This document is an extract of a larger publication.

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Superior Court of California
COUNTY OF LAKE
255 NORTH FORBES STREET
LAKEPORT, CALIFORNIA 95453

J. DAVID MARKHAM
SUPERIOR COURT JUDGE

(707) 263-2374 EXT 2282
FAX (707) 262-1327

June 29, 2023

Dear Members of the 2022-2023 Lake County Civil Grand Jury:

Thank you for the submission of your Final Report. I have reviewed the Final Report and find it complies with governing law. The clerk of the court is directed to accept and file the Final Report pursuant to Penal Code section 933(b).

The role of the Grand Jury is essential to preserving public trust in our local government. The Final Report serves as an important resource for both the public and policymakers, providing insights that can drive positive change and promote the efficient functioning of our local government.

The 2022-2023 grand jury overcame significant staffing challenges to timely complete its Final Report. This would have not been possible without the diligent efforts, tireless dedication and unwavering commitment of each member of the Grand Jury. In doing so, you have demonstrated the true essence of public service. On behalf of the Court, thank you for your service.

The 2022-2023 Civil Grand Jury is to be commended for their work to improve local government and the lives of the citizens of Lake County.

Sincerely,

J. David Markham
Presiding Judge of the Superior Court

Civil Grand Jury 2021/2022
County of Lake
P.O. Box 1078
Kelseyville, CA 95451

June 19, 2023

The Honorable J. David Markham
Presiding Judge of the Superior Court
County of Lake
255 Forbes Street
Lakeport, CA 95453

Dear Judge Markham:

The 2022-2023 Civil Grand Jury respectfully submits it Final Report, as per California Penal Code § 933(a):

Each grand jury shall submit to the presiding judge of the Superior Court a final report of its findings and recommendations that pertain to county government matters during the fiscal or calendar year.

Our collective hope is that you will find its 12 individual investigative reports to be thorough, informative, and thought-provoking. We additionally include reports documenting the Requests for Investigation we received from members of the community and their disposition, as well as our "Continuity Report" that lists prior Findings and Recommendations and the official Responses thereto. We further include four Accolades, which are not formal investigations but are intended to highlight individuals and groups warranting, in our estimation, special recognition.

The Grand Jury conducted 51 interviews, ranging from County Supervisors to department directors to line employees to law enforcement, school district personnel, fire department responders, and County residents. Jurors also visited 14 sites, including all of the cemetery districts and the levees near Upper Lake, as well as the detention centers within our purview, including the Juvenile Hall in Tehama County. Extra effort was expended to cover regular and special meetings of the Board of Supervisors, Lakeport and Clearlake City Councils, and town halls and advisory boards.

The Grand Jury would like to thank former County Counsel Anita Grant for her insight and guidance and current County Counsel Lloyd Guintivano for his painstaking review of our final reports. Further, we are grateful to Your Honor and

to Judge Lunas for your encouragement and for shepherding us through our recruitment and retention challenges.

I gratefully thank the members of the Grand Jury for persevering in spite of the member turnover that mandated extra assignments and for working doggedly to craft final reports that address community concerns. I am honored to have been able to serve as their Foreman.

With sincere regards,

Beverly Benedict Hill

Beverly Benedict Hill
Foreman

Civil Grand Jury 2021/2022
County of Lake
P.O. Box 1078
Kelseyville, CA 95451

June 19, 2023

GRAND JURY FOREMAN'S LETTER TO THE COMMUNITY

Dear Lake County Residents:

The 2022-2023 Civil Grand Jury has completed its year of service on your behalf and herewith submits its Final Report. We hope that the Report reflects our best collective effort in carrying out our responsibility to investigate and report upon various aspects of government within the County and to remain faithful to the Charge given us by the Honorable Michael Lunas at the beginning of our term.

I am asked not infrequently, "So, what is the Grand Jury?" While the term "Grand Jury" brings to mind a "criminal" Grand Jury that indicts those charged with crimes, California is the last state that empanels a "civil" grand jury in every county, every year, for a one-year term. The number of jurors seated varies by county population. Here in Lake County, 19 persons are selected by the Presiding Judge of the Superior Court to serve a fiscal-year term – July through June. The Judge also selects the Foreperson.

