees with the finding.
<b>F3.</b> Shasta County Fire Department is unable to thoroughly identify defensible space and fire fuel management infractions due to understaffing. Absentee landowners and non-complying landowners stretch the limited law enforcement officers’ resources.	Shasta County Board of Supervisors	The Board of Supervisors partially disagrees with the finding. The Shasta County Fire Department is not solely in charge of identifying defensible space and fire fuel management infractions. Code Enforcement from many jurisdictions are responsible for identification of defensible space and fire fuel management infractions. For County areas, both Shasta County Fire Department and Code Enforcement under the Resource Management Department manages those assessments, contacts and infractions. CalFire can and does issue citations for defensible space violations (PRC-4291). The City and Forest Service follow their own jurisdictional laws and ordinances.
<b>F4.</b> A structure in the Wildland Urban Interface (WUI) has an improved chance of withstanding, or not igniting a wildfire when defensible space requirements are practiced.	Shasta County Board of Supervisors	The Board of Supervisors agrees with the finding.
<b>F5.</b> There are elderly, disabled and other at-risk people living in the WUI who need physical or financial assistance to achieve a proper defensible space and decrease their personal risk as well as risk to their neighbors.	Shasta County Board of Supervisors	The Board of Supervisors agrees with the finding.
<b>F6.</b> Some members of the public may be misinformed from time to time by the media and social media about fire fuel management and defensible space requirements, leading to confusion resulting in a lack of compliance and support.	Shasta County Board of Supervisors	The Board of Supervisors agrees with the finding. There is also jurisdictional misinformation and confusion related to State Responsibility Areas (SRA); Local Responsibility Areas (LRA); and Federal Responsibility Areas (FRA) on fire fuel management responsibilities.
<b>F7.</b> There are fewer volunteer organizations available, than in previous years, to assist the “at-risk” community with defensible space maintenance, making that community more vulnerable.	Shasta County Board of Supervisors	The Board of Supervisors agrees with the finding.

<p><b>F8.</b> Inmate fire crew reduction due to AB109 and the inability to use off-season volunteer firefighters, due to their limited fire fuel management training, has resulted in a lack of manpower available for fire fuel management projects.</p>	<p>Shasta County Board of Supervisors</p>	<p>The Board of Supervisors partially disagrees with the finding. There has been a lack of volunteer firefighters Statewide, this is not unique to Shasta County nor due limited fire fuel management training.</p>
<p><b>R1.</b> By November 1, 2020, the Shasta County Board of Supervisors (BOS) shall direct the Shasta County Fire Department (SCFD) to develop an annually prioritized Fire Fuel Management (FFM) Plan listing the top FFM projects necessary to significantly reduce the expectation of another catastrophic fire.</p>	<p>Shasta County Board of Supervisors</p>	<p>This recommendation will not be implemented because it is not warranted or is not reasonable.</p> <p>The majority of unincorporated lands in Shasta County are within State Responsibility Areas (SRA). Therefore, CalFire has the jurisdictional responsibility, not SCFD.</p> <p>Fire fuel management projects are a collaborative effort between Government, citizen groups and private landowners, not just the public agency of a particular jurisdiction. Generally, Resource Conservation Districts or Fire Safe Councils lead multi-jurisdictional fire fuel reduction projects through grant opportunities funded by local, state and federal agencies.</p> <p>The Shasta County Board of Supervisors appoints members to the Western Shasta Resource Conservation District, who collaborate with landowners, government agencies, and other organizations to facilitate the conservation or restoration of Shasta County's natural resources. Their Board meetings are held the fourth Wednesday of each month and are available to the public. As an example, the Western Shasta Resource Conservation District manages several fire and fuel related reduction projects.</p> <ol style="list-style-type: none"> <li>1. China Gulch Fuel Break Project which consists of approximately 500 acres;</li> <li>2. CalFire Grant Fuelbreak Outreach where The McConnell Foundation received a CalFire grant to conduct hazardous fuels reduction within the Carr Fire affected area;</li> <li>3. Castle Crags Root Creek Forest Fuels and Public Safety Project to implement fuels reduction within the Root Creek drainage to protect visitors, adjacent property and forest health;</li> <li>4. City of Shasta Lake Fuelbreaks, where a series of fuelbreaks are being constructed;</li> <li>5. Shingletown Ridge Phase 2 to widen and extend existing fuelbreaks on Shingletown Ridge;</li> <li>6. Shasta County CWPP Community Wildfire Protection Plan to update the CWPP for Cottonwood Creek (north), French Gulch, Keswick, Lakehead, Lower Clear Creek; Shasta West, Shingletown, and Stillwater Creek; and</li> </ol>

		<p>7. County-wide Mapping of Fuelbreaks Project.</p> <p>The McConnell Foundation has also participated in fire fuel reduction projects. Two fire fuel reduction projects are slated for the Rock Creek area and the Iron Mountain Road / Keswick area, both within the burn scar of the Carr Fire.</p> <p>Also, recently, the Shasta Fire Safe Council came to fruition and while still in its infancy, they are in the process of organizing as an IRC 501(c)(3) non-profit organization and looks to participate in fire fuel reduction grant opportunities and projects.</p> <p>Furthermore, Shasta County prepared and submitted a Shasta County and City of Anderson Hazard Mitigation Plan to the U.S. Department of Homeland Security, FEMA in November 2017 which contained wildfire mitigation planning. <i>“FEMA’s approval of the Shasta County and City of Anderson Multi-Jurisdictional Hazard Mitigation Plan is for a period of five years...”</i> The next review of revision to the Plan is due by November 16, 2022.</p> <p>Shasta County Fire Department prioritizes the top fire fuel management projects for the land within its jurisdiction and responsibility based on a variety of factors, managing many projects that span multiple years (project planning, funding, environmental, contracting, conducting, and project completion). Therefore, an annual report from the SCFD is not warranted or necessary.</p>
<p><b>R3.</b> After receiving a report from SCFD, the BOS shall make the report public through its normal reporting process, and on their website, prior to the next scheduled board meeting.</p>	<p>Shasta County Board of Supervisors</p>	<p>The recommendation is premised on Recommendation 2, to which this Board was not requested to respond. However, Recommendations 2 and 3 will not be implemented because the recommendations are not warranted or are not reasonable.</p> <p>The progress of Western Shasta RCD’s FFM projects are not the responsibility of the SCFD. Any progress, written report and inquiries should be made to Western Shasta RCD or the respective Fire Safe Council in charge of the projects.</p>
<p><b>R4.</b> By November 1, 2020, the BOS shall direct the SCFD to report monthly on the progress of the funding efforts and the project completions. Funding shall be developed through reprioritizing existing work plans, cost allotments and grants.</p>	<p>Shasta County Board of Supervisors</p>	<p>The recommendation will not be implemented because it is not warranted or is not reasonable.</p> <p>Shasta County as a whole has always looked for and identified new sources of revenue to meet the current and projected needs. SCFD staff is skilled and competent in identifying revenue sources and prioritizing projects. Shasta County Board of Supervisors adopts an annual budget at a properly noticed public hearing. Contained in the County’s annual budget is information to address capital improvement costs and operational costs in context with available revenue.</p>

<p><b>R9.</b> By November 1, 2020, the BOS shall direct the Shasta County Fire Department to include ongoing “in-perpetuity” maintenance of fire fuel management projects in the quarterly report.</p>	<p>Shasta County Board of Supervisors</p>	<p>The recommendation will not be implemented because it is not warranted or is not reasonable.</p> <p>The SCFD is not the responsible agency for fire fuel mitigation projects in the State Responsibility Areas (SRA) and therefore quarterly reporting is not warranted. SCFD provides fire suppression and protection services to the unincorporated area of the County not served by either an independent fire district or a city fire department, to protect life, property and the environment. This includes structural and wildland fire control, first response medical care and assistance to other emergency services agencies.</p>
<p><b>R10.</b> Beginning fiscal year 2021, the BOS shall provide funding for maintenance to include spring vegetation treatment, limbing and other operations deemed necessary by County Fire. Funding for maintenance to be provided from sources such as assessment fees and defensible space non-compliance fines.</p>	<p>Shasta County Board of Supervisors</p>	<p>This recommendation has not yet been implemented but will be implemented in the future, to the extent there is available funding. Annually, all Departments provide budget requests to the County Administrative Office and recommended budgets are provided to the Board for consideration. Beginning with Fiscal Year 2021, the assessment fees and defensible space non-compliance fines will be reviewed and the Board will consider providing funding from those sources if any exist.</p>
<p><b>R11.</b> The BOS shall identify other agencies and identify funding sources, such as grants, to further assist the at-risk community to maintain defensible space for their residences.</p>	<p>Shasta County Board of Supervisors</p>	<p>The recommendation will not be implemented because it is not warranted or is not reasonable.</p> <p>The Board is not aware of grant funding sources available for private property owners for defensible space. There are several state, federal, tribal, and non-profit entities that may provide grant funding opportunities; however, the Board of Supervisors does not endorse, track, or otherwise participate in private party’s grant funding. Private property owners are responsible for defensible space and the funding source. Private property owners in communities should engage with their local Fire Safe Council to better understand grant opportunities and community fire issues.</p>
<p><b>R13.</b> By November 1, 2020, the BOS shall consider amending their October 22, 2019, Defensible Space Ordinance to provide more compliance incentives through steeper fines, faster legal action, and property liens, which will be addressed and assessed in a timely manner.</p>	<p>Shasta County Board of Supervisors</p>	<p>The recommendation will not be implemented because it is not warranted or is not reasonable. Staff will analyze compliance of the Defensible Space Ordinance and should an amendment be deemed necessary, staff will present an amendment to the Board of Supervisors for consideration.</p>
<p><b>R15.</b> Beginning with the 2021 Spring Quarter and one week each year for ten years thereafter, in order to ease costs to private land owners, the City Councils of Redding, Anderson and Shasta Lake City, along with the Shasta County Board of Supervisors, shall implement an “Amnesty Day” plan to permit ‘no-or-low cost’ dumping of defensible space waste materials at each landfill located within each entity’s jurisdiction.</p>	<p>Shasta County Board of Supervisors</p>	<p>The recommendation will not be implemented because it is not warranted or is not reasonable.</p> <p>Defensible space waste material (i.e.: green waste) does not belong in landfills. It belongs in cogeneration facilities, which the County does not own or operate. California State Law, SB 1383 (Health &amp; Safety Code section 39730.6) requires a 50 percent reduction in organic waste disposal from 2014 levels by 2020, and a 75 percent reduction by 2025. In</p>

		<p>addition, CalRecycle has proposed regulations implementing SB 1383 designed to reduce the disposal of green waste in landfills. The emphasis is on the recycling of such materials, instead of disposing of them in a landfill.</p> <p>As an example of a successful program, the community of Shingletown reportedly operates a disposal event at the Shingletown Transfer Station twice a month. Also reportedly, the cost of the haul allows the operation to financially break even.</p>
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<b>Fire Fuel Management – “The Summer of Fire”</b>		
<b>THE 2019-2020 SHASTA COUNTY GRAND JURY FOUND AND/OR RECOMMENDED:</b>	<b>REQUIRED RESPONDENT</b>	<b>RESPONSES</b>
<b>R1.</b> By November 1, 2020, the Shasta County Board of Supervisors (BOS) shall direct the Shasta County Fire Department (SCFD) to develop an annually prioritized Fire Fuel Management (FFM) Plan listing the top FFM projects necessary to significantly reduce the expectation of another catastrophic fire.	Shasta County Fire Department	<p>The recommendation will not be implemented because it is not warranted or is not reasonable.</p> <p>The entire unincorporated area of Shasta County is State Responsibility Area (SRA) with the exception of a small stretch of the Churn Creek Bottom area. The prioritization and planning for fuel reduction in the SRA in Shasta County is the responsibility of the CAL FIRE Shasta-Trinity Unit (STU). The Shasta County Fire Department (SCFD) does not have jurisdictional responsibilities for fuel reduction in Shasta County.</p> <p>CAL FIRE is a suppression agency with fire prevention responsibilities. What differentiates CAL FIRE from the Federal Agencies is CAL FIRE is not a land manager. Federal Agencies manage public land and have full responsibility and authority to conduct fuel reduction under their guiding policies. However, CAL FIRE protects private land. In order to conduct fuel reduction projects on private landowner property, landowners have to be willing to participate in such activity by authorizing trespass authority to the State.</p>
<b>R2.</b> No later than December 31, 2020, the SCFD shall report progress of the FFM projects to the Shasta County BOS, and every quarter thereafter.	Shasta County Fire Department	<p>The recommendation will not be implemented because it is not warranted or is not reasonable.</p> <p>Because there is an existing contract between CAL FIRE SHU and Shasta County for CAL FIRE to administer the County Fire Department, the CAL FIRE SHU Unit Chief is also the SCFD Fire Chief and County Fire Warden. As such, the Chief regularly attends Shasta County Board of Supervisor meetings. It is commonplace for the Chief on behalf of CAL FIRE to make presentations to the board annually regarding updates and progress on fuel reduction projects that exist in Shasta County.</p>
<b>R9.</b> By November 1, 2020, the BOS shall direct the Shasta County Fire Department to include ongoing “in-perpetuity” maintenance of fire fuel management projects in the quarterly report.	Shasta County Fire Department	<p>The recommendation will not be implemented because it is not warranted or is not reasonable.</p> <p>The information is available in the CAL FIRE SHU Unit Fire Plan as part of the 2018 Strategic Fire Plan for California.</p>
<b>R12.</b> Beginning fiscal year 2021, the Shasta County Fire Department shall look into training and utilizing off-season volunteer fire department personnel for the purpose of Defensible Space Ordinance Enforcement Inspector activities. This can be funded through existing grants.	Shasta County Fire Department	<p>The recommendation will be not implemented because it is not warranted or is not reasonable.</p> <p>The responsibility for defensible space enforcement fall under CAL FIRE jurisdiction for the unincorporated areas of Shasta County. CAL FIRE SHU currently employs seasonal Defensible Space Inspec-</p>

		<p>tors annually. SCFD does not have off-season volunteer fire department personnel. All SCFD professional and volunteer fire department staff are utilized year around for the jurisdictional responsibility of improvement fires, traffic collisions, hazardous materials incidents and medical emergencies.</p>
<p><b>R14.</b> By December 31, 2020, the SCFD shall prepare and initiate a comprehensive public education process to increase awareness of fire prevention, defensible space and fire fuel management. The BOS shall make the public aware of the positive effects of the Defensible Space Ordinance. The BOS can utilize social media platforms, mass media and their existing website to accomplish this task.</p>	<p>Shasta County Fire Department</p>	<p>The recommendation will be partially instituted.</p> <p>CAL FIRE SHU currently provides an extensive public awareness program for fire prevention, defensible space and fire fuel management through their Fire Prevention office as well as the CAL FIRE Communications office.</p> <p>In October 2019, the Shasta County Board of Supervisors passed a Defensible Space Ordinance that furthers Public Resource Code 4291 by requiring clearance on vacant parcels under 5 acres as well as extending protections around structures to include neighboring land owners. The enforcement of this new ordinance is accomplished through the cooperative agreement with CAL FIRE SHU and their Defensible Space Inspectors.</p> <p>SCFD will begin reporting the statistics and overall effectiveness of the Shasta County Defensible Space Ordinance in the SCFD Annual Report. The SCFD will defer all decisions to report through social media platforms to the Shasta County Board of Supervisors.</p>

<b>Fire Fuel Management – “The Summer of Fire”</b>		
<b>THE 2019-2020 SHASTA COUNTY GRAND JURY FOUND AND/OR RECOMMENDED:</b>	<b>REQUIRED RESPONDENT</b>	<b>RESPONSES</b>
<b>R5.</b> By November 1, 2020, the three incorporated city councils within Shasta County shall direct their respective fire departments to develop an annually prioritized Fire Fuel Management (FFM) Plan listing the top FFM projects necessary to significantly reduce the potential of another catastrophic fire	Redding City Council	This recommendation will not be implemented. Annual work plans will continue to be developed through collaboration with Redding Electric Utility, the Redding Fire Department and the Community Services Department based on funding and resources available.
<b>R6.</b> By December 31, 2020, the three city fire departments in Shasta County shall report on the progress of the FFM priority projects to their respective city councils, and every quarter thereafter.	Redding City Council	This recommendation will not be implemented. Reports to the City Council will occur in conjunction with updates related to the Redding Electric Utility Wildfire Mitigation Plan.
<b>R7.</b> After receiving a progress report the city councils shall make the reports public through their normal reporting process, on their respective websites and social media platforms, prior to the next scheduled council meeting.	Redding City Council	This recommendation will not be implemented. Communication with the public will continue through the existing channels as has been done in recent months.
<b>R8.</b> By November 1, 2020, each city council shall direct their respective fire departments to report monthly on the progress of the funding efforts and the project completions. Funding shall be developed through reprioritizing existing work plans, cost allotments and grants.	Redding City Council	This recommendation will not be implemented. As noted above, reporting will continue as it has over the past two years and the funding will be identified during the biennial budget process.
<b>R15.</b> Beginning with the 2021 Spring Quarter and one week each year for ten years thereafter, in order to ease costs to private land owners, the City Councils of Redding, Anderson and Shasta Lake City, along with the Shasta County Board of Supervisors, shall implement an “Amnesty Day” plan to permit ‘no-or-low cost’ dumping of defensible space waste materials at each landfill located within each entity’s jurisdiction.	Redding City Council	This recommendation will not be implemented. The cost to administer this program is excessive and there is no effective way to ensure the waste material is associated with fire fuels reduction rather than normal yard maintenance. Additionally, the added expected waste will impact the City’s ability to meet regulatory diversion requirements and may cause fees to increase.

<b>Fire Fuel Management – “The Summer of Fire”</b>		
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<b>R5.</b> By November 1, 2020, the three incorporated city councils within Shasta County shall direct their respective fire departments to develop an annually prioritized Fire Fuel Management (FFM) Plan listing the top FFM projects necessary to significantly reduce the potential of another catastrophic fire.	Anderson City Council	Pursuant to Penal Code section 933.05(b)(4), the recommendation will not be implemented because it is not reasonable due to the fact that the Council has no authority over the Fire District.
<b>R7.</b> After receiving a progress report the city councils shall make the reports public through their normal reporting process, on their respective websites and social media platforms, prior to the next scheduled council meeting.	Anderson City Council	Pursuant to Penal Code section 933.05(b)(4), the recommendation will not be implemented because it is not reasonable due to the fact that the Council has no authority over the Fire District.
<b>R8.</b> By November 1, 2020, each city council shall direct their respective fire departments to report monthly on the progress of the funding efforts and the project completions. Funding shall be developed through reprioritizing existing work plans, cost allotments and grants.	Anderson City Council	Pursuant to Penal Code section 933.05(b)(4), the recommendation will not be implemented because it is not reasonable due to the fact that the Council has no authority over the Fire District.
<b>R15.</b> Beginning with the 2021 Spring Quarter and one week each year for ten years thereafter, in order to ease costs to private land owners, the City Councils of Redding, Anderson and Shasta Lake City, along with the Shasta County Board of Supervisors, shall implement an “Amnesty Day” plan to permit ‘no-or-low cost’ dumping of defensible space waste materials at each landfill located within each entity’s jurisdiction.	Anderson City Council	Pursuant to Penal Code section 933.05(b)(4), the recommendation requires further analysis because the landfill located within the City of Anderson is operated by a private company, and not the City, and discussions with that entity will need to occur before the recommendation could be implemented. The further analysis would be completed by no later than November 1, 2020.

<b>Fire Fuel Management – “The Summer of Fire”</b>		
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<b>R5.</b> By November 1, 2020, the three incorporated city councils within Shasta County shall direct their respective fire departments to develop an annually prioritized Fire Fuel Management (FFM) Plan listing the top FFM projects necessary to significantly reduce the potential of another catastrophic fire.	City of Shasta Lake City Council	The City of Shasta Lake was not contacted regarding the above entitled Shasta County Grand Jury Report prior to its issue. Additionally, the City of Shasta Lake does not have a City fire department. The fire protection for the City and surrounding area are within the jurisdiction of the Shasta Lake Fire Protection District which has a wholly separate board of directors.
<b>R7.</b> After receiving a progress report the city councils shall make the reports public through their normal reporting process, on their respective websites and social media platforms, prior to the next scheduled council meeting.	City of Shasta Lake City Council	The City of Shasta Lake was not contacted regarding the above entitled Shasta County Grand Jury Report prior to its issue. Additionally, the City of Shasta Lake does not have a City fire department. The fire protection for the City and surrounding area are within the jurisdiction of the Shasta Lake Fire Protection District which has a wholly separate board of directors.
<b>R8.</b> By November 1, 2020, each city council shall direct their respective fire departments to report monthly on the progress of the funding efforts and the project completions. Funding shall be developed through reprioritizing existing work plans, cost allotments and grants.	City of Shasta Lake City Council	The City of Shasta Lake was not contacted regarding the above entitled Shasta County Grand Jury Report prior to its issue. Additionally, the City of Shasta Lake does not have a City fire department. The fire protection for the City and surrounding area are within the jurisdiction of the Shasta Lake Fire Protection District which has a wholly separate board of directors.
<b>R15.</b> Beginning with the 2021 Spring Quarter and one week each year for ten years thereafter, in order to ease costs to private land owners, the City Councils of Redding, Anderson and Shasta Lake City, along with the Shasta County Board of Supervisors, shall implement an “Amnesty Day” plan to permit ‘no-or-low cost’ dumping of defensible space waste materials at each landfill located within each entity’s jurisdiction.	City of Shasta Lake City Council	The City of Shasta Lake was not contacted regarding the above entitled Shasta County Grand Jury Report prior to its issue. Additionally, the City of Shasta Lake does not have a City fire department. The fire protection for the City and surrounding area are within the jurisdiction of the Shasta Lake Fire Protection District which has a wholly separate board of directors.

<b>Shasta County Clerk / Elections – “Your Vote Counts”</b>		
<b>THE 2019-2020 SHASTA COUNTY GRAND JURY FOUND AND/OR RECOMMENDED:</b>	<b>REQUIRED RESPONDENT</b>	<b>RESPONSES</b>
<b>F1.</b> In years past, only a sworn verbal statement was required to establish citizenship and/or eligibility at the time of voter registration. This provided the potential of stacking votes in a given election in many different ways. In the modern era, use of the DMV Driver’s License or ID card, the last four digits of the Social Security number, and a long list of other recognized sources of valid identification allows the Shasta County Department of Elections to properly vet all new voter registrants.	Shasta County Clerk / Registrar of Voters	The Clerk appreciates the opportunity to respond and improve election administration in Shasta County.
<b>F2.</b> To assure current and accurate voter information, the voter registration records are updated continually. An inactive voter will eventually be removed from the active voter list, but this could take up to eight years (two presidential election cycles).	Shasta County Clerk / Registrar of Voters	The Clerk appreciates the opportunity to respond and improve election administration in Shasta County.
<b>F3.</b> A good percentage of voter registration as well as good voter turnout is attained in part by the Shasta County Elections Office providing the public with constant reminders (mailings, media, etc.) to register and to vote before each upcoming election.	Shasta County Clerk / Registrar of Voters	The Clerk appreciates the opportunity to respond and improve election administration in Shasta County.
<b>F4.</b> Shasta County has a good record of preventing voter irregularities (fraud) because of the various cross-checks in place, the updates of voter information and the diligence of the employees and volunteers involved.	Shasta County Clerk / Registrar of Voters	The Clerk appreciates the opportunity to respond and improve election administration in Shasta County.
<b>F5.</b> The Shasta County Department of Elections indicate that the problems initially experienced with the DMV-provided voter registrations have been essentially eliminated, but are still being monitored.	Shasta County Clerk / Registrar of Voters	The Clerk appreciates the opportunity to respond and improve election administration in Shasta County.
<b>F6.</b> Voting machine results are accurate because of the initial program checks, many data checks against known results, the security provided, and the multiple tabulations of votes on isolated servers which includes a random hand count.	Shasta County Clerk / Registrar of Voters	The Clerk appreciates the opportunity to respond and improve election administration in Shasta County.
<b>F7.</b> Polling operations and tabulation of election data are efficient and accurate partly because of the detailed training required and provided by the Shasta County Elections Department.	Shasta County Clerk / Registrar of Voters	The Clerk appreciates the opportunity to respond and improve election administration in Shasta County.
<b>F8.</b> Due to the extensive checking that is done, there are no known massive or pervasive voting irregularities in Shasta County. While fraudulent/extra votes are theoretically possible, they are few and have not caused problems or raised questions in any final tabulations.	Shasta County Clerk / Registrar of Voters	The Clerk appreciates the opportunity to respond and improve election administration in Shasta County.
<b>F9.</b> The entire vote tabulation process has been made very efficient by the personnel in the Elections Office due to their job dedication and a proactive approach to continual improvement.	Shasta County Clerk / Registrar of Voters	The Clerk appreciates the opportunity to respond and improve election administration in Shasta County.

<b>F10.</b> Errors in ballot measure titles and/or summaries, such as occurred with Measure A in the November 2019 election, can mislead voters, causing some to not vote the way they intend.	Shasta County Clerk / Registrar of Voters	The Clerk appreciates the opportunity to respond and improve election administration in Shasta County.
<b>R1.</b> The Shasta County Elections Office and poll workers shall continue to maintain diligence through every avenue available to them to prevent a non-citizen or ineligible citizen from registering to vote or from voting in an election.	Shasta County Clerk / Registrar of Voters	The Clerk and our office will continue to provide efficient, transparent election administration services to the voters and jurisdictions of Shasta County.
<b>R2.</b> Voter registration records are currently updated by the Shasta County Elections Office on a continuous basis. The Shasta County Elections Office shall continue to do so.	Shasta County Clerk / Registrar of Voters	The Clerk and our office will continue to provide efficient, transparent election administration services to the voters and jurisdictions of Shasta County.
<b>R3.</b> The Shasta County Elections Office should continue to inform and encourage eligible citizens to register and to vote.	Shasta County Clerk / Registrar of Voters	The Clerk and our office will continue to provide efficient, transparent election administration services to the voters and jurisdictions of Shasta County.
<b>R4.</b> The Shasta County Elections Office should continue its current procedures of voter fraud and election irregularities prevention.	Shasta County Clerk / Registrar of Voters	The Clerk and our office will continue to provide efficient, transparent election administration services to the voters and jurisdictions of Shasta County.
<b>R5.</b> The Shasta County Elections Office shall continue monitoring DMV voter registration until the types of errors experienced to date are eliminated. DMV registrations thereafter shall be vetted as are all other voter registrations.	Shasta County Clerk / Registrar of Voters	The Clerk and our office will continue to provide efficient, transparent election administration services to the voters and jurisdictions of Shasta County.
<b>R6.</b> The Shasta County Elections Office shall assure that all efforts to maintain completely accurate election results continue.	Shasta County Clerk / Registrar of Voters	The Clerk and our office will continue to provide efficient, transparent election administration services to the voters and jurisdictions of Shasta County.
<b>R7.</b> The Shasta County Elections Office shall continue its training program at its current level.	Shasta County Clerk / Registrar of Voters	The Clerk and our office will continue to provide efficient, transparent election administration services to the voters and jurisdictions of Shasta County.
<b>R8.</b> The Shasta County Elections Office shall continue to monitor and be alert for current and newly created types of voter fraud.	Shasta County Clerk / Registrar of Voters	The Clerk and our office will continue to provide efficient, transparent election administration services to the voters and jurisdictions of Shasta County.
<b>R9.</b> The Shasta County Elections Office shall continue to be proactive in foreseeing and solving problems in the voting and voting tabulation processes.	Shasta County Clerk / Registrar of Voters	The Clerk and our office will continue to provide efficient, transparent election administration services to the voters and jurisdictions of Shasta County.
<b>R10.</b> The Shasta County Elections Office shall assure that all election materials presented to the voters are absolutely correct.	Shasta County Clerk / Registrar of Voters	The Clerk and our office will continue to provide efficient, transparent election administration services to the voters and jurisdictions of Shasta County.

## DISCLAIMER

Reports issued by the Grand Jury do not identify individuals interviewed. Penal Code Section 929 requires that reports of the Grand Jury not contain the name of any person or facts leading to the identity of any person who provides information to the Grand Jury.

# WHEN RANK HAS ITS PRIVILEGES -or- ADDING FUEL DURING THE FIRE

## SUMMARY

The 2020-2021 Grand Jury received a complaint against a sitting member of the Shasta County Board of Supervisors. The scope of the complaint and the fact that the subject of the complaint was an elected official were significant. The Grand Jury formed an ad hoc committee to complete a thorough and detailed investigation into the complaint. To ensure an unbiased and independent counsel, the Grand Jury sought legal advice from the District Attorney's Office throughout the investigation. Based on the information provided to this grand jury it was determined that sufficient evidence existed to confirm that the complainant's concerns were warranted.

## GLOSSARY

**Malfeasance:** The doing of an act that is positively unlawful or wrong; or the performance of a wrongful act that the person has no legal right to do.

**Misfeasance:** The improper doing of an act that a person might lawfully do; or the performance of a duty or act that one ought or has a right to do, but in a manner so as to infringe upon the rights of others.

**Nonfeasance:** The failure to act where duty requires an act; or neglect or refusal, without sufficient cause or excuse, to do that which is the officer's legal duty to do, whether willfully or through malice; or willful neglect of duty.

**Misconduct:** To behave in an improper or unprofessional manner.

## BACKGROUND

The Carr Fire began on July 23, 2018 and was contained on August 30, 2018. It was the seventh largest fire in modern California history. During the course of the fire, eight lives were lost-

229, 651 acres burned and at least 1,604 structures, of which 1,077 were homes. Arguably this was one of the most devastating times in Shasta County history.

In addition to the loss of life and homes that occurred, there was an emotional toll inflicted upon the residents of Shasta County that still lingers today. For that reason, any report regarding the actions our local officials undertook during that event is a topic worthy of review.

During the Carr Fire, the public relied heavily on public safety professionals, local government and agency heads to continue upholding their oaths of office and put the needs of Shasta County first. Sadly, two public safety professionals gave their lives upholding their oaths, and several others lost their homes as they protected the homes of others.

Everyone who lived in the affected areas wanted to know the status of their homes, retrieve their belongings or start the process of accepting their losses. It was a difficult and chaotic time in which the agency heads were asked repeatedly for help. While many citizens were provided escorts to

their homes to pick up belongings, vehicles and medication, many were not able to get that same courtesy. Whether that was due to lack of available manpower able to accommodate all of the overwhelming requests or the fact that they did not have a law enforcement representative personally available to them is unquantifiable.

### **Government Ethics vs. Personal Morality**

The Grand Jury recognizes that human beings are imperfect. Misconduct, corruption, scandal, unethical behavior and just plain poor judgement are found in businesses, financial institutions, colleges, booster clubs, etc.

Name any enterprise or entity and there is likely a story to be found regarding an ethical breach of trust. Therefore, standards of ethical conduct have been well established in legal, medical, judicial, accounting, education, journalism and many other professions.

When examining ethics in government it is important to make a distinction between personal and public conduct.

Personal ethics exist to make people morally better and improve relationships.

Government ethics is not interested in the personal responsibility aspect of “being good,” rather it is centered upon the decision-making conflicts between public and private obligations.

## **METHODOLOGY**

Interviewed several people including law enforcement officers

Interviewed the Shasta County District 2 Supervisor

Frequent consultation with the Shasta County District Attorney’s Office

A review of all written correspondence

Review of California State Assembly Bill 1234

Review of Shasta County Board of Supervisors Policies and Procedures

## **DISCUSSION**

In the matter presented to this grand jury the fine line of personal morality and government ethics became intersected. As the grand jury has no purview to determine the scope of an elected official’s personal morality it was necessary to review the totality of the circumstance to determine if there had been a breach of governmental ethics.

In doing so it was established that the District 2 Supervisor for Shasta County had committed an act of misfeasance. By utilizing the authority of his position to gain a service not provided to his constituency and under the guise of performance of job duties, the supervisor was found to have “infringed upon the rights of others” by using county resources for personal benefit during a time of crisis.

This constitutes a breach of governmental ethics under California State Assembly Bill 1234 (AB#1234) Article 2 Training 5324: ...” *prohibitions against the use of public resources for personal or political purposes*”. This jury determined that the Board of Supervisors does not possess

a separate code of ethics that could be a companion to AB1234. The Board's policies instead follow state guidelines in regard to ethical conduct.

It is understandable that a Supervisor would tour the district in which they are responsible and that that supervisor's home would be of interest during those tours. However, there were multiple escorts that were determined to be primarily in the supervisor's neighborhood.

Prior to those tours the District 2 Supervisor did intentionally load fuel into a county vehicle with the expressed purpose of fueling the generator at his home. It could be stated that anyone who had similar access to the restricted area might choose to attend to matters at their own home. However, an elected official is held to a higher standard than the average citizen and thus their actions are scrutinized more closely.

Additionally, there is a perception expressed by departmental heads that if there is an opportunity to assist an official whose voting rights might affect their budget either positively or negatively, they are compelled to extend professional courtesies. However, extending that courtesy repeatedly for one individual takes their time away from their duties and that impacts the citizens they serve.

## **CONCLUSION**

The jury has concluded that the District 2 Supervisor did utilize the professional courtesy extended to him in an attempt to forestall loss of his personal perishable food items during the Carr Fire.

That does not negate the fact that he did take additional tours of his district and make his constituency aware of the status of their homes.

However, the District 2 Supervisor took advantage of the situation under the auspices of conducting the business for which he was elected. While the jury determined that no laws were broken and proper escorts were provided, the act of bringing fuel on multiple occasions is a clear indicator that the intent of the tours of the district, on those days, was to fuel the supervisor's personal generator.

## **FINDINGS**

- F1. During the 2018 Carr fire evacuations the Supervisor of District 2 of Shasta County used the authority of his office to enter the evacuated area and then fuel his personal home generator multiple times for personal gain.
- F2. Review by the SCGJ finds that this activity is prohibited by **California State Assembly Bill 1234**.

## **RECOMMENDATIONS**

- R1. The Shasta County Board of Supervisors will place on their agenda by October 15, 2021, a motion to publicly censure the Supervisor of District 2 for actions taken during the 2018 Carr Fire.
- R2. The Shasta County Board of Supervisors by October 15, 2021 will offer the Supervisor of District 2 an opportunity to publicly apologize for his actions.

**REQUIRED RESPONSES**

Pursuant to Penal Code sections 933 and 933.05, the grand jury requests responses as follows:

- R1 and R2: Shasta County Board of Supervisors by October 1, 2021.

**BIBLIOGRAPHY**

**California State Assembly Bill 1234, Article 2.4. Ethics Training 53234.**

For the purposes of this article, the following terms have the following meanings:

- (a) “Legislative body” has the same meaning as specified in Section 54952.
- (b) “Local agency” means a city, county, city and county, charter city, charter county, charter city and county, or special district.
- (c) “Local agency official” means the following:
  - (1) Any member of a local agency legislative body or any elected local agency official who receives any type of compensation, salary, or stipend or reimbursement for actual and necessary expenses incurred in the performance of official duties.
  - (2) Any employee designated by a local agency legislative body to receive the training specified under this article.
- (d) “Ethics laws” include, but are not limited to, the following:
  - (1) Laws relating to personal financial gain by public servants, including, but not limited to, laws prohibiting bribery and conflict-of-interest laws.
  - (2) Laws relating to claiming prerequisites of office, including, but not limited to, gift and travel restrictions, prohibitions against the use of public resources for personal or political purposes, prohibitions against gifts of public funds, mass mailing restrictions, and prohibitions against acceptance of free or discounted transportation by transportation companies.
  - (3) Government transparency laws, including, but not limited to, financial interest disclosure requirements and open government laws.
  - (4) Laws relating to fair processes, including, but not limited to, common law bias prohibitions, due process requirements, incompatible offices, competitive bidding requirements for public contracts, and disqualification from participating in decisions affecting family members.

SHASTA COUNTY Board of Supervisors Policies and Procedures

**DISCLAIMER**

Reports issued by the Grand Jury do not identify individuals interviewed. Penal Code section 929 requires that reports of the Grand Jury not contain the name of any person or facts leading to the identity of any person who provides information to the Grand Jury.

When there is a perception of a conflict of interest involving a member of the Grand Jury, that member has been required to recuse from any aspect of the investigation involving such a conflict and from voting on the acceptance of or rejection of that report. Two members of the Grand Jury were recused from this report.



Superior Court of California  
County of Shasta

MONIQUE D. McKEE  
Presiding Judge

ADAM B. RYAN  
Asst. Presiding Judge

June 14, 2021

Joe Chimenti, Chair  
Board of Supervisors  
County of Shasta  
1450 Court St., Suite 308B  
Redding, CA 96001-1680

Re: Grand Jury Report re "When Rank has its Privileges, or Adding Fuel During the Fire"

Dear Mr. Chimenti:

This is to acknowledge receipt of your response dated June 8, 2021, to the 2020-2021 Grand Jury report regarding "When Rank has its Privileges, or Adding Fuel During the Fire".

I would like to thank you for your response to the Grand Jury Report. Pursuant to the provisions of Penal Code §933, I shall transmit your response to the Office of the County Clerk to be maintained on file there. An additional copy shall be provided to the Clerk of the Court also to be maintained on file.

Thank you again for your response.

Sincerely,

A handwritten signature in cursive script that reads "Monique McKee".

Monique D. McKee  
Presiding Judge

cc: Office of the County Clerk (original response)  
Melissa Fowler-Bradley, Clerk of the Court (for Admin file)  
Grand Jury



# Shasta County

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June 8, 2021

The Honorable Monique McKee  
Presiding Judge, Shasta County Superior Court  
1500 Court St., Rm. 205  
Redding, CA 96001

Dear Judge McKee:

**Re: Response of the Board of Supervisors to the Grand Jury Report, "When Rank Has Its Privileges, or Adding Fuel During the Fire."**

The Shasta County Board of Supervisors appreciates the time and dedication which the Fiscal Year (FY) 2020-21 Grand Jurors contributed to their charge. The following findings and recommendations are under serious consideration and discussions are being held regarding solutions to any unresolved problems.

## FINDINGS

*F1. During the 2018 Carr fire [sic] evacuations the Supervisor of District 2 of Shasta County used the authority of his office to enter the evacuated area and fuel his personal home generator multiple times for personal gain.*

*Response:* The Board of Supervisors agrees with the finding.

*F2. Review by the SCGJ finds that this activity is prohibited by California State Assembly Bill No. 1234.*

*Response:* The Board of Supervisors disagrees partially with this finding. AB 1234 establishes a requirement that certain public officials complete two hours of training in general ethics principles every two years, and there was no finding by the Grand Jury that the Supervisor of District 2 of Shasta County failed to complete such training. In addition, the Grand Jury expressly found that "no laws were broken." The Board of Supervisors agrees with the Grand Jury that there is a general governmental ethics principle, as noted in AB 1234, prohibiting the use of public resources for personal purposes, and that the District 2 Supervisor's conduct is a breach of that general principle.

**RECOMMENDATIONS**

***R1. The Shasta County Board of Supervisors will place on their agenda by October 15, 2021, a motion to publicly censure the Supervisor of District 2 for actions taken during the 2018 Carr Fire.***

***Response:*** The recommendation has been implemented. A resolution of censure against the Supervisor of District 2 was adopted by a majority of the Board of Supervisors on June 8, 2021.