The institution of the Grand Jury is part of the "checks and balances" that characterize democracy and are based on three beliefs inherent in this form of government:

1. Public officials should be accountable for their acts or omissions.

2. Public officials must use the power and authority of the state carefully, honestly, and humanely.

3. The resources of the state should be used for the common good, rather than for the personal benefit of the privileged.

The responsibilities and authority of the Civil Grand Jury are specified in the California Constitution, the Penal Code, the Government Code, case law, and Attorney General Opinions. In general, the predominant functions include:

Civil Watchdog Responsibilities

a) Examine all aspects of Lake County and Lakeport & Clearlake governments and special districts to ensure that the best interests of County residents are being served and to determine whether the methods and procedures being utilized could be more efficient and cost-effective;

b) Inspect and audit books, records, and financial expenditures to ensure that public funds are properly accounted for and legally spent;

c) Inquire into the conditions of jails and detention centers within the County;

d) Probe allegations of willful misconduct in office by public officials or employees;

e) Investigate complaints from members of the public raising concerns about the function of local government or its officials; and

f) Account for and review for adequacy the Responses of investigated entities in the prior term's Final Report.

Desirable Qualifications

a) Active listener;

b) Ability to maintain confidentiality regarding grand jury business;

c) Desire to respect others' differing opinions and to cooperate to reach common goals;

d) Genuine interest in local community affairs;

e) Computer research and investigative skills; and

f) Facility in writing and editing final reports.

The results of most Lake County Grand Jury investigations are contained in reports that set forth Findings concerning the problems investigated and make Recommendations for solutions. These documents are published either as Interim Reports during the year or in the Grand Jury's Final Report at the expiration of its term of office. Once approved by the jurors, all reports are reviewed by County Counsel and the Presiding Judge for compliance with the law before being released to the public.

By law, the governing body of any agency that is the subject of a Grand Jury report must comment on the findings and recommendations of the report within 90 days of its publication date, except that every elected county officer or agency head must comment within 60 days. The comments must be submitted to the Presiding Judge and must specify what action, if any, has been or will be taken

by the department or agency in regard to the recommendations or else explain why no action has been taken. This requirement gives the sitting Grand Jury or its successor the opportunity to track the results of investigations.

I have been honored to serve seven terms on the Civil Grand Jury over a period of 22 years, including three terms as Foreman, and I have found this service to be a privilege, a duty, and an opportunity – a privilege to be trusted with the authority accorded civil grand juries by California statute, a duty to investigate issues thoroughly and objectively, and an opportunity to be of service to the residents of Lake County, where I have chosen to live.

I have come to both understand and appreciate persons with views not my own and to recognize the quality of governance within the County and two cities, as well as the professionalism of the judiciary. As much as I have given, I have received. At year's end, jurors sometimes question just what has been accomplished during their term. I am confident in saying to them, "Take it on faith that, just by being present, you have had an effect."

With sincere regards,

Beverly Benedict Hill

Beverly Benedict Hill
Foreman

Grand Jury History and Organization

The institution of the Grand Jury dates back to 1170 in England. When the Magna Carta was written in 1215, of its 63 clauses the longest and most detailed is in the permanent establishment and operation of Grand Juries. They were used by some of our colonies before the American Revolution and then formalized into our U.S. Constitution in Amendment 5 of the Bill of Rights. It has been continued and used since then in several differing forms. As constituted today in the State of California, the Grand Jury is a part of the judicial branch of government - "an arm of the court". It does not have the functions of either the legislative or executive branches, and is not a police agency. Additionally, it does not mandate policy changes. It is an examining and investigative body that makes recommendations to improve systems, procedures, and methods-of-operations in designated local government agencies. In Lake County, the Grand Jury generally performs only civil functions.

Organization

The Lake County Civil Grand Jury (Grand Jury) is composed of nineteen men and women of various backgrounds chosen from throughout Lake County. The presiding Superior Court Judge appoints a foreperson who presides over all jury proceedings and is responsible for directing the business of the Grand Jury.

Most Grand Jury work is done by committees. The areas of focus of these committees usually includes: Budget, Environment, Juvenile Justice, Social Services, Behavioral Health, Administration, Public Safety, Public Works, Special Districts and Public Schools.