***R2. The Shasta County Board of Supervisors by October 15, 2021, will offer the Supervisor of District 2 an opportunity to publicly apologize for his actions.***

***Response:*** The recommendation has been implemented. On June 8, 2021, a resolution was adopted by a majority of the Board of Supervisors offering this opportunity to the Supervisor of District 2.

This concludes the responses of the Shasta County Board of Supervisors to the FY 2020-2021 Grand Jury Report, "When Rank Has Its Privileges, or Adding Fuel During the Fire."

Sincerely,



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JOE CHIMENTI, CHAIR  
Board of Supervisors  
County of Shasta



## **ANDERSON UNION HIGH SCHOOL DISTRICT TEACHING CURRENT AND FUTURE LEADERS**

### **SUMMARY**

The 2020-2021 Shasta County Grand Jury (SCGJ) inquired into the Anderson Union High School District (AUHSD) in response to a citizen's complaint. The complaint alleged salary discrepancies within the AUHSD. The complaint, with the person's name redacted, and the SCGJ's initial inquiry were forwarded to the District Attorney's (DA) office for legal counsel. The Shasta County DA's Office advised that the topic was within the purview of the grand jury and was not a matter the DA's Office believed warranted criminal prosecution. This investigation determined although salary issues had occurred, they have since been addressed. However, additional issues were discovered resulting in recommendations for operational improvement of the AUHSD.

### **BACKGROUND**

The AUHSD was created on July 1, 1909, and a new high school was built on the current location in 1918. Currently AUHSD consists of six schools and approximately 1,800 students. The schools in the district are Anderson Union High, West Valley High, Anderson New Tech High (a public charter school), North Valley High (a continuation school), Oakview High (an independent study or home school), and Anderson Adult School. AUHSD also provides instruction at the Shasta County Jail for inmates who wish to continue their high school education.

### **METHODOLOGY**

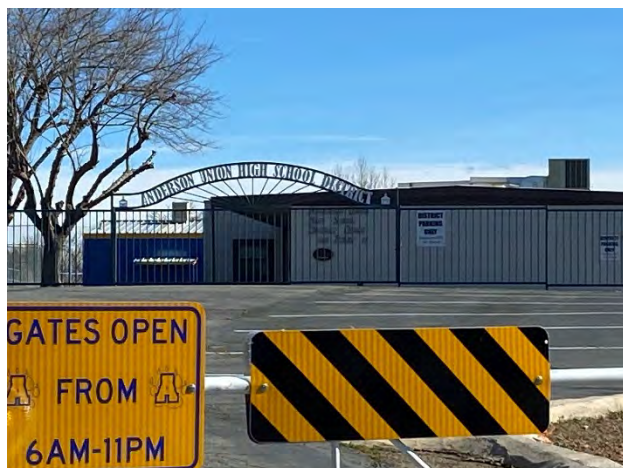
During the course of this investigation, this jury interviewed past and present administrative personnel from the AUHSD. In addition to interviews, this jury reviewed the Brown Act, the AUHSD Bylaws, and ten years of AUHSD Board meeting minutes and AUHSD public meeting agendas.

### **DISCUSSION**

An AUHSD employee was terminated by the AUHSD Board of Trustees (the Board) in a Board meeting closed session. The Board did not make public its action; therefore, the termination

became null and void. The Superintendent at the time transferred the employee to a vacancy at a different location. The position was a lower salaried position however, the employee was still paid their current higher salary per Ed Code 44951. After the first year the salary should have been reduced. The reduction was not implemented, and the person continued to receive the higher salary for another seven years. The problem was resolved when the person accepted a new position, and their salary was adjusted to that of the new position.

During the course of its investigation, this jury discovered several Brown Act issues. The Board meeting agendas must be posted in an easily accessible vantage point that is “freely accessible to members of the public and on the local agency’s Internet Web site, if the local agency has one.” (Government Code section 54954.2). Access to the agenda must meet Americans with Disabilities Act (ADA) guidelines. The AUHSD ordinarily places its public meeting agendas on display in a window at the AUHSD office. However, the office is behind two gates that are locked after hours. The Brown Act states that it prefers the agenda be posted on the building in which the meeting is to be held when possible. In this case, that would mean that agendas should be posted at the Anderson Union High School library. However, access to the library is difficult due to the school having a closed campus.



The Brown Act states if there is a web site, which AUHSD has, there needs to be a “prominent” link to the board meeting agenda. As of the date of this Report, the AUHSD’s website was configured that a person clicks on a link for the “Board of Trustees”. The agenda can be found amongst other menus. The Board meeting event link on the AUHSD home page takes you to a calendar. The Brown Act requires the link lead directly to the agenda. Shasta Union High School District does a direct event link in this manner.

California Government Code section 54954.2(a)(2)(B) requires all current online agenda postings to be:

- Retrievable, downloadable, indexable, and electronically searchable by commonly used Internet search applications.
- Platform independent and machine readable
- Available to the public free of charge and 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).

In attending recent Board meetings and reviewing the previous ten years of minutes, the grand jury found the Board has been inconsistent in reporting on closed session action agenda items. This jury found that there are usually multiple action agenda items, yet the Board President states “nothing to report” or skips over the reporting process altogether. Government Code 54957.1.a states, the legislative body of any local agency shall publicly report any action taken in closed session and the vote or abstention on that action of every member present. Reporting these closed sessions properly complies with the Brown Act and increases trust and transparency for the citizens of the district.

Violations of the Brown Act can lead to invalidation of an agency’s action, payment of a challenger’s attorney fees, public embarrassment, or even criminal prosecution. The Brown Act is a floor, not a ceiling for conduct of public officials. The Brown Act provides a guideline of minimum requirements and responsibilities held by the Board.

AUHSD does not have an established training program for new Trustees. It’s a sink or swim situation. Even Trustees that have been around for a few terms could use training to keep up with changing laws and procedures. A school district as large as AUHSD should have a training program for Trustees, Superintendents and administrative personnel. If not offered in-house, then outsourcing of training should be made available for sending everyone to an established training program. This training should include but not be limited to: Brown Act, Roberts Rules, Education Code, AUHSD Bylaws, and accurate completion of “Form 700”.

AUHSD is fortunate that the current Superintendent accepted the position to run the school district. He has improved the Board’s performance through training and support. He is cleaning up issues from the past, and is facing new issues head on, the pandemic being the biggest.

## **FINDINGS**

- F1. AUHSD meeting agendas are not continuously available for 72 hours prior to Board meetings as required by the Brown Act. On nights and weekends, gates to the campus and district office are closed and locked preventing public access to meeting agendas and minutes, effectively hindering public access for review.
- F2. The lack of a “prominent” clickable button on the AUHSD website home page does not meet Brown Act requirements and makes finding Board meetings and agendas cumbersome for the general public. This could potentially hinder public access to Board meeting information.
- F3. When AUHSD Trustees conduct business during closed session, accurate reporting of closed sessions during the public session ensures transparency, increases public confidence in trustee activity, and meets Brown Act requirements.
- F4. AUHSD has little organized training opportunities for Trustees. Limited training is available for trustees who wish to participate. The lack of an organized training protocol results in inefficiency.

F5. The 2020-2021 SCGJ has found that the current Superintendent is doing a good job of efficiently operating and providing leadership for the AUHSD. The Superintendent's performance is admirable given the current challenges.

## RECOMMENDATIONS

- R1. In order for the AUHSD to address and correct the meeting agenda problem specified in Finding 1, the AUHSD should post agendas on a lighted front door or administration office door that is ADA accessible. The AUHSD may elect to build or buy a lighted kiosk to make the agenda accessible at any time. The jury believes that posting the agenda on the front door of every AUHSD school would also be a good practice.
- R2. The Superintendent should address and correct the website shortcoming described in Finding 2 by October 31, 2021, by adding an easily identifiable direct link or button on the AUHSD homepage to the "Board of Trustees Meeting Agenda."
- R3. The AUHSD Board President should review reporting requirements and follow those guidelines when reporting closed session items during the public portion of Board meetings. This will help improve the public trust in the Board.
- R4. By January 1, 2022, the AUHSD Superintendent should identify and implement a comprehensive training program to establish training for Trustees and administrative personnel. Topics should include but are not limited to: Brown Act requirements, district operation, collegiality, computer skills, Form 700 conflict of interest, AUHSD Board Bylaws, and effective media relations.

## RESPONSES

Pursuant to Penal Code sections 933 and 933.05, this grand jury requests responses as follows:

From the following governing body (within 90 days)

- The AUHSD Board of Trustees: F1, F2, F3, F4, F5 and R1, R2, R3, R4

Invited response from the following: (within 60 days)

- The AUHSD Superintendent: F1 through F5 and R1 through R4

## DISCLAIMER

When there is a perception of a conflict of interest involving a member of a grand jury, that member is required to recuse from any aspect of an investigation involving such a conflict and from voting on the acceptance or rejection of a report. One member of the 2020-2021 SCGJ was recused from this investigation and report.

Reports issued by a grand jury do not identify individuals interviewed. Penal Code Section 929 requires that reports of a grand jury not contain the names of any person or facts leading to the identity of any persons who provide information to a grand jury.



Superior Court of California  
County of Shasta

MONIQUE D. McKEE  
Presiding Judge

ADAM B. RYAN  
Asst. Presiding Judge

September 28, 2021

Victor Hopper, Superintendent  
Anderson Union High School District  
1469 Ferry St.  
Anderson, CA 96007

Re: Grand Jury Report "Teaching Current and Future Leaders"

Dear Mr. Hopper:

This is to acknowledge receipt of your response dated August 17, 2021, to the 2020-2021 Grand Jury report regarding "Teaching Current and Future Leaders".

I would like to thank you for your response to the Grand Jury Report. Pursuant to the provisions of Penal Code §933, I shall transmit your response to the Office of the County Clerk to be maintained on file there. An additional copy shall be provided to the Clerk of the Court also to be maintained on file.

Thank you again for your response.

Sincerely,

A handwritten signature in cursive script that reads "Monique McKee".

Monique D. McKee  
Presiding Judge

cc: Office of the County Clerk (original response)  
Melissa Fowler-Bradley, Clerk of the Court (for Admin file)  
Grand Jury



# Anderson Union High School District

1469 Ferry St., Anderson, CA 96007 ~ (530) 378-0568 ~ FAX (530) 378-0834

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Victor Hopper, Superintendent

August 17, 2021

The Honorable Monique McKee  
Presiding judge, Shasta County Superior Court  
1500 Court Street, Room 205  
Redding, CA 96001

Dear Judge McKee:

The Anderson Union High School District ("District") would like to thank the Grand Jury for all of their hard work and dedication, as well as the courtesy and professionalism shown in completing their work. As required under Penal Code Section 933.05, the District and Superintendent Hopper would like to offer the following response to the report titled, "Teaching Current and Future Leaders" (the "Report"):

### **Finding F1:**

AUHSD meeting agendas are not continuously available for 72 hours prior to Board meetings as required by the Brown Act. On nights and weekends, gates to the campus and district office are closed and locked preventing public access to meeting agendas and minutes, effectively hindering public access for review.

### **Recommendation 1:**

In order for the AUHSD to address and correct the meeting agenda problem specified in Finding 1, the AUHSD should post agendas on a lighted front door or administration office door that is ADA accessible. The AUHSD may elect to build or buy a lighted kiosk to make the agenda accessible at any time. The jury believes that posting the agenda on the front door of every AUHSD school would also be a good practice.

### **Response:**

The District agrees with the finding and has corrected this finding. Board Agendas are now posted at the Anderson Technology Department building on Olinda Road, Anderson, CA 96007. This facility is well-lit in the evenings and accessible 24/7.

**Finding F2:**

The lack of a "prominent" clickable button on the AUHSD website home page does not meet Brown Act requirements and makes finding Board meetings and agendas cumbersome for the general public. This could potentially hinder public access to Board meeting information.

**Recommendation 2.**

The Superintendent should address and correct the website shortcoming described in Finding 2 by October 31, 2021, by adding an easily identifiable direct link or button on the AUHSD homepage to the "Board of Trustees Meeting Agenda."

**Response:**

Despite the disagreement listed above, the District will add an upfront direct link next to the "Board of Trustees" link that says "Current Board of Trustees Meeting Agenda" by the date requested.

**Finding F3:**

When AUHSD Trustees conduct business during closed session, accurate reporting of closed sessions during the public session ensures transparency, increases public confidence in trustee activity, and meets Brown Act requirements.

**Recommendation 3:**

The AUHSD Board President should review reporting requirements and follow those guidelines when reporting closed session items during the public portion of Board meetings. This will help improve the public trust in the Board.

**Response:**

Finding #3 does not state a particular shortcoming of the District's Brown Act compliance, but to the extent the finding implies a lack of compliance with closed session reporting rules, the District disagrees wholly with the finding. AUHSD trustees follow Brown Act protocols when reporting out of closed session: a) if the Board took action, the Board president reports in open session the disposition of the action taken b) We note that "Non-action items, such as obtaining direction from the legislative body, regardless of whether a vote is taken on that direction, need not be reported out." (Lozano Smith Brown Act Handbook, 2021, p.26) To explain: Government Code section 54957.1 is cited in the grand jury report but the report only lists the portion of the statute that says a legislative body shall report "any action taken." However, this is not the sum of what section 54957.1 requires. Crucially, not all actions taken are required to be reported, nor should they for confidentiality reasons. Only the specific categories of actions listed in section 54957.1 are reported out. For example, section 54957.1 only requires reporting of "Action taken to appoint, employ, dismiss, accept the resignation of, or otherwise affect the employment status of a public employee in closed session ..." It would be inappropriate for confidentiality reasons to detail closed session discussions

or direction given on private personnel matters that do not rise to the level of action that affects employment status. Section 54957.1 goes on to list a similar narrow category of reports that are made from closed session for items such as real property negotiations, conferences with legal counsel, and so on.

The report states that “years” of agendas were reviewed and expresses concern that no action is reported out in some cases. Because the report does not identify any particular action that was taken in closed session that should have been reported out, the District is unable to examine any particular scenario and assess compliance. We note, however, that it is common and lawful to have discussion and for boards to give direction in closed session, but to still have no reportable action. We have reviewed our practices and are confident that required reports are made, that staff and board members are knowledgeable about the required reports, and that assistance of legal counsel is used when needed to ensure Brown Act compliance.

**Response:** This has already been implemented, as Board members do regularly review the Brown Act, and the Board President has reviewed the closed session reporting requirements. Staff and the Board as a whole endeavor to ensure compliance with the reporting rules and we have not identified any situations where reports are lacking. The District appreciates the recommendation and agrees that Brown Act compliance is a critical component of government transparency.

**Finding F4:**

AUHSD has little organized training opportunities for trustees. Limited training is available for trustees who wish to participate. The lack of an organized training protocol results in inefficiency.

**Recommendation 4:**

By January 1, 2022, the AUHSD Superintendent should identify and implement a comprehensive training program to establish training for Trustees and administrative personnel. Topics should include but are not limited to: Brown Act requirements, district operation, collegiality, computer skills, Form 700 conflict of interest, AUHSD Board Bylaws, and effective media relations.

**Response:**

Respectfully, this recommendation delves into substantive policy determinations about particular subjects of training selected for officers of the District, rather than reporting on the procedural or operational aspects of school district business. (An excellent discussion of the Attorney General’s viewpoint on the scope of grand jury review of school district operations can be found at 78 Ops. Cal. Atty. Gen. 290 (1995).) We respectfully believe that while a recommendation for increased training is appropriate, the topics listed are sensitive policy decisions for the school board and its administration to make, especially given that the topics listed cover a wide range of subject matter

areas, many unrelated to the substance of this report. The District will partially implement the recommendation by (1) recommending Brown Act training for its board members in the 2021-22 school year, and (2) continuing its ongoing practice of offering other training opportunities on current topics to Board members.

**Finding 5:**

The 2020-2021 SCGJ has found that the current Superintendent is doing a good job of efficiently operating and providing leadership for the AUHSD. The Superintendent's performance is admirable given the current challenges.

**Response:**

The Board agrees with the finding and thanks the grand jury for acknowledging the positive efforts and accomplishments of our Superintendent. We appreciate the encouragement during these difficult times as we endeavor to keep our students, staff, and community safe during the ongoing coronavirus pandemic.

# INVESTIGATION OF CITY OF REDDING: CODE ENFORCEMENT

## SUMMARY

The 2020-2021 Shasta County Grand Jury (SCGJ) chose to investigate the operations of the City of Redding Code Enforcement Division. The Code Enforcement Division is responsible for enforcement and compliance of a variety of municipal codes. Code Enforcement works under the City Attorney's Office, and coordinates with the Redding Police Department's Neighborhood Police Unit, Community Work Program Officers, and community volunteer groups.

## BACKGROUND

Code Enforcement was reviewed by the SCGJ in 2017-2018. A copy of that report is available at [shastacountygrandjury.ca.shasta.co.us](http://shastacountygrandjury.ca.shasta.co.us).

## METHODOLOGY

The jury interviewed a Code Enforcement employee and an employee involved with supervision of Code Enforcement from the City Attorney's office. SCGJ also interviewed a City of Redding Employee concerning Code Enforcement. The jury reviewed the 20+ complaint forms for the Code Enforcement Division.

## DISCUSSION

The SCGJ has determined since 2017 the Code Enforcement Division has made improvements to provide the safety of the citizens of Redding. Vacant homes, trash, waste hazards, and home vegetation compliance are just a few significant issues reported to Code Enforcement. The City of Redding provides a website where citizens can submit complaints online and remain anonymous. Complaints may also be filed at Redding City Hall. When complaint forms are received they become the responsibility of the Code Enforcement Division, now under the supervision of the Redding City Attorney. A tracking number is assigned, prioritized and assigned for investigation. Often complaints are resolved without citations being issued, thus saving the cost of court time.

During the investigation, the SCGJ found Redding's Code Enforcement Division had approximately five hundred cases open for investigation. In 2021, the division added two new code enforcement officers bringing the total staff level to five. The newest officers will focus on marijuana dispensaries and compliance regulations.

## CONCLUSION

The 2020-2021 SCGJ would like to commend Redding's Code Enforcement Division for working together with law enforcement to provide a safer living environment for the citizens of Redding.

**FINDINGS**

F1. The 2020-2021 SCGJ has determined Redding’s Code Enforcement Division has shown substantial improvement in operations since the last SCGJ review, which provides better safety and living conditions for the citizens of Redding.

**RECOMMENDATIONS** - None

**REQUIRED RESPONSES** - None

**DISCLAIMER**

Reports issued by the Grand Jury do not identify individuals interviewed. Penal Code section 929 requires that reports of the Grand Jury not contain the name of any person or facts leading to the identity of any person who provides information to the Grand Jury.

When there is a perception of a conflict of interest involving a member of the Grand Jury, that member has been required to recuse from any aspect of the investigation involving such a conflict and from voting on the acceptance of or rejection of that report. No members of the Grand Jury were recused from this report.

# WHO IS HELPING THE HELPERS?

## SHASCOM 9-1-1 Investigation Report 2020-2021 SHASTA COUNTY GRAND JURY

### INTRODUCTION

Whether a 9-1-1 call is for a fall victim, an automobile accident, a gunshot wound or a wildfire racing through the forest/urban interface, clear communication and precise details combined with informed dispatching of first responders often can mean the difference between life or death.

During the last 26 years, seven Shasta County Grand Juries investigated Shasta Area Safety Communications Agency (SHASCOM). A summary of those investigative reports is available on the *ShastaCountyGrandJury.org* website.

An eighth investigation undertaken by the 2020-2021 Shasta County Grand Jury (SCGJ) determined five recommendations previously agreed to by SHASCOM's Board of Directors remain undone. The investigation did find progress made in two areas worthy of note.

Following seven years of increased attrition of highly trained dispatch personnel growing tired of working 90 or more hours of overtime month after month, year after year, a change in attitude towards recruitment, hiring, training and retention brought about by a 2019 change in agency management is showing promise.

In 2020, a dozen new hires started an 18-month-long training program. Ten of those new hires successfully learned to take calls, follow protocols for assessing needs and master specialized knowledge needed to dispatch necessary personnel and equipment to a precise location.

The investigation found SHASCOM dispatchers deal with a myriad of software glitches, unresolved problems and incomplete data bases promised by the supplier of a Computer-Aided Dispatch (CAD) system purchased in 2018. Until the CAD system is working properly, these issues place citizens and first responders at undue risk with additional stress on dispatchers.



**SUMMARY**

During the course of its investigation, the 2020-2021 SCGJ determined SHASCOM’s governing board fell short in fulfilling obligations agreed to in 2019. Further, the investigation found SHASCOM’s Board of Directors is not in compliance with the Ralph M. Brown Act for transparency as a local government entity. They did not adequately notice board meetings nor did they maintain public documents and provide reports as required under California’s open meetings law. In short, the investigation found SHASCOM’s Board of Directors operate with little oversight other than the SCGJ. Despite finding some recent improvements, the governing board’s approach to management of the dispatch facility is delayed and reactive only.

**BACKGROUND**

SHASCOM is the conduit for communications between first responders and the public. The agency remains a critical communication link to ensure public safety. Many citizens of Shasta County don’t think about this service. They take for granted it will always be there in a time of need. Not many know how the service works or how best to use it. In an emergency, most might wish they knew more.

SHASCOM was created in 1990 through a Joint Powers Agreement (JPA) between the County of Shasta and the City of Redding. The City of Anderson Police Department was added under a revised JPA in 2012.



*Photo courtesy of SHASCOM — A Public Safety Dispatcher II wears SHASCOM’s new uniform shirt with badge.*

During 2020, SHASCOM’s dispatchers handled 220,264 calls including 9-1-1 calls and text messages. They also issued emergency notification alerts to the public via land-line or cell phone and provided emergency dispatch and communication for the Shasta County Sheriff’s Office, City of Redding Police Department, City of Redding Fire Department, City of Anderson Police Department and three medical service or ambulance companies in Shasta County.

### **Mutual Aid**

The California Department of Forestry and Fire Protection (CAL FIRE/Shasta County Fire) provide services for fire and medical related emergencies in unincorporated areas of the county. They are dispatched through the CAL FIRE Emergency Communications Center (ECC).

Some unincorporated areas rely on the ECC for dispatch of ambulance services for medical needs. When 9-1-1 calls originate in one of these unincorporated areas, the initial call is received by SHASCOM and then linked or transferred to the proper ECC.

The California Highway Patrol (CHP) operates its own dispatch center for road-related accidents and issues, primarily providing traffic related law enforcement services on county roads, state highways and interstates. Calls made to 9-1-1 from a cell phone located on or near major interstate highways are often received first by CHP dispatch, then transferred to SHASCOM if the caller does not have a traffic related emergency.

### **Agency Staffing**

As of July 2020, SHASCOM was budgeted for 45 full-time positions:

- Interim Director — on two-year loan from Redding Police Department
- Operations Manager
- Administration Manager
- Systems Administrator
- Administrative Assistant
- 5 Supervising Public Safety Dispatcher (PSD) — (2 positions are vacant)
- 11 PSD I — (2 positions are vacant)
- 24 PSD II — (1 position is vacant, 2 are retiring soon)

### **Agency Oversight**

SHASCOM is overseen by a five-member governing board including the City Managers of Redding and Anderson, the County Executive Officer for Shasta County, the Shasta County Sheriff and a fifth member alternating between Redding’s Police Chief and Redding’s Fire Chief. Board meetings are scheduled bimonthly February through November and are open to the public.

## **METHODOLOGY**

To begin, members of the 2020-2021 SCGJ read through the 2018-2019 SCGJ’s published report on SHASCOM as well as previous SCGJ reports on the same agency published in 1996, 2004, 2006, 2008 and 2010. Four grand jurors attended, via teleconference, the SHASCOM Board of Directors meeting on January 12, 2021 after reviewing agendas and minutes from six previous Board meetings.

Research documents and reports reviewed during the investigation are found in a **Reference List** at the end of this report.

### **Interviews conducted**

Multiple SHASCOM employees and agency overseers

### **Site Visit**

Due to the COVID-19 pandemic, health and safety guidelines were put in place to protect the staff at SHASCOM including not allowing visitors inside the call center. This guideline was not lifted before the completion of this report. A physical tour is often necessary to provide a better perspective of working conditions, evidence of facility maintenance and equipment efficacy. Lack of a tour did not impede the grand jury's ability to complete its report.

## **DISCUSSION**

This investigation was initiated primarily to determine whether SHASCOM's governing board complied with agreed upon recommendations contained in the 2018-2019 SCGJ report. In fulfilling its local government watchdog role, this investigation also included checks on the governing board's compliance with California's open meetings law.

### **California's Open Meetings Law**

SHASCOM is a local governmental agency and subject to rules and regulations set forth in the Ralph M. Brown Act, California's open meetings law. The Brown Act requires all regular or special meetings of Shascom's Board of Directors be open to the public and properly noticed. Regular meeting agendas must be posted on the agency's website and in a conspicuous place accessible to the general public at least 72 hours in advance of the stated meeting date and time. Historically, the traditional location for such notices is a bulletin board outside of the agency's main building where employees and the public can find them posted. Special meetings require at least 24 hours' notice and agendas must be similarly posted.

The Brown Act was last amended in 2016 under Assembly Bill No. 2257, affecting all local government meetings held after Jan. 1, 2019. When the COVID-19 pandemic took hold, California's Governor altered some, but not all, of the notification requirements for teleconferenced meetings.

When SHASCOM's Board of Directors regular meeting for January 12, 2021, was announced on the agency's website, two 2020-2021 SCGJ members visited the bulletin board outside the gated and locked parking lot adjacent to SHASCOM's call center. The bulletin board is traditionally and customarily where meeting agendas are posted. Evidence of this practice was an agenda for the governing board's November meeting still in prominent display at the location. However, for each of the three days (72 hours) prior to the Board's January 12 meeting, the only agenda found on the bulletin board was for the November 2020 meeting.

The 2020-2021 SCGJ therefore concludes, in at least this instance, SHASCOM Board of Directors or its assignees were negligent and did not post an agenda in a publicly accessible location for the January 2021 meeting as required by the Brown Act.

## Recruitment Efforts

An effective way to fill vacancies in any business or government office is with an aggressive recruiting plan. SHASCOM was notably deficient in this regard, according to the Findings and Recommendations published by the 2018-2019 SCGJ. SHASCOM's Directors agreed with this Finding when they concurred with the 2018-2019 SCGJ's recommendation to require the agency's Director to provide quarterly reports on recruitment efforts and outcomes beginning in January of 2020.

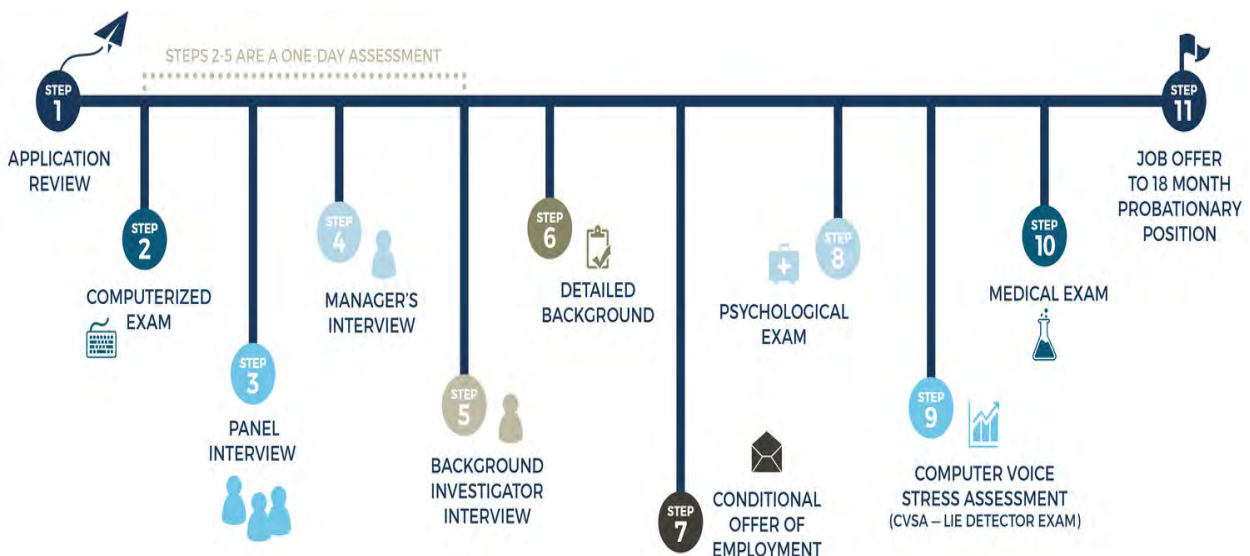
However, the agency's then-Director resigned in September 2019 and an Interim Director on loan from Redding Police Department started early in October the same year.

The 2020-2021 SCGJ investigation revealed the Interim Director quickly set up employee teams to deal with morale, retention, recruitment and other issues after meeting one-on-one with all personnel. Social media including FaceBook, Linked-In and Twitter were successfully used to augment the agency's previous sole-reliance for recruitment on Craig's List. Employee teams also staffed booths at job fairs and Career Day events at Shasta College and interested high schools until health precautions prompted by the worldwide pandemic of COVID-19 abruptly halted those efforts, the 2020-2021 SCGJ learned.

During 2020, a dozen applicants successfully made it through the agency's stringent background checks, a battery of aptitude and skills tests and hiring interviews to begin an 18-month training program leading to qualification as a Public Safety Dispatcher (PSD) I. According to a year-end report delivered at the January board meeting, ten of those dozen trainees made it through and are still employed at SHASCOM.

After completing its investigation, the 2020-2021 Shasta County Grand Jury concluded the Interim Director and agency employee teams are successful in their recruitment efforts. They reported those efforts at every SHASCOM board meeting held in 2020 as well as a year-end PowerPoint report in January of 2021 regarding recruiting efforts made during the past year.

### SHASCOM's 18-Month Training Timeline



## A Written Recruitment Plan

Despite those efforts, SHASCOM’s Board of Directors did not follow through as promised to require documentation of recruitment efforts into a written plan. Doing so would allow subsequent agency Directors to follow an approved plan and replicate the results.

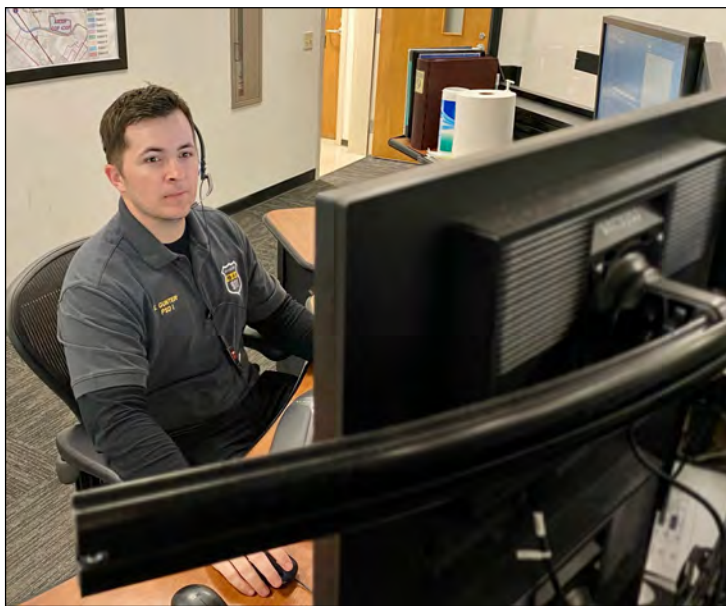
The 2020-2021 SCGJ investigation found there is no written plan. Once the Interim Director leaves, the “recruitment plan” walks out the door. The 2020-2021 SCGJ is concerned the agency might then return to where it foundered for nearly seven years. The SCGJ continues to recommend a plan be written before the Interim Director’s term of service expires.

## Computer-Aided Dispatching

In 2014, Shasta County and the City of Redding actively began searching for an Integrated Public Safety System (IPSS) to serve client agencies in the criminal justice system from the District Attorney’s Office to Shasta County’s Jail intake and release personnel; from police officers and deputies on the streets or in patrol cars to SHASCOM dispatchers taking calls and providing communication to related agencies.

A key component of IPSS involves a Computer-Aided Dispatch (CAD) service allowing dispatchers and law enforcement to combine information data bases to quickly identify persons of interest at a crime scene and to link those persons with current arrest warrants, parole restrictions or arrest and prior conviction records, if any. A consultant’s report recommended Spillman Technologies, Inc., to Shasta County as a provider of IPSS and CAD system software.

Since 1982, Spillman Technologies has grown to serve a customer base of nearly 1,200 agencies in 39 states. The original idea for Spillman Technologies was developed in the late 1970s by a college senior working on part of a computer science project to design a tax roll and budgetary accounting system for Cache County, Utah, a company website revealed.



*Photo courtesy of SHASCOM — Dispatchers use six large video screens, telephones and various communication tools while at work.*

When Spillman Technologies learned Cache County was also looking to computerize its law enforcement records, it began developing public safety software to benefit agencies nationwide. Several years later, the company released its first public-safety software package, a company brochure states.

In 2018, Spillman Technologies, Inc., installed its CAD system software and began integrating it with SHASCOM’s existing dispatching communication and data storage tools. Three years later, SHASCOM dispatchers continue to face frozen computer screens and 10-minute rebooting sequences while handling potentially urgent calls for assistance involving life or death decisions.

Routine and always-before simple tasks of searching for warrants or arrest records now takes numerous Windows-based screens to open until finally a nugget of information can be found. The CAD system also makes it difficult to incorporate information from a dynamic criminal scene or accident.

The investigation also revealed such obstacles are typical in the Spillman Technologies CAD system which was sold and promised as fast, efficient and rock-solid. The grand jury concludes SHASCOM's Board of Directors is negligent in providing the proper oversight on resolving issues which endanger the lives of peace officers and the general public.

Furthermore, the 2020-2021 SCGJ investigation revealed SHASCOM's Board of Directors lacks awareness of the full extent of agency problems regarding the CAD system. Correspondence from the governing board states there are 58 CAD issues awaiting resolution. The 2020-2021 SCGJ investigation found evidence of more than 100 such unresolved issues listed on a SHASCOM in-house trouble sheet, numerous employees stated.

This apparent lack of oversight by SHASCOM's Board of Directors is a factor in employee frustration and contributes significantly to employee burn out when combined with long shifts, excessive mandatory overtime and little relief in sight.

Employees further revealed necessary data entry tables mentioned during initial training sessions have not yet been built and Spillman Technologies trainers also promised several features not included in the system as delivered.

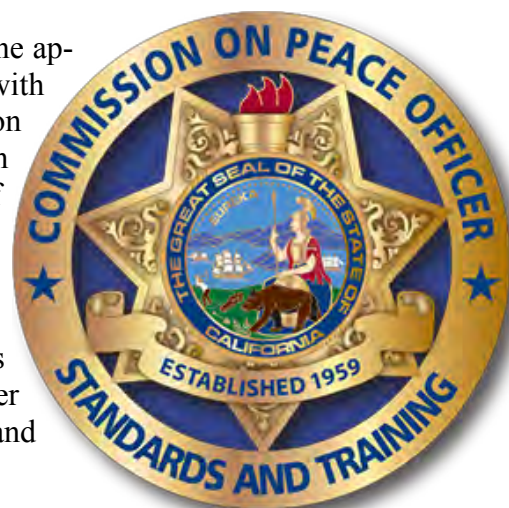
### **A Turnaround in Training**

Under the agency's previous Director, training to bring SHASCOM dispatchers into alignment with California's Peace Officer Standards and Training (POST) requirements was lacking. This is one of several reasons the 2018-2019 SCGJ recommended that by Nov. 3, 2019, SHASCOM's Board of Directors require its Administrator to present a timeline for achieving compliance with accreditation and certification of all dispatch center staff.

The previous Director's departure in September 2019 and the appointment one month later of an Interim Director familiar with POST requirements appears to have turned the situation around. In January of 2020, SHASCOM's administration team clearly defined its training goals and set a deadline of December 31, 2020, to have all personnel in compliance with POST certification requirements.

With this clear objective, SHASCOM's staff more than met the challenge and every dispatcher was deemed compliant as of August 26, 2020, according to a September 8, 2020, letter from California's Commission on Peace Officer Standards and Training.

The 2020-2021 Shasta County Grand Jury is pleased to commend all SHASCOM employees, administrative staff and Board of Directors on this accomplishment.



## Updating the CAD Database

One final area of great need identified by the 2018-2019 SCGJ was for updates to the CAD data base to include information on people with accessibility and functional issues. SHASCOM's Board of Directors previously agreed by January 31, 2020, the agency's Director would be instructed to present a project plan for incorporating the information.

A change in agency Directors stalled progress on this matter until the outbreak of a worldwide COVID-19 pandemic created an entirely new and more urgent reason to flag residences, this time for quarantine and self-isolation reasons, the 2020-2021 SCGJ investigation found. By mid-March 2020, SHASCOM's Supervising Dispatchers took on this extra duty with information provided by Shasta County's Health and Human Services Department. At first, there were a half-dozen or so data entries each week. However, as the virus spread throughout the community, the public health department's data sheets grew longer and longer with several hundred new cases of COVID-19 infection reported each day.

The 2020-2021 SCGJ finds the original unmet need for updating the data base to include information on people with accessibility and functional issues remains a vitally important issue and recommends implementing a plan to get this task accomplished.

## CONCLUSION

The 2020-2021 SCGJ discovered notable improvements at SHASCOM within the past 18 months.

The investigation further revealed these efforts appear to be the result of a temporary change in leadership. A lack of long-term planning by SHASCOM's Board of Directors causes the Grand Jury to be concerned about whether these changes will be sustained the next time management changes.

A review of SHASCOM's board meeting minutes shows the directors are more interested in sharing information about their own agencies or entities instead of gathering data or information relevant to operations at SHASCOM's dispatch center

Investigations and reports by Shasta County Grand Juries provide the only oversight this board and SHASCOM operations receive.