The Grand Jury and its committees meet several times a month. They meet with county and city officials, visit county facilities, and conduct independent research on matters of interest or concern. The committees report to the full Grand Jury and conclusions are reached after discussion and study of the issues. The Grand Jury may seek advice or request the services of the Lake County Counsel, District Attorney, Presiding Judge of the Superior Court, or State Attorney General.

Grand Jury Functions

Watchdog Responsibilities

The major function of the Grand Jury is to examine county and city government and special districts to ensure that their duties are being lawfully carried out. The Grand Jury reviews and evaluates procedures, methods and systems utilized by these entities to determine whether more efficient and economical programs may be employed. The Grand Jury is also authorized to:

1. Inspect and audit books, records and financial expenditures.
2. Inspect books and records of special districts in Lake County.
3. Inquire into the conditions of jails and detention facilities.
4. Inquire into any charges of willful misconduct of public officials.

Final Report and Submission of Complaints

The Grand Jury receives letters from citizens alleging mistreatment by officials, suspicions of misconduct, or governmental inefficiencies. Anyone may ask the Grand Jury to conduct an investigation. All complaints are confidential. The jury generally limits investigations to the operations of governmental agencies, charges of wrongdoing within public agencies, or the performance of unlawful acts by public officials. Any complaints that fall into an area of criminal misconduct are referred to the District attorney. The Grand Jury cannot investigate disputes between private parties.

Final Report

At the end of its term the Grand Jury issues one Final Report, including any reports released during the year that summarizes the year's activities, documents its investigations and Findings, and makes Recommendations. Copies of the Final Report are distributed to public officials, libraries, the news media, any interested parties and any entity that is the subject of one if the reports. According to law, the elected County officers must respond within sixty (60) days following the release of the Final Report. The Board of Supervisors and other public agency governing boards must respond within ninety (90) days.

The new Grand Jury reviews the responses of the affected public agencies, and the process of protecting the public interest begins anew.

Submission of Complaints

Although not required, complaints should first be addressed to those responsible for resolution unless it will be detrimental to the complainant. The Lake County Grand Jury will respond to all citizens submitting complaints. The citizen may not have further acknowledgement other than their complaint was received. A Complaint Form is available in the Appendix. Additional Complaint Forms may be obtained from:

https://www.lakecountyca.gov/1202/Grand-Jury

Grand Juror Selection Process and Qualifications

Grand Jury Selection Process

The court solicits applications for the Grand Jury by several means. An Application Form is available in the Appendix. Additional Applications may be obtained by mailing a letter with a self-addressed, stamped envelope to:

Grand Jury Coordinator
255 North Forbes Street
Fourth Floor
Lakeport, CA 95453.
(707) 263-2374 ext. 2282

Applications are also available at each Superior Court Clerk's office at the above address. Once applications have been screened and approved, they are randomly selected to be members of the Grand Jury.

Qualifications for Grand Jurors

Prospective Grand Jurors must possess the following qualifications (Penal Code 893):

1. Be a citizen of the United States, of the age of eighteen (18) years or older who shall have been a resident of the state and county for one year immediately prior to being selected.
2. Be in possession of his or her natural faculties, or ordinary intelligence, sound judgment, and fair character.
3. Possess sufficient knowledge of the English language

A person is not legally required to serve if any of the following apply

1. The person is serving as a trial juror in any court of this state.
2. The person has been discharged as a Grand Juror in any court
3. The person has been convicted of malfeasance in office or any felony or other high crime.
4. The person is serving as an elected public officer.

Desirable qualifications for a Grand Juror include the following:

1. Having the time to make the necessary commitment.
2. Being able to serve fifteen to twenty hours a week
3. Being open-minded with concern for the positions of others.
4. Having the ability to work with others with disparate opinions.
5. Having an interest in community affairs.
6. Not pursuing a personal agenda/vendetta
7. Possessing research and investigative skills and an ability to write reports.
8. Having a general knowledge of the function, authority, and responsibility of county and city government and special districts.