## FINDINGS

- F1. SHASCOM's Board of Directors **is not in compliance** with California's Open Meetings Law (The Ralph M. Brown Act) as amended by Assembly Bill No. 2257 in 2016, affecting applicable local government meetings held after January 1, 2019.
- F2. By October 31, 2019, SHASCOM's Board of Directors was to instruct the agency's Director to provide quarterly reports on recruitment efforts and outcomes. **This is being done.**
- F3. By October 31, 2019, SHASCOM's Board of Directors was to instruct the agency's Director to prepare a comprehensive written recruitment plan analyzing appropriate targets and details regarding the timing and methods of recruitment. **This has not been done.**

- F4. Beginning at the September 2019 SHASCOM Board of Directors meeting and at each bi-monthly meeting thereafter, the Board was to require written updates on CAD system performance until all issues are resolved to the satisfaction of each participating agency. **This has not been done.**
- F5. The Spillman Technologies CAD system **does not yet** satisfactorily meet the needs of SHASCOM which causes dispatch and first responder complications with a potential for adverse outcomes for first responders as well as citizens requesting assistance.
- F6. As of November 30, 2019, SHASCOM's Board of Directors was to require SHASCOM's Director to present a timeline for achieving compliance with accreditation certification of the dispatch center, either through POST or an alternate accreditation organization. **This was accomplished by August 26, 2020.**
- F7. By January 31, 2020, SHASCOM's Board of Directors was to instruct the agency's Director to present a project plan for incorporating information on people with access and functional needs into the CAD database. **This has not been done.**

## **RECOMMENDATIONS**

- R1. By October 31, 2021, SHASCOM's Board of Directors shall implement procedures to bring the governing board into compliance with California's Brown Act.
- R2. By October 31, 2021, SHASCOM's Board of Directors shall instruct the agency's Director to prepare and implement a comprehensive written recruitment plan analyzing appropriate targets and detailing the timing and methods of recruitment for use by current and future administration personnel. The Director shall provide a written plan to the governing board no later than January 1, 2022.
- R3. By October 31, 2021, SHASCOM's Board of Directors shall require at its November 2021 board meeting, and at each bi-monthly meeting thereafter, written updates on performance of the CAD system until all issues are resolved to the satisfaction of SHASCOM dispatchers.
- R4. By October 31, 2021, SHASCOM's Board of Directors shall instruct the agency's Director to present a written project plan for incorporating information on people with access and functional needs into the CAD database. The agency's Director shall provide a written plan to SHASCOM's Board of Directors no later than January 1, 2022.

## **RESPONSES**

Pursuant to California Penal Code, Sections 933 and 933.05 respectively, the 2020-2021 SCGJ requests responses from the following governing body within 90 days:

SHASCOM's Board of Directors, **R1** through **R4**.

## **GLOSSARY**

Shasta Area Safety Communications Agency (SHASCOM) — a joint powers agency formed in 1990 to provide consolidated communications services to fire, medical and law enforcement agencies in Shasta County, California.

Shasta County Grand Jury (SCGJ) — serves a watchdog function of local government agencies, usually 19 members appointed for a one-year term, July 1 through June 31.

Computer-Aided Dispatch (CAD) — electronic equipment and digitized information combined with Artificial Intelligence to support, aid and enhance the efforts of human dispatchers.

Joint Powers Agreement (JPA) — “if authorized by their legislative or other governing bodies, two or more public agencies by agreement may jointly exercise any power common to the contracting parties” California Government Code, Article 1, Section 6502

California Department of Forestry and Fire Protection (CAL FIRE) — a fire department of the California Natural Resources Agency established by legislation in 1885.

Emergency Communications Center (ECC) — a centralized answering point for all public safety related matters. Some ECCs are stationary, some are mobile or set up for a specific event.

California Highway Patrol (CHP) — a state law enforcement agency established by state legislation in 1929. The CHP, also known as the state police, has patrol jurisdiction over all California highways and city roads with the right to conduct law enforcement procedures there.

Public Safety Dispatcher (PSD) — a fully qualified journey-level technical classification with two levels, PSD I and PSD II, at SHASCOM. These employees provide emergency medical, fire and/or police dispatching services including pre-arrival and post-dispatch instructions.

Integrated Public Safety System (IPSS) — a computerized data collection, storage and reporting system shared by a variety of public safety agencies.

Peace Officer Standards & Training (POST) — established by California’s legislature in 1959, the regular basic course is the training standard for police officers, deputy sheriffs, school district police officers, district attorney investigators and a few other classifications of peace officers.

## **REFERENCE LIST**

SHASCOM Personnel Training Manual

Responses from SHASCOM’s Board Chair: The 2020-2021 SCGJ received a letter on January 5, 2021, providing answers to seven inquiries regarding the agency board responses to recommendations from the 2018-2019 SCGJ’s Final Report. Enclosed with the letter was an organizational chart of SHASCOM as well as detailed job responsibilities for each employee classification.

Ralph M. Brown Act, California Government Code Section 54954

Minutes from past SHASCOM Board of Directors meetings, Nov. 2019 - Feb. 2021

On-line data was also collected from the following government sources:

1. <https://www.cityofredding.org/departments/police-department/programs>
2. <https://www.cityofredding.org/departments/police-department/resources/publications>
3. <https://www.cityofredding.org/departments/police-department>
4. <https://www.cityofredding.org/departments/information-technology>
5. <https://www.shastaijss.org/>

6. [https://www.co.shasta.ca.us/docs/libraries/bos-docs/index-to-minutes/2013index.pdf?sfvrsn=2991ee89\\_4](https://www.co.shasta.ca.us/docs/libraries/bos-docs/index-to-minutes/2013index.pdf?sfvrsn=2991ee89_4)
7. [https://www.co.shasta.ca.us/docs/libraries/bos-docs/2017-minutes/minutes-06-05-18.pdf?sfvrsn=94bcfb89\\_0](https://www.co.shasta.ca.us/docs/libraries/bos-docs/2017-minutes/minutes-06-05-18.pdf?sfvrsn=94bcfb89_0)
8. [https://www.co.shasta.ca.us/docs/libraries/bos-docs/2018-minutes/minutes-06-05-18e20392226bfb69248dc7ff0000cdcf8f.pdf?sfvrsn=48f8fb89\\_0](https://www.co.shasta.ca.us/docs/libraries/bos-docs/2018-minutes/minutes-06-05-18e20392226bfb69248dc7ff0000cdcf8f.pdf?sfvrsn=48f8fb89_0)
9. [https://www.co.shasta.ca.us/docs/libraries/bos-docs/2018-minutes/minutes-06-05-18.pdf?sfvrsn=236ef889\\_0](https://www.co.shasta.ca.us/docs/libraries/bos-docs/2018-minutes/minutes-06-05-18.pdf?sfvrsn=236ef889_0)
10. [https://www.co.shasta.ca.us/docs/libraries/support-services-docs/docs/RFP\\_09-02.pdf?sfvrsn=19244003\\_0](https://www.co.shasta.ca.us/docs/libraries/support-services-docs/docs/RFP_09-02.pdf?sfvrsn=19244003_0)
11. [https://www.co.shasta.ca.us/docs/libraries/bos-docs/2001-minutes/MN3-20-2001.pdf?sfvrsn=bbd51899\\_0](https://www.co.shasta.ca.us/docs/libraries/bos-docs/2001-minutes/MN3-20-2001.pdf?sfvrsn=bbd51899_0)
12. [https://www.co.shasta.ca.us/docs/libraries/bos-docs/2001-agendas/AGN3-20-2001.pdf?sfvrsn=5961185\\_0](https://www.co.shasta.ca.us/docs/libraries/bos-docs/2001-agendas/AGN3-20-2001.pdf?sfvrsn=5961185_0)
13. [https://www.co.shasta.ca.us/docs/libraries/bos-docs/2017-minutes/minutes-05-02-17.pdf?sfvrsn=94bffb89\\_0](https://www.co.shasta.ca.us/docs/libraries/bos-docs/2017-minutes/minutes-05-02-17.pdf?sfvrsn=94bffb89_0)
14. [https://www.ci.anderson.ca.us/city\\_administration/agenda\\_minutes\\_history/docs/Item\\_8\\_3\\_License\\_Agrmt\\_Public\\_Safety\\_Comm09042012.pdf](https://www.ci.anderson.ca.us/city_administration/agenda_minutes_history/docs/Item_8_3_License_Agrmt_Public_Safety_Comm09042012.pdf)
15. <http://archive.gao.gov/d13t3/129961.pdf>
16. <http://cdiacdocs.sto.ca.gov/2013-1644.pdf>
17. [https://www.jrsa.org/pubs/reports/improving-crime-data/Info\\_Sharing\\_Systems.pdf](https://www.jrsa.org/pubs/reports/improving-crime-data/Info_Sharing_Systems.pdf)
18. [https://www.co.shasta.ca.us/docs/libraries/bos-docs/2018-agendas/agenda\\_2018\\_6\\_5\\_meeting.pdf?sfvrsn=289f889\\_0](https://www.co.shasta.ca.us/docs/libraries/bos-docs/2018-agendas/agenda_2018_6_5_meeting.pdf?sfvrsn=289f889_0)
19. <https://bja.ojp.gov/funding/awards/2012-dj-bx-0981>
20. [https://www.co.shasta.ca.us/docs/libraries/bos-docs/2001-minutes/MN10-9-2001.pdf?sfvrsn=edeb1bc3\\_0](https://www.co.shasta.ca.us/docs/libraries/bos-docs/2001-minutes/MN10-9-2001.pdf?sfvrsn=edeb1bc3_0)
21. [https://www.co.shasta.ca.us/docs/libraries/bos-docs/2010-minutes/mn2010-03-02.pdf?sfvrsn=e6f832b3\\_0](https://www.co.shasta.ca.us/docs/libraries/bos-docs/2010-minutes/mn2010-03-02.pdf?sfvrsn=e6f832b3_0)
22. [https://www.co.shasta.ca.us/docs/libraries/bos-docs/2016-minutes/min-03-08-16.pdf?sfvrsn=1cece389\\_2](https://www.co.shasta.ca.us/docs/libraries/bos-docs/2016-minutes/min-03-08-16.pdf?sfvrsn=1cece389_2)
23. [https://www.co.shasta.ca.us/docs/libraries/bos-docs/2010-minutes/mn2010-06-22.pdf?sfvrsn=d5e611cf\\_0](https://www.co.shasta.ca.us/docs/libraries/bos-docs/2010-minutes/mn2010-06-22.pdf?sfvrsn=d5e611cf_0)
24. [https://www.co.shasta.ca.us/docs/libraries/bos-docs/2013-minute-summary/minsum2013-06-04.pdf?sfvrsn=b1d2e629\\_0](https://www.co.shasta.ca.us/docs/libraries/bos-docs/2013-minute-summary/minsum2013-06-04.pdf?sfvrsn=b1d2e629_0)
25. [https://www.co.shasta.ca.us/docs/libraries/bos-docs/2010-minute-summary/minsum2010-06-22.pdf?sfvrsn=cf24f4ba\\_0](https://www.co.shasta.ca.us/docs/libraries/bos-docs/2010-minute-summary/minsum2010-06-22.pdf?sfvrsn=cf24f4ba_0)
26. [https://www.co.shasta.ca.us/docs/libraries/bos-docs/2018-minute-summary/minsum2018-3-6.pdf?sfvrsn=a351f989\\_0](https://www.co.shasta.ca.us/docs/libraries/bos-docs/2018-minute-summary/minsum2018-3-6.pdf?sfvrsn=a351f989_0)
27. [https://www.co.shasta.ca.us/docs/libraries/bos-docs/2017-minutes/minutes.pdf?sfvrsn=2eb1e789\\_0](https://www.co.shasta.ca.us/docs/libraries/bos-docs/2017-minutes/minutes.pdf?sfvrsn=2eb1e789_0)
28. [https://www.co.shasta.ca.us/docs/libraries/bos-docs/2017-minutes-summary/minsum2017-05-02.pdf?sfvrsn=1ac9e789\\_0](https://www.co.shasta.ca.us/docs/libraries/bos-docs/2017-minutes-summary/minsum2017-05-02.pdf?sfvrsn=1ac9e789_0)
29. [https://www.co.shasta.ca.us/docs/libraries/hhsa-docs/professionals/3-core-practice-model-guid-edc468e226bfb69248dc7ff0000cdcf8f.pdf?sfvrsn=48bde789\\_0](https://www.co.shasta.ca.us/docs/libraries/hhsa-docs/professionals/3-core-practice-model-guid-edc468e226bfb69248dc7ff0000cdcf8f.pdf?sfvrsn=48bde789_0)
30. <http://www.shascom911.com/agenda-minutes>
31. <http://www.shascom911.com/positions>

## DISCLAIMER

When there is a perception of a conflict of interest involving a member of a grand jury, that member is required to recuse from any aspect of an investigation involving such a conflict and from voting on the acceptance or rejection of a report. One member of the 2020-2021 SCGJ was recused from this investigation and report.

Reports issued by a grand jury do not identify individuals interviewed. Penal Code Section 929 requires that reports of a grand jury not contain the names of any person or facts leading to the identity of any persons who provide information to a grand jury.



## SHASCOM 911

SHASTA AREA SAFETY COMMUNICATIONS AGENCY  
3101 South Street, Redding, CA 96001-2379  
(530) 245-6501 Administrative Office  
(530) 245-6500 Dispatch  
FAX (530) 245-6530

November 8, 2021

Honorable Gregory S. Gaul  
Presiding Judge, Shasta County Superior Court  
1500 Court Street, Room 205  
Redding, CA 96001

Dear Judge Gaul:

**Re: Response to the SHASCOM-911 Investigation Report by the 2020-2021 Shasta County Grand Jury.**

The SHASCOM-911 Board of Directors appreciates the time and dedication of the 2020-2021 Grand Jury. The following are the responses to the findings and recommendations The Board of Directors will continue to work collaboratively with SHASCOM-911 management regarding solutions to any unresolved problems.

### FINDINGS

***F1. SHASCOM'S Board of Directors is not in compliance with California's Open Meetings Law (The Ralph M. Brown Act) as amended by Assembly Bill No. 2257 in 2016, affecting applicable local government meetings held after January 1, 2019.***

***Response:*** Disagree wholly. It was reported by the Grand Jury that on one (1) particular meeting date that an agenda was not posted for public view at SHASCOM-911. Nine months later it is not possible to verify this claim. Additionally, to state that this unverified, isolated incident deserves a broad-brush stroke that the Board of Directors is not in compliance with the Brown Act is overstated. Regardless, the Board of Directors will continue to adhere, as they always have, to the Brown Act in all manners related to the governing of SHASCOM-911.

A PUBLIC SAFETY SUPPORT AGENCY OF THE COUNTY OF SHASTA,  
CITY OF ANDERSON AND THE CITY OF REDDING, CALIFORNIA

**F2.** *By October 31, 2019, SHASCOM's Board of Directors was to instruct the agency's Director to provide quarterly reports on recruitment efforts and outcomes. This is being done.*

**Response:** Agree.

**F3.** *By October 31, 2019, SHASCOM's Board of Directors was to instruct the agency's Director to prepare a comprehensive written recruitment plan analyzing appropriate targets and details regarding the timing and methods of recruitment. This has not been done.*

**Response:** Disagree wholly. The 2018-2019 Grand Jury's recommendation was to prepare a comprehensive recruitment plan which the Director and his management team successfully accomplished and implemented. Finding F3 inaccurately states the plan had to be written.

**F4.** *Beginning at the September 2019 SHASCOM Board of Directors meeting and at each bi-monthly meeting thereafter, the Board was to require written updates on CAD system performance until all issues are resolved to the satisfaction of each participating agency. This has not been done.*

**Response:** Disagree partially. Member agencies were satisfied as it relates to Spillman and the CAD system. CAD falls under the purview of the Integrated Public Safety (IPS) Board which consists of agency heads from the Redding Police Department, Shasta County Sheriff's Office, and Anderson Police Department. A comprehensive update was provided by the RMS project manager to the IPS Board at their last scheduled meeting. The Board was satisfied with the progress of issue resolution.

**F5.** *The Spillman Technologies CAD system does not yet satisfactorily meet the needs of SHASCOM, which causes dispatch and first responder complications with a potential for adverse outcomes for first responders as well as citizens requesting assistance.*

**Response:** Disagree partially. The RMS project management team continues to work diligently with the CAD vendor (Motorola Solutions) to address outstanding performance issues and concerns. The system is currently undergoing a comprehensive design review process with the vendor to determine if there are other suitable remedies to bring the system to an acceptable state. It is important to note that no final acceptance has been given for the CAD update.

**F6.** *As of November 30, 2019, SHASCOM's Board of Directors was to require SHASCOM's Director to present a timeline for achieving compliance with accreditation certification of the dispatch center, either through POST or an alternate accreditation organization. This was accomplished by August 26, 2020.*

**Response:** Agree.

**F7.** *By January 31, 2021, SHASCOM's Board of Directors was to instruct the Agency's Director to present a project plan for incorporating information on people with access and functional needs into the CAD database. This has not been done.*

**Response:** *Agree.* The Spillman CAD database is the responsibility of the IPS Board which supports the Redding Police Department, Shasta County Sheriff's Office, Anderson Police Department, and other public safety agencies. These agencies have the capability to develop a means to collect this data and input it into the Spillman CAD database. For example, the Redding Police Department provides a resource for the City of Redding called SNAP (Special Needs Alert Program). People with access and functional needs can upload their information and the data is flagged in the Spillman CAD database by the Redding Police Department. SHASCOM dispatchers can then relay this crucial information to first responders. The Anderson Police Department and the Shasta County Sheriff's Office are currently in the process of implementing the SNAP program for their respective agencies.

### **Recommendations**

**R1.** *By October 31, 2021, SHASCOM's Board of Directors shall implement procedures to bring the governing board into compliance with California's Brown Act.*

**Response:** This recommendation has been implemented. SHASCOM has been in compliance with the Brown Act since the formation of the SHASCOM Joint Powers Agreement.

**R2.** *By October 31, 2021, SHASCOM's Board of Directors shall instruct the agency's Director to prepare and implement a comprehensive written recruitment plan analyzing appropriate targets and detailing the timing and methods of recruitment for use by current and future administration personnel. The Director shall provide a written plan to the governing board no later than January 1, 2022.*

**Response:** The recommendation has been implemented and was presented to the SHASCOM board at the November 8, 2021 regular meeting.

**R3.** *By October 31, 2021, SHASCOM's Board of Directors shall require at its November 2021 board meeting, and at each bi-monthly meeting thereafter, written updates on performance of the CAD system until all issues are resolved to the satisfaction of SHASCOM dispatchers.*

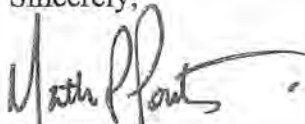
**Response:** The recommendation will not be implemented. The implementation and acceptance of the Spillman CAD and other Spillman components falls under the terms and conditions of a contract agreed upon by the Governing bodies of the City of Redding, County of Shasta, and the City of Anderson. In addition, the contract was approved by the Integrated Public Safety Board (IPS). Motorola is working with IPS and the implementation team to satisfy the conditions of the contract to include CAD malfunctions. Successful resolution of all issues with the CAD system to the satisfaction of SHASCOM dispatchers is not a condition of the contract with Motorola. Issues will be resolved pursuant to the language in the contract.

**R4.** *By October 31, 2021, SHASCOM's Board of Directors shall instruct the agency's Director to present a written project plan for incorporating information on people with access and functional needs into the CAD database. The agency's Director shall provide a written plan to SHASCOM's Board of Director's no later than January 1, 2022.*

**Response:** This recommendation will not be implemented. Discussions will continue with the member agencies to do their own data collection for their specific jurisdictions. This information can then be uploaded into Spillman for use by SHASCOM. SHASCOM's current organization does not have the means to staff the personnel required to complete and maintain such a program.

This concludes the responses of the SHASCOM Board of Directors to the FY 2020-21 Grand Jury investigation report regarding SHASCOM.

Sincerely,



Matt Pontes  
Chair, SHASCOM

# SUMMARY AUDIT & FINANCE COMMITTEE REPORT

## SUMMARY

Penal Code §925 requires the Grand Jury (GJ) to annually investigate and report on the operations, accounts, and records of the county. Also, Government Code §25250 requires the Shasta County Board of Supervisors to conduct an annual audit of all county accounts by an independent outside contract auditor pursuant to Government Code §31000. The 2020-2021 Shasta County Grand Jury has reviewed the County's Comprehensive Annual Financial Report for fiscal year ending June 30, 2020 (CAFR), in which no exceptions or recommendations are noted by the outside contract auditors (CliftonLarsonAllen LLP).

## BACKGROUND

“In recognition of the professionalism demonstrated by the County in preparing accurate and timely financial reports, the State of California Office of the Controller bestowed Shasta County with their Award for Counties Financial Transactions Reporting for meeting the rigorous criteria of their award program for the year ended June 30, 2019. The County has received this award for 21 consecutive years, since the State implemented the award program in 1997.” (CAFR)

“The Government Finance Officers Association (GFOA) awarded a Certificate of Achievement for Excellence in Financial Reporting to the County of Shasta for its comprehensive annual financial report (CAFR) for the fiscal year ended June 30, 2019. This was the sixth consecutive year the County has received this prestigious award. In order to be awarded a Certificate of Achievement the County published an easily readable and efficiently organized CAFR. This report satisfied both generally accepted accounting principles and applicable legal requirements. A Certificate of Achievement is valid for one year only. We believe that our current CAFR continues to meet the Certificate of Achievement Program's requirements, and we are submitting it to the GFOA to determine its eligibility for another certificate.” (CAFR)

The *Shasta County Contracts Manual* is set forth in Section 6, Number 6-101 of the Shasta County Administrative Policy (the Contracts Manual). Paragraph 5.3 of the Contracts Manual states, “While state law generally does not require bidding or other competitive procurement practices when the County is negotiating personal services agreements, departments are strongly encouraged to use competitive procurement practices when choosing the consultant or contractor who will provide the services. . . .” The Manual gives examples of competitive procurement practices. Some examples include issuing Requests for Proposals (RFP) or Requests for Quotes (RFQ). Other methods could involve telephoning prospective consultants and contractors to ensure that the department finds the “best service provider at the best price.”

In December 2019, the Board of Supervisors approved a renewal agreement with the outside contract auditor (CliftonLarsonAllen LLP) for an additional five-year period (April 2021 through June 2026). Initially, a five-year contract was signed in June 2015 with Gallina LLP for audit services. The firm merged into CliftonLarsonAllen LLP on January 1, 2017. In its report entitled, “Shasta County Joint Audit Committee Numbers Matter”, the 2015-2016 Shasta County Grand Jury raised

the issue of an RFP not being circulated by the County before it entered into a contract for outside audit services. However, the Shasta County Board of Supervisors dismissed the need for an RFP being circulated for competitive pricing by stating:

“Policy 6-101 strongly encourages competitive procurement and, in some cases, indicates that competitive procurement should be used in certain situations. However, Policy 6-101 does not require competitive procurement for the type of personal services provided by Gallina LLP. Additionally, there is no law requiring the use of competitive for these services. Because Policy 6-101 did not require competitive procurement in this situation, the Board was not required to formally waive its use. In this case, the Board of Supervisors realized these are specialized services not provided by all firms and that there is cost savings to utilize professionals familiar with the County’s systems.”

Both the Shasta County Board of Supervisors and the County’s Auditor Controller have indicated that auditing California counties is a highly-specialized practice and that CliftonLarsonAllen LLP is the primary audit firm for small California counties. At last count, the firm was providing audit services to 40 counties.

**CONCLUSION**

The 2020-2021 Shasta County Grand Jury finds the Board of Supervisors fulfilled the requirements of California Penal Code Section 925 and Government Code Sections 25250 and 31000. From a contract pricing standpoint, the first five-year agreement – signed in 2015 – was for \$434,215. The second five-year agreement – signed in December 2019 – was for \$449,035. This difference represents a 3.4% increase in price, representing an immaterial increase considering the fact it is spread over a five-year period from the initial contract. In conclusion, the outside professional services provided by a national accounting firm (CliftonLarsonAllen LLP) are serving the County of Shasta in a cost-efficient manner.

**FINDINGS**

F1. The auditors’ opinion states, based on their audit, the financial statements (CAFR) presents fairly, in all material respects, the respective financial position of the governmental activities, in accordance with accounting principles generally acceptable in the United States of America. The Board of Supervisors have accomplished their requirements of California Penal Code Section 925 and Government Code Sections 25250 and 31000.

**RECOMMENDATIONS – None**

**GLOSSARY**

CAFR: County’s Comprehensive Annual Financial Report for Fiscal Year ending June 30, 2020  
RFP: Request for Proposal

**REFERENCES**

*Shasta County Contracts Manual*, Administrative Policy 6-101  
California Penal Code Section 925  
Government Code Sections 25250 and 31000

**DISCLAIMER**

When there is a perception of a conflict of interest involving a member of the Grand Jury, that member has been required to recuse from any aspect of the investigation involving such a conflict and from voting on the acceptance of or rejection of that report. No member of the Grand Jury was recused from this report.

Reports issued by the Grand Jury do not identify individuals interviewed. Penal Code Section 929 requires that reports of the Grand Jury not contain the name of any person or facts leading to the identity of any person who provides information to the Grand Jury.

**“DEAD MEN TELL NO TALES”**  
**Shasta County Coroner’s Office Report**  
**2020-2021 SHASTA COUNTY GRAND JURY**



**SUMMARY**

The 2020-2021 Shasta County Grand Jury (SCGJ) undertook an investigation into the daily work done by the Shasta County Sheriff-Coroner’s Office. While death under any circumstance is difficult, those residents served by the Coroner’s Office deserve to receive competent and professional treatment from a high-quality agency. Likewise, county employees performing this difficult but necessary work must be provided the professional education needed to develop the specialized skills while also acquiring a sensitivity for the people they serve. These skilled employees also deserve the resources necessary to successfully perform their jobs in a safe, healthy, and efficient working environment.

This investigation began as a request for policies and procedures overseeing notifications by the Shasta County Sheriff’s Office (SCSO) to the SCGJ to attend post-mortem investigations. The grand jury may be invited to attend an autopsy (post-mortem examination) and/or death review at the discretion of the Sheriff-Coroner. Such autopsies or death review may involve someone who died during, or as a result of, a critical incident including but not limited to officer involved shootings or death while in custody. Allowing the grand jury to attend autopsies or death review allows for greater transparency of the agencies involved with the death investigation. This Grand Jury regularly found themselves in an observation room with no audio input, a limited view of the autopsy from a camera the jury cannot control, and little-to-no interaction with a Deputy Coroner Investigator or pathologist regarding the incident or their findings. As it applies to interaction with this Grand Jury, transparency currently does not exist at the Coroner’s Office. The grand jury being present in the building during an autopsy does not assure transparency.

Forty-eight of the 58 counties in California operate under the Sheriff-Coroner model. Coroners operate under the statutory authority of *California Government Code Section 27491, et seq.* and

*California Health and Safety Code Section 102850*, among numerous other laws. Policies and procedures the SCSO maintains online do not specifically address daily operations of the Coroner's Office. This Grand Jury found no written policies and procedures for day-to-day operations.

This Grand Jury inspected the coroner's facility on August 16, 2021, and found the building outdated and inadequate in size to meet the current and possible future needs of Shasta County. The facility is also not in compliance with *California Code of Regulations (CCR); Title 8, Sections 5199(a)(1)(F), 5141(a), 5193(d), and 5193(d)(3)(H)*, Occupational Health and Safety Administration (OSHA) regulations and Center for Disease Control "Standard, Contact and Airborne Precautions" applicable to facilities where autopsies are performed.

As reflected by the findings and recommendations at the conclusion of this report this Grand Jury identified multiple issues with the Coroner's Office that require attention from both the Board of Supervisors and the Sheriff's Office.

## **BACKGROUND**

The Coroner was an elected position in Shasta County until 1990. Between 1990 and 1992 Shasta County had a Medical Examiner. In 1992, the Coroner became one of the duties of the County Sheriff.

Government Code Section 27491 requires the Sheriff-Coroner to inquire into and determine the circumstances, manner and cause of all violent, sudden, or unusual deaths. Manner of death can be one of the following: Accidental, homicide, suicide, natural causes, or undetermined.

In California, a death certificate may be signed by a primary physician, an attending physician, a non-attending physician, a medical examiner, a nurse practitioner, a forensic pathologist, or a coroner, but it varies according to state law. Typically, deaths must be recorded with local health departments within 72 hours of the death, and to the state within five to seven days.

### **Coroner's Office Mission Statement**

The Shasta County Coroner's Office has a mission statement which states it *"has the duty to conduct complete and objective medicolegal investigations of unattended, violent, unexpected, and suspicious deaths in order to determine the cause, manner, and circumstances of death. This duty is of utmost importance to the deceased individuals and their families, the safety of our community, and the pursuit of justice. This we do with courage, compassion, and great reverence for life"*.

The current Coroner's Office, located at 4555 Veterans Way in Redding, was built in 1978 with some minor renovations in 1995 and 1998. An addition of 1,000 square feet was completed in 2017 which added more office space.

During the five years 2016 through 2020, the Shasta County Coroner's Office averaged 937 cases per year, of which an average of 319 fell within the coroner case categories outlined in Government Code Section 27941. From January 1, 2021, to August 15, 2021, the coroner's office has responded to 658 cases, of which 233 were determined to be one of the five categories considered to be coroner's cases.

Staffing levels for the Shasta County Coroner's Office consists of:

- Lieutenant assigned to the position – Chief Deputy Coroner
- Forensic Pathologist

- Deputy Coroner Investigator (4)
- Administrative Secretary

As of the time of this report, several key positions were unfilled: one Forensic Pathologist and at least two Deputy Coroner Investigators. Shasta County is currently using outside contracts for a Forensic Pathologist as well as a pathologist for cases not requiring a forensic autopsy.

## **METHODOLOGY**

To begin, members of the 2020-2021 SCGJ read through previous SCGJ published reports:

- 2010-2011 “Shasta County Coroner’s Office – Excellence and Professionalism”
- 2011-2012 “Body of Proof”
- 2013-2014 “Final Observation – Shasta County Coroner’s Office”
- 2015-2016 “Compassion Matters”

This Grand Jury also reviewed the published reports on similar agencies by grand juries of like counties. The grand jury requested all relevant policies and procedures related to the Coroner’s Office from the Shasta County Sheriff’s Office. The current existing policies and procedures related to Coroner’s Office (Lexipol #330) provides only generalized information regarding operation. The field training manual only exists in a rough-draft form.

Research documents and reports reviewed during the investigation are found in the Reference List at the end of this report.

### **Interviews conducted**

Multiple current and previous Shasta County employees including personnel from the:

- Shasta County Sheriff’s Department, of which the Shasta County Coroner’s Office is a part; and
- Department of Public Works, of which Facility Management is a part.

### **Site Visit**

A physical inspection of the Coroner’s Office was performed on August 16, 2021, to provide a better perspective of the layout and working conditions, evidence of facility maintenance, and equipment efficacy. The site visit enhanced this Grand Jury’s ability to complete this report.

## **DISCUSSION**

### **Transparency**

The Shasta County Sheriff’s Office has no written policy addressing the purpose of grand jury members attending a death review or an autopsy. The practice, begun in the mid-1990s, to invite the foreperson of the grand jury to send two members of the jury to attend a critical incident autopsy with a minimum of 24 hours notice, is not consistently extended.

When observing an autopsy, the grand jury members in the remote observation room can no longer hear any conversation or move the camera. The jury members are separated from other observers from the investigating agencies. Prior to an autopsy, grand jury members in attendance are infrequently given a summary of the incident resulting in that death. The jury members have not been

given the opportunity to speak with the forensic pathologist at the completion of the examination to receive answers to questions that may arise during the restricted observation.

The recommendation made by the 2013-2014 Grand Jury report included “the Shasta County Sheriff/Coroner ensure that audio is present in all observation rooms where autopsies are being performed on behalf of Shasta County”. In response, the Shasta County Sheriff submitted “The Respondent agrees with the recommendation. The recommendation has been partially implemented.” The Board of Supervisors response, “The Shasta County Board of Supervisors concurs with the recommendation and the department has partially implemented the recommendation. The Coroner’s Office has audio capabilities in its facility.”

Verdicts of death issued after a critical incident are not received by the grand jury in a timely manner. The National Association of Medical Examiners (NAME) and the California State Coroners Association (CSCA) set the expectation of a 90-day turnaround; however, the CSCA has acknowledged that staffing as well as the delays related to toxicological reports could extend the timeline to 180 days. Verdicts of death received by the SCGJ far exceed the 180-day timeline. This Grand Jury was invited to ten post-mortem examinations between December 12, 2020, and May 24, 2021. As of the writing of this report no verdicts of death for those post-mortems have been received.

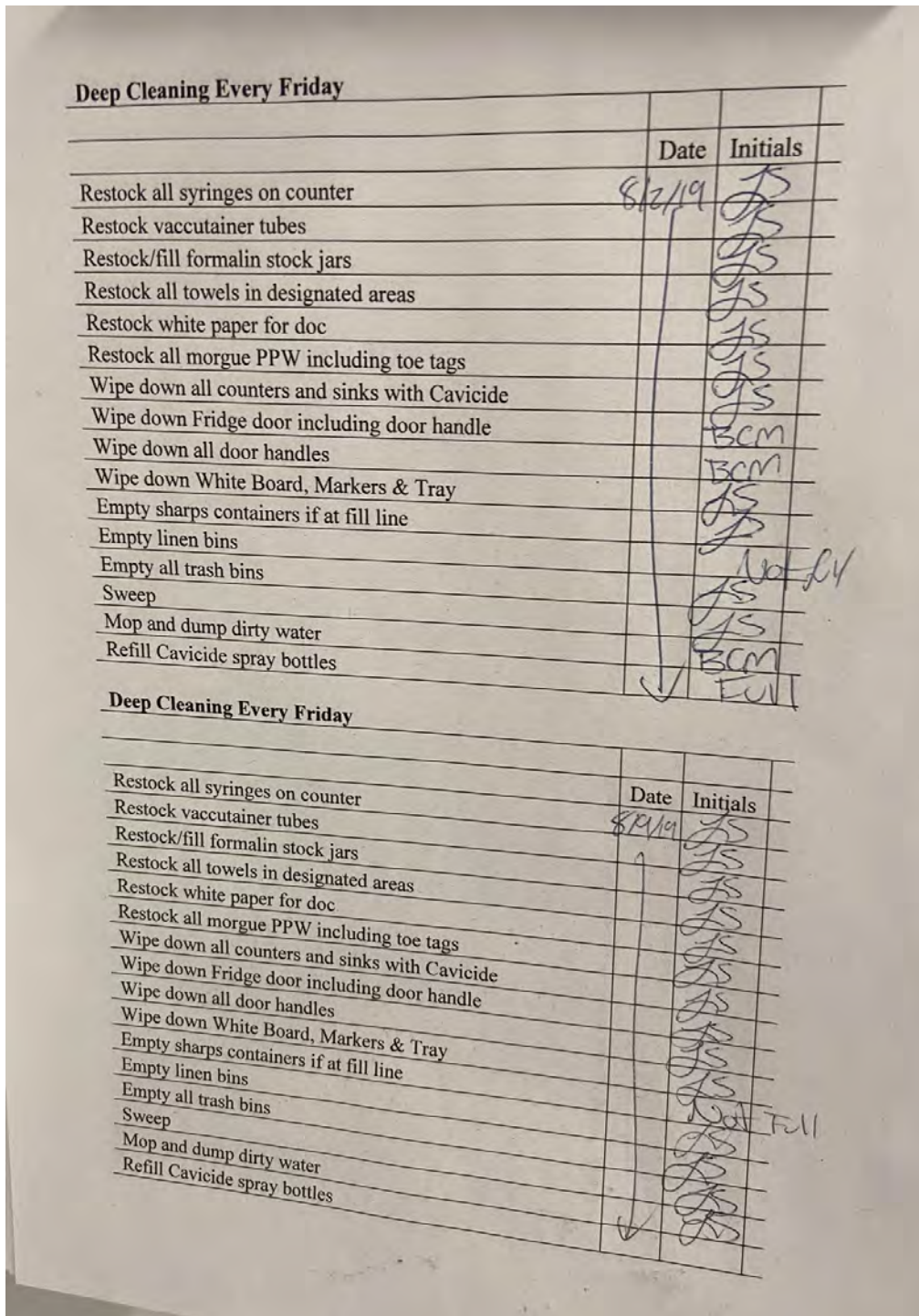
### **Policies and Procedures**

The Shasta County Coroner’s Office has no Policy and Procedures Manual specifically covering the day-to-day operations of the facility. The mandated policies and procedures that the Shasta County Sheriff’s Office maintain online (Lexipol #330) do not specifically address the actual requirements for operating the Coroner’s Office. Staff at the Coroner’s Office access online Government Codes and Health and Safety Codes addressing laws pertaining to the Coroner’s Office. Previous grand jury reports referenced a Morgue Procedures Manual, but this Grand Jury was told that no such manual exists.

Many employees of the Shasta County Coroner’s Office come to the job untrained in medical/forensic/pathologic procedures. The training provided by the Coroner’s Office to its personnel is the absolute minimum required by the state (80-hour death investigator course). No further training is encouraged. During the course of this investigation, it was determined that Peace Officer Standards and Training (POST) provides advanced courses applicable to the coroner’s office as well as courses conducted through the California State Coroner’s Association.

The Coroner’s Office provided this Grand Jury a copy of its draft of the Shasta County Sheriff-Coroner Deputy Coroner Investigator Training Manual. The manual covers a 14-week field training that includes office training, morgue training and field training.

There is a posted checklist listing what needs to be done to the autopsy suite to prepare for the next autopsy. During the Grand Jury inspection on August 16, 2021, it was observed that no entries had been made to the checklist since August 9, 2019.



The Grand Jury inspection of the Coroner's Autopsy Suite on August 16, 2021, revealed a two-year out-of-date checklist in lieu of a day-to-day operations manual

## Facility

The Shasta County Coroner's Facility is physically too small to accommodate current operations. The cold storage area can accommodate up to 20 cadavers on gurneys. Often there are many more, at times approaching 30. In the event this occurs, the cadavers, in body bags, must share a gurney. Any cadavers brought to the coroner must pass through the autopsy suite to get to cold storage. An ongoing autopsy cannot be interrupted, requiring delayed delivery of the cadaver. There is no staging area. Every effort is made to keep the cadaver in the air-conditioned coroner van until delivery can be made to cold storage. This was also a finding in the 2015-2016 Grand Jury report and was to be fixed during the remodeling approved and funding for the work to occur in fiscal year 2016-2017. However, this modification was not included in the remodel.



*The Shasta County Coroner's Office Autopsy Suite*

There is ample Personal Protection Equipment (PPE) on hand for all personnel needing to be in the autopsy suite. Areas for changing clothes, while not generous, are sufficient for current operations.

Bottled tissue specimens are stored on shelves in the unvented water heater closet.

The Shasta County Coroner's Facility is not accredited by any agency accrediting autopsy facilities in a morgue or coroner's facility. There is no biohazard plan.

**California Code of Regulations Title 8: Sections 5141(a), 5143(a)(1), 5193(d), 5193(d)(3)(H), 5199 and the Center for Disease Control “Guidelines for Safe Work Practices in Human and Animal Medical Diagnostic Laboratories”** include the minimum standards for an autopsy suite. The autopsy suite at the Shasta County Coroner’s Office does not meet all the minimum standards. **Code of Regulations Title 8**, the CDC and OSHA include the minimum standards for an autopsy suite. These include but are not limited to:

- Provide a minimum of 12 air changes per hour (ACH).
- Have local airflow control in place directing air from around the autopsy table downwards and away from personnel.
- Use a biosafety cabinet Class II or higher for the handling and examination of specimens and other containment equipment whenever possible.
- Cleaning and disinfection procedures of the autopsy room, surfaces, and equipment must be performed as described in “Cleaning and Waste Disposal Recommendation” per the CDC.
- A logbook including names, dates, and activities of all workers participating in the post-mortem care and cleaning of the autopsy suite should be kept and available for future follow up, if necessary.

The autopsy suite at the Shasta County Coroner’s Office does not meet all the minimum standards, particularly those listed above. This Grand Jury observed a dirty bone saw, poor air flow, and low-quality facility maintenance. The autopsy suite has not been tested to verify 12 air changes per hour. Wooden cabinets in the autopsy suite do not lend themselves to efficient decontamination. The cleanliness level of the autopsy suite only meets the sanitary level.



*The Grand Jury noted a bone saw covered with bone residue during its August 16, 2021 inspection of the Coroner’s Autopsy Suite.*

There was no numerical record available of the airflow rate in the autopsy suite. Therefore this Grand Jury was unable to confirm if the airflow meets the 12-exchanges-per-hour requirement per CDC. It was noted that there is a standard dust filter (non HEPA) for air coming into the autopsy suite. There is no filtration of air exiting the suite meaning that air is not filtered for pathogens or other micro-organisms. Additionally, the airflow through the autopsy suite is horizontal, from the intake vent, across the cadaver, past the faces of those performing the autopsy, and then outside. The jury determines this situation is potentially unsafe for those working there.

The Shasta County Facilities Department support for the Coroner's Office is reactive not proactive. The Facilities Department will send personnel to fix anything needing attention when requested by the SCSO. Facilities Department personnel do check a limited number of items in the Coroner's Office (filters, etc.) that need replacing or cleaning on a routine basis.

### **Leadership and Management**

Upper management of the Coroner's Office is minimally trained regarding forensic medical practices and procedures. The Chief Deputy Coroner is not required to attend the 80-hour POST Certified Death Investigator Course. Therefore, upper management of the Coroner's Office is unaware of many basic safety and health protocols of a county morgue. As a result, upper management may make incorrect or inappropriate decisions due to the lack of medical knowledge or training. The Coroner's Office does not follow coroner procedures as outlined in *California Health and Safety Code: Section 102850* and the California Code of Regulations.

Deputy Coroner Investigators (DCIs) have been sworn peace officers per Section 830.35(c) of the California Penal Code only since January 2021. They are prohibited from carrying a firearm for protection. There is only one classification for Deputy Coroner Investigator with no stipends for advanced training or responsibilities of being a field training officer.

During the course of this Grand Jury's term, the forensic pathologist and two of the four DCI personnel resigned. There are definite personnel problems in the coroner's office, including no chance for advancement, low morale and problems associated with insufficient training at all levels. This has resulted in a high turnover rate, leading to the loss of the most experienced staff.

### **CONCLUSION**

The 2020-2021 Shasta County Grand Jury discovered and observed notable deficiencies in the Coroner's office.

Operations within this division are established by "word of mouth", "ride along and watch what I do" and a "we have always done it this way and everyone knows that" approach. The complete lack of a written policy and procedures manual covering day-to-day operations does not allow for any type of consistency or accountability within the division.

The Chief Deputy Coroner position is seen by some as an undesirable assignment, with little regard for training an individual to the level of knowledge required of the position. The Chief Deputy Coroner either retires or moves on after a relatively short period of time.

The investigation revealed a lack of training for the supervising Chief Deputy Coroner, the lack of written training protocols and an unclean and unsafe working environment.

Job classifications that reward continued and advanced training do not exist in the Coroner's Office. The lack of promotional opportunity has led to low morale within the Coroner's Office.

Additional job classifications and educational opportunities would encourage staff longevity. The current Coroners Facility is outdated, unsafe and no longer serves the needs of the residents of Shasta County. A larger building and state-of-the-art facility would be the only avenue the Sheriff's Office has to correct this issue. A portion of the \$24 million allocated for 2022 by the federal government, primarily for **public health** under the CARES Act 2022, could help bring Shasta County Coroner's Office into the 21<sup>st</sup> century.

The Coroner's autopsy suite, at least, should be accredited by an appropriate agency chosen by the SCSO. This Grand Jury recognizes that a broad recommendation of accreditation for the entire Coroner's Office is not feasible. The department has neither the man-power nor finances to start such a broad update. However, this jury's investigation revealed that policies and procedures for day-to-day operations that address the deficiencies noted in this report can be taken from accreditation documents from NAME and the California Death Investigation templates found in the Reference List of this report. These procedures can act as a template for establishing procedures where none exist with moderate effort by the SCSO. A lack of long-term planning by the Sheriff's Department has shown that application of policies and procedures are limited to the leadership style of the current Deputy Chief Coroner and may not be sustained the next time management changes.

## **FINDINGS**

- F1. The Coroner's Office does not have a formal manual of applicable policies and procedures for day-to-day operations. Therefore, it has been found that training is not always current, complete or consistent.
- F2. The autopsy viewing area has no audio, limits viewing from the autopsy suite and during this grand jury term briefing and/or debriefing of the incidents involving the deceased were rare. This resulted in zero transparency to any grand jurors viewing the autopsy.
- F3. The autopsy suite does not meet all the minimum Center for Disease Control standards for an autopsy facility. The minimum standards prevent contamination of specimens but more importantly provide safety to personnel from airborne pathogens, viruses, and the like.
- F4. Almost all current employees of the Shasta County Coroner's Office are undertrained in medical and forensic protocol. This can create a dangerous/unhealthy environment as well as incorrect or incomplete autopsy results.
- F5. The Shasta County Sheriff's Office does not encourage or provide available training for Coroner's Office personnel. This results in undertrained staff who are limited by the knowledge they are provided and unable to move forward in their professional growth.
- F6. There is currently no chance for advancement within the Coroner's Office for any assigned Coroner's Office personnel. There is only one DCI level and no Captain position. This has led to a higher than average (with respect to the County) turnover of over 50 percent since July 2020.
- F7. The Coroner's Office has no biohazard plan, which leads to an unsafe working environment.
- F8. The existing cold storage facility accommodates up to 20 gurneys. When the number of cadavers exceeds this number (and has been as high as 30), the cadavers (in body bags) are stored two to a gurney.

## RECOMMENDATIONS

- R1. This Grand Jury recommends that the Sheriff's Office develop written day-to-day procedures for the Coroner's Office to include office, morgue and field work that meet industry standards, such as those outlined in the California Death Investigations template, by June 30, 2022.
- R2. This Grand Jury recommends that the Sheriff's Office determine the feasibility of expanding the classifications of the Deputy Coroner Investigator into multiple levels (dependent on completed levels of forensic and related training) and present a plan for implementation to the Board of Supervisors no later than December 31, 2022.
- R3. This Grand Jury recommends the Board of Supervisors place on its agenda by March 31, 2022, to discuss utilizing the CARES ACT monies granted to the county in 2022 to upgrade and modernize the Coroner's Office Autopsy Suite to meet industry standards specified in this report.
- R4. This Grand Jury recommends the Sheriff's Office immediately restore the audio and the camera control to the remote autopsy viewing area in the Coroner's Office.
- R5. This Grand Jury recommends the Sheriff's Office develop a written procedure by June 30, 2022, that includes the Grand Jury requirements to increase transparency, such as:
  - A written report or a verbal briefing to the grand jury of the events leading up to the death, from a DCI, prior to the autopsy.
  - Access by the grand jury to the controls that operate the camera in the autopsy suite.
  - Access by the grand jury to an audio feed from the autopsy suite.
  - Access by the grand jury to the pathologist for follow-up questions after the autopsy.
- R6. This Grand Jury recommends the Sheriff's Office develop a written plan by June 30, 2022, that provides all DCIs with opportunities for additional forensic and job-related training, necessary for continuing professional education, at no personal cost.

## RESPONSES

Pursuant to California Penal Code, Sections 933 and 933.05 respectively, the 2020-2021 Shasta County Grand Jury requests responses from the following governing body within 90 days:

- Shasta County Board of Supervisors, R2, R3

Pursuant to California Penal Code, Sections 933 and 933.05 respectively, the 2020-2021 Shasta County Grand Jury requests responses from the following office within 60 days:

- Shasta County Sheriff, R1, R2, R3, R4, R5 and R6

## DEFINITIONS

**Coroner:** Usually an elected public officer who is typically not required to have specific medical qualifications and whose principal duty is to inquire into the cause of any death where there is reason to suppose it is not due to natural causes.

**Medical Examiner:** Usually an appointed public officer whose duties are similar to those of a coroner but who is typically required to have specific medical training (as in pathology) and is qualified to conduct medical examinations and autopsies.

**Pathologist:** A licensed physician and surgeon duly qualified as a specialist in pathology per California Government Code §24010.

**Forensic Pathologist:** Under the administrative direction of the Chief Coroner's Deputy, will perform forensic pathology services, general pathology services, and related medical functions to determine cause and manner of death; and performs other related duties as required. Must possess a valid Physicians and Surgeons Certificate, specializing in forensic pathology, issued by the California State Board of Medical Examiners.

**Deputy Coroner Investigator:** Under direction, to investigate and report on deaths which fall within the jurisdiction of the Sheriff-Coroner and to take custody of the deceased when required; to establish the identity of the deceased; to locate and deliver notification of death to next of kin; to safeguard the property of the deceased; to inter the indigent and/or unclaimed dead; to administer the County cemeteries; to perform other related duties as assigned.

**Peace Officer Standards and Training (POST):** established by California's legislature in 1959, the regular basic course is the training standard for police officers, deputy sheriffs, school district police officers, district attorney investigators and a few other classifications of peace officers.

## GLOSSARY

CDC – Center for Disease Control and Prevention  
CSCA – California State Coroner's Association  
DCI – Deputy Coroner Investigator  
NAME – National Association of Medical Examiners  
POST – Peace Officers Standards and Training  
PPE – Personal Protection Equipment  
SCGJ – Shasta County Grand Jury  
SCSO – Shasta County Sheriff's Office

## REFERENCE LIST

Shasta County Sheriff's Office – Policy Manual – Lexipol online, sections 323, 330, 403  
Shasta County Coroner's Office – Deputy Coroner Investigator Field Training Manual (Draft)  
Shasta County Human Resources – Job Descriptions: Forensic Pathologist and Deputy Coroner Investigator  
Shasta County Facility Management Cost Accounting Management System  
Shasta County Facilities Management Building Assessment  
California Government Code §27491 through §27522

California Code of Regulations: Title 8, §§5141, 5143, 5144, 5193 and 5199

California Health and Safety Code: §102850

California Government Code §24010 [Title 3 Gov't of Counties] – Coroners and Medical Examiners

Shasta County Grand Jury Reports:

- 2010-2011 “Shasta County Coroner’s Office – Excellence and Professionalism”
- 2011-2012 “Body of Proof”
- 2013-2014 “Final Observation – Shasta County Coroner’s Office”
- 2015-2016 “Compassion Matters”

Grand Jury Reports related to the Coroner’s Office from the following counties:

- Stanislaus County
- Kern County
- Marin County
- Santa Barbara County
- Los Angeles County
- Sonoma County
- Solano County

On-line data was also collected from the following sources:

California Death Investigation – Coroner Operating Policies and Procedures

<https://sites.google.com/site/californiadeath-investigation/Home/investigation-of-reported-deaths/coroner-operating-policies-and-procedures>

Senate Bill No. 1189 – Chapter 787

<https://documents.cap.org/documents/COVID-Autopsy-Statement.pdf>

<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6490128/>

[https://www.osha.gov/sites/default/files/publications/OSHA\\_pandemic\\_health.pdf](https://www.osha.gov/sites/default/files/publications/OSHA_pandemic_health.pdf)

<https://www.cdc.gov/infectioncontrol/guidelines/isolation/precautions.html>

<https://www.cdc.gov/poxvirus/monkeypox/clinicians/autopsy.html>

<https://www.cdc.gov/infectioncontrol/pdf/guidelines/environmental-guidelines-P.pdf>

<https://www.cdc.gov/niosh/hhe/reports/pdfs/2012-0135-3184.pdf>

[https://www.dir.ca.gov/dosh/dosh\\_publications/ATD-Guide.pdf](https://www.dir.ca.gov/dosh/dosh_publications/ATD-Guide.pdf)

<http://blogs.hcpro.com/osha/2011/05/safe-work-practices-for-the-autopsy-suite>

<http://blogs.hcpro.com/osha/2009/05/ventilation-in-the-autopsy-suite/>

<https://labmedicineblog.com/2017/08/09/owning-safety-in-the-autopsy-suite/>

<https://www.thename.org/>

<https://www.thename.org/inspection-accreditation>

<https://name.memberclicks.net/assets/docs/MANNEROFDEATH.pdf>

<https://name.memberclicks.net/assets/docs/What%20is%20a%20forensic%20pathologist%2011-16-20.pdf>

<https://www.justice.gov/olp/page/file/1228306/download>

<https://www.thename.org/assets/docs/2016%20NAME%20Forensic%20Autopsy%20Standards%209-25-2020%20update%202021.pdf>

## DISCLAIMERS

When there is a perception of a conflict of interest involving a member of a grand jury, that member is required to recuse from any aspect of an investigation involving such a conflict and from voting on the acceptance or rejection of a report.

One member of the 2020-2021 SCGJ recused from this investigation and report. One juror had a connection to the Sheriff's Office. However, it was determined by the court that it was not an actual conflict of interest.

Reports issued by a grand jury do not identify individuals interviewed. Penal Code Section 929 requires that reports of a grand jury not contain the names of any person or facts leading to the identity of any persons who provide information to a grand jury.



# Shasta County

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## BOARD OF SUPERVISORS

1450 Court Street, Suite 308B  
Redding, California 96001-1680  
(530) 225-5557  
(800) 479-8009  
(530) 225-5189-FAX

JOE CHIMENTI, DISTRICT 1  
LEONARD MOTY, DISTRICT 2  
MARY RICKERT, DISTRICT 3  
PATRICK JONES, DISTRICT 4  
LES BAUGH, DISTRICT 5

February 15, 2022

The Honorable Monique McKee  
Presiding Judge, Shasta County Superior Court  
1500 Court St., Rm. 205  
Redding, CA 96001

Dear Judge McKee:

**Re: Response of Board of Supervisors to Fiscal Year 2020-2021 Grand Jury Report:  
"Dead Men Tell No Tales" Shasta County Coroner's Office Report**

The Shasta County Board of Supervisors appreciates the time and dedication which the Fiscal Year 2020-2021 Grand Jurors contributed to their charge. The findings and recommendations contained in the report are under serious consideration and discussions are being held regarding solutions to any unresolved problems.

### FINDINGS

The Grand Jury findings:

***FI. The Coroner's Office does not have a formal manual of applicable policies and procedures for day-to-day operations. Therefore, it has been found that training is not always current, complete or consistent.***

***Response:*** The Board of Supervisors disagrees partially with the finding.

While the finding is unclear in that it addresses whether there is a formal manual of applicable policies and procedures for the day-to-day operations and training is not always current, complete or consistent, the Board of Supervisors response is addressed to the findings as it understands them.

The Board of Supervisors agrees that there is not a formal manual of applicable policies and procedures for day-to-day operation. The Shasta County Sheriff's Office is governed by several Government and Health and Safety Codes. Low staffing levels at the Coroner's office have caused a delay in the completion of the policies and procedures manual.

The Board of Supervisors disagrees that training is not always current, complete or consistent. All current Deputy Coroner Investigators have attended and successfully completed the required training courses, mandated by the State, associated with their job duties.

**F2.** *The autopsy viewing area has no audio, limits viewing from the autopsy suite during this grand jury term briefing and/or debriefing of the incidents involving the deceased were rare. This resulted in zero transparency to any grand jurors viewing the autopsy.*

**Response:** The Board of Supervisors disagrees partially with the finding.

While the finding is unclear in that it addresses whether there is audio in the autopsy suite, whether viewing is limited, and, apparently, whether briefing and/or debriefing of the incidents involving the deceased were rare, the Board of Supervisors response is addressed to the findings as it understands them.

The Board of Supervisors agrees that there is no audio in the autopsy suite. This limitation is due to safety concerns within the autopsy suite. Two-way audio may distract or disturb an autopsy, in addition, sensitive case information and case confidentiality may be jeopardized.

The Board of Supervisors agrees that the autopsy viewing area has limited viewing but viewing the autopsy from the autopsy suite itself is not a viable option due to limited space. Additional people in the autopsy suite could cause safety issues, not only for the employees but also the Grand Jury members.

The Board of Supervisors disagrees that briefing and/or debriefing of the incidents involving the deceased were rare. The Grand Jury is provided with briefings prior to an autopsy and staff is accessible and available to answer any questions after an autopsy.

Based upon the foregoing responses, the Board of Supervisors disagrees that there is "zero transparency to any grand jurors viewing" autopsies.

**F3.** *The autopsy suite does not meet all the minimum Center for Disease Control standards for an autopsy facility. The minimum standards prevent contamination of specimens but more importantly provide safety to personnel from airborne pathogens, viruses, and the like.*

**Response:** The Board of Supervisors disagrees partially with the finding.

The finding is vague and unclear in that it claims the autopsy suite does not meet all the minimum Center for Disease Control standards for an autopsy facility, it does not specify what standard(s) was not met. In addition, the Center for Disease Control standards provides guidelines, not mandates.

In regard to the safety to personnel from airborne pathogens, viruses, and the like, in 2020 HEPA filters were installed; in 2021 the HVAC system in the autopsy suite was inspected and the entire system was determined to be functioning properly per OSHA standards and met the number of required air exchanges per hour using 100% outside air supply. The autopsy suite is cleaned routinely and is in compliance with sanitary level standards. The Board of Supervisors agrees that guidelines can help prevent contamination of specimens and assist to provide safety to personnel from airborne pathogens, viruses, and the like. However, the Board of Supervisors disagrees that the autopsy suite does not meet the guidelines recommended by the Center for Disease Control.

**F4.** *Almost all current employees of the Shasta County Coroner's Office are undertrained in medical and forensic protocol. This can create a dangerous/unhealthy environment as well as incorrect or incomplete autopsy results.*

**Response:** The Shasta County Board of Supervisors disagrees partially with the finding.

The Board of Supervisors disagrees that current employees at the Shasta County Coroner's Office are undertrained in medical and forensic protocol. All current employees are properly trained and receive on the job training for medical and forensic protocol with senior Deputy Coroner Investigators, Forensic Pathologists, or Pathologists.

Qualified, licensed, and trained Forensic Pathologists or Pathologists complete all autopsies within the Coroner's Office. Currently, the County contracts the services of a Pathologist with outside experienced vendors.

Shasta County Deputy Coroner Investigators do not determine autopsy results or findings. Autopsy results are the sole responsibility of the Pathologist conducting the autopsy.

The Board of Supervisors agrees that staff undertrained in any field of work can create a dangerous/unhealthy environment but disagrees that current employees at the Shasta County Coroner's Office are undertrained in medical and forensic protocol. Again, all staff receive the required State mandated training.

**F5. *The Shasta County Sheriff's Office does not encourage or provide available training for Coroner's Office personnel. This results in undertrained staff who are limited by the knowledge they are provided and unable to move forward in their professional growth.***

**Response:** The Board of Supervisors disagrees wholly with the finding.

The Board of Supervisors disagrees that Shasta County Sheriff's Office does not encourage or provide training for Coroner's Office personnel. Deputy Coroner Investigators are required to attend and successfully complete multiple training courses within one year of hire. Currently, all Deputy Investigators have met this requirement.

The Board of Supervisors disagrees that Coroner's Office personnel is undertrained and are limited by the knowledge they are provided. Coroner's Office personnel are not undertrained. However, advanced training opportunities were cancelled due to Covid Restrictions compounded with low staffing levels. Advanced training courses have resumed and participation will be subject to staffing levels and availability.

The Board of Supervisors disagrees that Coroner Office personnel are not able to move forward in their professional growth, advanced training opportunities are scheduled for 2022. Additionally, in October 2021, the Board of Supervisors approved adding a I/II/III series to the Deputy Coroner Investigator classification to promote growth opportunities.

**F6. *There is currently no chance for advancement within the Coroner's Office for any assigned Coroner's Office personnel. There is only one DCI level and no Captain position. This has led to a higher than average (with respect to the County) turnover of over 50 percent since July 2020.***

**Response:** The Board of Supervisors disagrees partially with the finding.

The Board of Supervisors disagrees that there is no chance for advancement within the Coroner's office and disagrees that there is only one DCI level. As presented to this Board on October 19, 2021, the classification of DCI was deleted and the classification of DCI I/II/III was added providing advancement opportunity to the Coroner's office.

The Board of Supervisors agrees that there is not a Captain position in the Coroner's office. It is the Board of Supervisors' understanding that the Sheriff believes there

is not a need for one at this time. The Coroner's office has a total of eight allocated positions which include a Lieutenant position. The Coroner's office is currently managed by a Lieutenant/Chief Deputy Coroner.

The Board of Supervisors disagrees that advancement, job classification or lack of a Captain position in the Coroner's office has led to a "higher than average turnover". There are certainly other factors that play an important role in whether employment with a particular entity is attractive or whether an employee will choose to remain with a particular entity. Furthermore, as of July 2021, the Coroner's office had two vacant positions, one DCI position and one Forensic Pathologist position. As of today, the two aforementioned positions remain vacant and the DCI III position that was added in October 2021 is vacant pending appointment.

**F7. *The Coroner's Office has no biohazard plan, which leads to an unsafe working environment.***

**Response:** The finding is merely a vague statement of what the Grand Jury found with no further detail or specific information regarding what the Grand Jury means by the use of the phrase "biohazard plan" and, as result, the Board of Supervisors wholly disagrees with the finding. The Shasta County Coroner's Office follows the protocols consistent with industry standards and maintains a safe working environment.

**F8. *The existing cold storage facility accommodates up to 20 gurneys. When the number of cadavers exceeds this number (and has been as high as 30), the cadavers (in body bags) are stored two to a gurney.***

**Response:** The Board of Supervisors disagrees wholly with the finding.

The cold storage facility in the Coroner's Office can accommodate six gurneys which is what is available and used. In addition, the cold storage facility has eight stainless steel rolling tables which can temporarily accommodate two decedents (in body bags) should the decedents exceed the number of gurneys and tables available. Maximum capacity of decedents in the cold storage facility at the Coroner's Office is twenty-two. Should the Coroner's Office reach maximum capacity, local mortuaries allow storage of decedents, at their facilities until room becomes available at the Coroner's Office.

## **RECOMMENDATIONS**

The Grand Jury recommends:

**R2.** *The Grand Jury recommends that the Sheriff's Office determine the feasibility of expanding the classification of the Deputy Coroner Investigator into multiple levels (dependent on completed levels of forensic and related training) and present a plan for implementation to the Board of Supervisors no later than December 31, 2022.*

**Response:** The recommendation has been implemented.

On October 19, 2021 the Board of Supervisor, by unanimous vote, added a I/II/III series to the Deputy Coroner Investigator classification. The County of Shasta continuously evaluates positions, classifications and feasibility of changes.

**R3.** *This Grand Jury recommends the Board of Supervisors place on its agenda by March 31, 2022 to discuss utilizing the CARES ACT monies granted to the county in 2022 to up-grade and modernize the Coroner's Office Autopsy Suite to meet industry standards specified in this report.*

**Response:** The recommendation will not be implemented because it is not warranted and is not reasonable.

CARES ACT monies were received by the County in 2020 and had to be expended no later than December 30, 2021. Currently, there is no CARES ACT funding available for the recommended action. In addition, the County is unaware of additional CARES ACT funding available or anticipated for 2022. Finally, even if CARES ACT funding became available, it is likely that, upgrading and modernizing the Coroner's Office Autopsy Suite would not be a qualifying expense if the same rules regarding use of CARES ACT funding if such funding were once again available.

This concludes the responses of the Shasta County Board of Supervisors to the Fiscal Year 2020-2021 Grand Jury Report entitled "Dead Men Tell No Tales" Shasta County Coroner's Office Report.

Sincerely,

*Mary Beckett*  
for Leonard Moty, Chairman  
Board of Supervisors  
County of Shasta

THIS INSTRUMENT IS  
A CORRECT COPY OF THE ORIGINAL  
ON FILE IN THIS OFFICE

ATTEST FEB 15 2022

CLERK OF THE BOARD  
Supervisors of the County of Shasta, State of California  
By: *[Signature]*



Superior Court of California  
County of Shasta

MONIQUE D. McKEE  
Presiding Judge

ADAM B. RYAN  
Asst. Presiding Judge

January 31, 2022

Michael L. Johnson, Sheriff-Coroner  
Shasta County Sheriff  
300 Park Marina Circle  
Redding, CA 96001-1679

Re: Grand Jury Report re "Dead Men Tell No Tales"

Dear Sheriff-Coroner Johnson:

This is to acknowledge receipt of your response received on January 31, 2022, to the 2020-2021 Grand Jury report regarding "Dead Men Tell No Tales".

I would like to thank you for your response to the Grand Jury Report. Pursuant to the provisions of Penal Code §933, I shall transmit your response to the Office of the County Clerk to be maintained on file there. An additional copy shall be provided to the Clerk of the Court also to be maintained on file.

Thank you again for your response.

Sincerely,

A handwritten signature in blue ink that reads "Monique McKee".

Monique D. McKee  
Presiding Judge

cc: Office of the County Clerk (original response)  
Melissa Fowler-Bradley, Clerk of the Court (for Admin file)  
Grand Jury



# SHASTA COUNTY SHERIFF

Michael L. Johnson  
SHERIFF - CORONER

The Honorable Monique McKee  
Presiding Judge, Shasta County Superior Court  
1500 Court St.,  
Redding, CA 96001

Dear Judge McKee,

Re: Response of Shasta County Sheriff to FY 2020-2021 Grand Jury Report.

The efforts and considerations of the 2020-2021 Grand Jury are appreciated. The men and women of the Shasta County Coroner's Office and the Sheriff-Coroner are grateful for the Grand Jury's work on their report. I would also like to extend my thanks and appreciation to the fiscal year 2020-2021 Grand Jury members for their commitment to serving Shasta County and its citizens.

## **Findings, Recommendations, and Responses**

### **Shasta County Coroner's Office Grand Jury Report 2020-2021**

#### **"Dead Men Tell No Tales"**

#### **Findings:**

**F1.** *The Coroner's Office does not have a formal manual of applicable policies and procedures for day-to-day operations. Therefore, it has been found that training is not always current, complete, or consistent.*

**Response to F1:** The Sheriff-Coroner partially disagrees with this finding. The Shasta County Sheriff's Office is governed by several Government and Health and Safety Codes. The Coroner's Office has, however, been working on a procedures manual to assist employees. Unfortunately, due to low staffing levels, the manual has not been finalized. When staffing levels are restored, this manual can again be focused on and completed. Training is, in fact, current within the Coroner's Office. All current Deputy Coroner Investigators have attended the required 80-hour POST certified death investigation course along with a 40-hour PC 832 Arrest and Control course. Further advanced trainings have been scheduled and will continue to be scheduled as courses become available and staffing levels allow.

**F2.** *The autopsy viewing area has no audio, limits viewing from the autopsy suite, and during this grand jury term briefing and/or debriefing of the incidents involving deceased were rare. This resulted in zero transparency to any grand jurors viewing the autopsy.*

**Response to F2:** The Sheriff-Coroner partially disagrees with this finding. There is no audio available for the Grand Jury in the viewing room. This limitation is due to safety concerns within the autopsy suite if there was two-way audio. Distractions from unexpected audio communication can lead to injuries to personnel from instruments they use within the autopsy suite. Personnel inside the autopsy suite regularly handle sharp instruments and also handle fragile samples and evidence. Also, sensitive case information and case confidentiality may be jeopardized. Certain confidential details of the investigation are sometimes discussed within the autopsy suite, and if that information were to be released, it could jeopardize the outcome of the investigation and future prosecution. Viewing an autopsy from the autopsy suite itself is not a viable option due to limited space within the autopsy suite and the number of employees already in the suite during autopsy. Adding more people to the autopsy suite can cause safety issues, not only for the employees but also the Grand Jury members. However, the Coroner's Office provides briefings to the Grand Jury members prior to autopsies along with providing them with the Grand Jury Critical Incident Report Form upon notification to attend the autopsies. Members of the Coroner's Office are regularly available to answer questions the Grand Jury may have. We disagree that there was zero transparency during these critical incident autopsies based on the above information.

**F3.** *The autopsy suite does not meet all the minimum Center for Disease Control standards for an autopsy facility. The minimum standards prevent contamination of specimens but more importantly provide safety to personnel from airborne pathogens, viruses, and the like.*

**Response to F3:** The Sheriff-Coroner partially disagrees with this finding. The CDC provides guidelines for autopsy suites during certain types of autopsy. These are guidelines only, not mandates. During 2021 the Coroner's Office had the HVAC system inspected inside the autopsy suite. The entire system was determined to be functioning properly per CalOSHA standards and met the number of required air exchanges per hour using 100% outside air supply. The air inside the autopsy suite is exhausted out of the roof of the building via powered exhaust fans. HEPA filters were also installed during 2020. The autopsy suite is cleaned after autopsies, after intake of decedents if needed, and after release of decedents if needed to meet sanitary level standards.

**F4.** *Almost all current employees of the Shasta County Coroner's Office are undertrained in medical and forensic protocol. This can create a dangerous/unhealthy environment as well as incorrect or incomplete autopsy results.*

**Response to F4:** The Sheriff-Coroner wholly disagrees with this finding. Employees at the Coroner's Office have been subject to a department specific "Communicable Diseases" policy, in addition to the County of Shasta's "Airborne Transmissible Disease Prevention Program". Employees also receive annual training regarding Bloodborne Pathogens, Aerosol Transmissible Diseases, and Hazard Communication. Furthermore, employees receive on the job training for medical and forensic protocol with senior Deputy Coroner Investigators, Forensic Pathologists, or Pathologists. Trained and experienced Forensic Pathologists or Pathologists complete all autopsies within the Coroner's Office. Deputy Coroner Investigators do not determine autopsy results or findings. Autopsy results are the responsibility of the Pathologist conducting the autopsy.

**F5.** *The Shasta County Sheriff's Office does not encourage or provide available training for Coroner's Office personnel. This results in undertrained staff who are limited by the knowledge they are provided and unable to move forward in their professional growth.*

**Response to F5:** The Sheriff-Coroner wholly disagrees with this finding. All Deputy Coroner Investigators are required to attend an 80-hour Peace Officer Standards and Training (POST) certified death investigation course along with a 40-hour Penal Code 832 Arrest and Control course within one year of their hire date to meet POST requirements. All Deputy Coroner Investigators are current on these requirements. Due to staffing levels and Covid restrictions, further advanced trainings were cancelled or put on hold during the 2020-2021 Covid-19 pandemic. Currently, those trainings have resumed, and Deputy Coroner Investigators will continue to attend trainings as they become available. The attendance of these trainings will depend on staffing levels at the Coroner's Office and availability of the trainings. The Shasta County Coroner's Office will continue to schedule advanced trainings and conferences for employees in order to promote career advancement and development. Advanced trainings have already been scheduled, for Deputy Coroner Investigators, during 2022.

**F6.** *There is currently no chance for advancement within the Coroner's Office for any assigned Coroner's Office personnel. There is only one DCI level and no Captain position. This has led to a higher than average (with respect to the County) turnover of over 50 percent since July 2020.*

**Response to F6:** The Sheriff-Coroner partially disagrees with this finding. The Coroner's Office is currently managed by a Lieutenant/Chief Deputy Coroner. The Coroner's Office is a relatively small unit with eight total allocated positions, which includes the Lieutenant and Pathologist. Again, based on the size of the office and current overall structure of the organization, a Captain position is not needed at this time. There are now three separate classifications for Deputy Coroner Investigators: Deputy Coroner Investigator I, Deputy Coroner Investigator II, and Deputy Coroner Investigator III. The Coroner's Office was recently approved for a fifth Deputy Coroner Investigator position, with the plan to fill the fifth position with the Deputy Coroner Investigator III classification.

**F7.** *The Coroner's Office has no biohazard plan, which leads to an unsafe working environment.*

**Response to F7:** With no further detail or more specific information regarding a "biohazard plan," the Sheriff-Coroner wholly disagrees with this finding. Employees at the Coroner's Office follow protocol from training and industry standards for biohazards. This protocol includes the proper use of personal protective equipment, proper handling of specimens and sharps, and proper disposal of waste. The Coroner's Office contracts with a biohazard company for pickup and disposal of biohazard materials.

**F8.** *The existing cold storage facility accommodates up to 20 gurneys. When the number of cadavers exceeds this number (and has been as high as 30), the cadavers (in body bags) are stored two to a gurney.*

**Response to F8:** The Sheriff-Coroner wholly disagrees with this finding. The cold storage facility in the Coroner's Office can accommodate 8 stainless steel rolling tables and 6 gurneys which is what is available and used. If decedents exceed the number of tables and gurneys available, the decedents (in body bags) can be temporarily stored two to a table but only 1 on a gurney. Maximum capacity of decedents in the cold storage at the Coroner's Office is 22. If the Coroner's Office reaches maximum capacity, local mortuaries allow storage of decedents, at their facilities, until room becomes available at the Coroner's Office.

## **Recommendations:**

**R1.** *This Grand Jury recommends that the Sheriff's Office develop written day-to-day procedures for the Coroner's Office to include office, morgue and field work that meet industry standards, such as those outlined in the California Death Investigations template, by June 20, 2022.*

**Response to R1:** The recommendation will not be implemented as it is not warranted or is not reasonable. As similarly outlined in the earlier response to F1, The Shasta County Sheriff's Office is governed by several Government and Health and Safety Codes. These codes are what guide and direct employees. The Coroner's Office has, however, been working on a procedures manual to assist employees above and beyond the Government Codes and Health and Safety Codes. Unfortunately, due to staffing levels, the manual has not been finalized. When staffing levels are restored, this manual can again be focused on to complete.

**R2.** *This Grand Jury recommends that the Sheriff's Office determine the feasibility of expanding the classifications of the Deputy Coroner Investigator into multiple levels (dependent on completed training levels of forensic and related training) and present a plan for implementation to the Board of Supervisors no later than December 31, 2022.*

**Response to R2:** The recommendation has been implemented. There are now three separate classifications for Deputy Coroner Investigators: Deputy Coroner Investigator I, Deputy Coroner Investigator II, and Deputy Coroner Investigator III. The Coroner's Office was recently approved for a fifth Deputy Coroner Investigator position which will be filled with the Deputy Coroner Investigator III classification. Applications for this position have been received and are being reviewed.

**R3.** *This Grand Jury recommends the Board of Supervisors place on its agenda by March 31, 2022, to discuss utilizing the CARES ACT monies granted to the county in 2022 to upgrade and modernize the Coroner's Office Autopsy Suite to meet industry standards specified in this report.*

**Response to R3:** The recommendation will not be implemented because it is not warranted or is not reasonable. The Sheriff-Coroner does not dictate the Board of Supervisors agenda.

**R4.** *This Grand Jury recommends the Sheriff's Office immediately restore the audio and the camera control to the remote autopsy viewing area in the Coroner's Office.*

**Response to R4:** The recommendation will not be implemented because it is not warranted or is not reasonable. As referenced in F2, due to safety concerns within the autopsy suite, sensitive case information, and case confidentiality, full two-way audio communication, during the duration of the autopsy will not be implemented. Camera control will not be implemented either, as the investigators have control of the camera for investigation purposes.

**R5.** *This Grand Jury recommends the Sheriff's Office develop a written procedure by June 30, 2022, that includes the Grand Jury requirements to increase transparency, such as:*

- *A written report or a verbal briefing to the grand jury of the events leading up to the death, from a DCI, prior to autopsy.*
- *Access by the grand jury to the controls that operate the camera in the autopsy suite.*
- *Access by the grand jury to an audio feed from the autopsy suite.*
- *Access by the grand jury to the pathologist for follow-up questions after the autopsy.*

**Response to R5:** The recommendation will not be implemented because it is not warranted or is not reasonable. Bullet point two is addressed in R4 and bullet point three is addressed in F2. As for bullet point four, the pathologist will not give findings to the Grand Jury due to case sensitivity and confidentiality. The findings will be provided in the pathologist's final written report. Any follow up questions by the Grand Jury can be directed to the Deputy Coroner Investigator and may be answered on a case-by-case basis to ensure confidentiality of the investigation. However, bullet point one, is already implemented and conducted prior to autopsy.

**R6.** *This Grand Jury recommends the Sheriff's Office develop a written plan by June 30, 2022, that provides all DCIs with opportunities for additional forensic and job-related training, necessary for continuing professional education, at no personal cost.*

**Response to R6:** The recommendation will not be implemented because it is not warranted or is not reasonable. A written plan is not needed. All Deputy Coroner Investigators are required to attend an 80-hour POST certified death investigation course along with a 40-hour PC 832 Arrest and Control course within one year of their hire date. Due to staffing levels and Covid restrictions, further advanced trainings were cancelled or put on hold during the Covid-19 pandemic. Some trainings have resumed, and Deputy Coroner Investigators will continue to attend trainings as they become available. The attendance of these trainings will depend on appropriate staffing levels at the Coroner's Office. The Shasta County Coroner's Office will continue to schedule trainings/seminars for employees to promote career advancement and development.

### **Additional Remarks:**

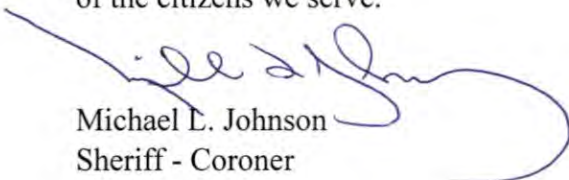
The Shasta County Sheriff's Office appreciates and respects the Grand Jury process. Critical review, constructive criticism, and suggestions for improvement, via Grand Jury and/or other means, will always be received without bias and evaluated for implementation with the goal of improving service, efficiency, and professionalism within the organization.

I was appointed to the Office of the Sheriff-Coroner in August 2021. I immediately conducted assessments throughout all divisions of the Sheriff's Office to include the Coroner's Office. This assessment revealed the priority to find methods to address staffing shortages within the office. Most significantly, among those concerns, was not only the staffing shortages but the excessive workload of the personnel currently occupying the positions because of these shortages. Staffing shortages and the dynamics created by the COVID 19 pandemic, combined with an increasingly growing case load, are at the core of the problem. Staff is overworked and overwhelmed. The three active Deputy Coroner Investigators rotate on call duties, responding to cases at all hours of the night, and rarely get their scheduled time off. Investigators are down a significant amount of case reports. The Sheriff's Office has routinely conducted recruiting efforts, to fill vacant positions, but locating qualified candidates has been challenging. We are currently at the mercy of

two contracted pathologists that respond from out of the area on an "as-needed" basis, which often delays the processes. Additional, ongoing recruiting efforts to fill the permanent pathologist position has too been unsuccessful. The Coroner's Office Administrative Secretary is overwhelmed with phone calls, generated paperwork, and clerical duties impacted from staffing shortages.

It is frustrating to read the "findings" and "recommendations" from the Grand Jury. The information contained within the Grand Jury report inspires skepticism about their investigative abilities. While I appreciate some of the objective findings and recommendations, others seem biased and the product of disgruntled past employee interviews without further exploration into the matter. Missing is the fair assessment of comparative Coroner's Offices within the State. Also absent is the factual information in reference to mandated compliance issues, opposed to the opinion-based findings listed in the report.

In my short time with the Sheriff's Office, I have learned one single most significant factor that is also missing from this report: the men and women of the Shasta County Sheriff's Office, in all divisions and aspects of this organization, serve this community with absolute dedication, commitment, and integrity. As noted above, we are open to constructive criticism and will continue to implement change for the betterment of the citizens we serve.



Michael L. Johnson  
Sheriff - Coroner