Responses to Findings and Recommendations

PENAL CODE – PEN PART 2. OF CRIMINAL PROCEDURE [681 - 1620]

TITLE 4. GRAND JURY PROCEEDINGS [888 - 939.91]

CHAPTER 3. Powers and Duties of Grand Jury [914 - 939.91]

ARTICLE 2. Investigation of County, City, and District Affairs [925 - 933.6]

933

(a) Each grand jury shall submit to the presiding judge of the superior court a final report of its findings and recommendations that pertain to county government matters during the fiscal or calendar year. Final reports on any appropriate subject may be submitted to the presiding judge of the superior court at any time during the term of service of a grand jury. A final report may be submitted for comment to responsible officers, agencies, or departments, including the county board of supervisors, when applicable, upon finding of the presiding judge that the report is in compliance with this title. For 45 days after the end of the term, the foreperson and his or her designees shall, upon reasonable notice, be available to clarify the recommendations of the report.

(b) One copy of each final report, together with the responses thereto, found to be in compliance with this title shall be placed on file with the clerk of the court and remain on file in the office of the clerk. The clerk shall immediately forward a true copy of the report and the responses to the State Archivist who shall retain that report and all responses in perpetuity.

(c) No later than 90 days after the grand jury submits a final report on the operations of any public agency subject to its reviewing authority, the governing body of the public agency shall comment to the presiding judge of the superior court on the findings and recommendations pertaining to matters under the control of the governing body, and every elected county officer or agency head for which the grand jury has responsibility pursuant to Section 914.1 shall comment within 60 days to the presiding judge of the superior court, with an information copy sent to the board of supervisors, on the

findings and recommendations pertaining to matters under the control of that county officer or agency head and any agency or agencies which that officer or agency head supervises or controls. In any city and county, the mayor shall also comment on the findings and recommendations. All of these comments and reports shall forthwith be submitted to the presiding judge of the superior court who impaneled the grand jury. A copy of all responses to grand jury reports shall be placed on file with the clerk of the public agency and the office of the county clerk, or the mayor when applicable, and shall remain on file in those offices. One copy shall be placed on file with the applicable grand jury final report by, and in the control of the currently impaneled grand jury, where it shall be maintained for a minimum of five years.

(d) As used in this section "agency" includes a department.
(Amended by Stats. 2002, Ch. 784, Sec. 538. Effective January 1, 2003.)

933.05.
(a) For purposes of subdivision (b) of Section 933, as to each grand jury finding, the responding person or entity shall indicate one of the following:
(1) The respondent agrees with the finding.
(2) The respondent disagrees wholly or partially with the finding; in which case the response shall specify the portion of the finding that is disputed and shall include an explanation of the reasons therefor.

(b) For purposes of subdivision (b) of Section 933, as to 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.
(4) The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor.

(c) However, if a finding or recommendation of the grand jury addresses budgetary or personnel matters of a county agency or department headed by an elected officer, both the agency or department head and the board of supervisors shall respond if requested by the grand jury, but the response of

the board of supervisors shall address only those budgetary or personnel matters over which it has some decision-making authority. The response of the elected agency or department head shall address all aspects of the findings or recommendations affecting his or her agency or department.

(d) A grand jury may request a subject person or entity to come before the grand jury for the purpose of reading and discussing the findings of the grand jury report that relates to that person or entity in order to verify the accuracy of the findings prior to their release.

(e) During an investigation, the grand jury shall meet with the subject of that investigation regarding the investigation, unless the court, either on its own determination or upon request of the foreperson of the grand jury, determines that such a meeting would be detrimental.

(f) A grand jury shall provide to the affected agency a copy of the portion of the grand jury report relating to that person or entity two working days prior to its public release and after the approval of the presiding judge. No officer, agency, department, or governing body of a public agency shall disclose any contents of the report prior to the public release of the final report.

Jury Roster 2022-2023

Name	Role	City
Rick Barnes		Kelseyville
Kathleen Bisaccio		Lakeport
Jim Cyr	Recording Secretary Committee Chair	Kelseyville
Sera Dancer		Upper Lake
Barbara Galvan		Cobb
Beverly Hill	Foreman	Cobb
Bob Hume		Kelseyville
Melissa Hodder		Lakeport
Michael Kamimoto	Foreman Pro Tem Committee Chair	Lower Lake
Maggie Magoolaghan	Committee Chair	Kelseyville
Tom Marquette	Committee Chair	Lower Lake
Deborah Perez	Committee Chair	Kelseyville
Evelyn Phillips	Committee Chair	Hidden Valley

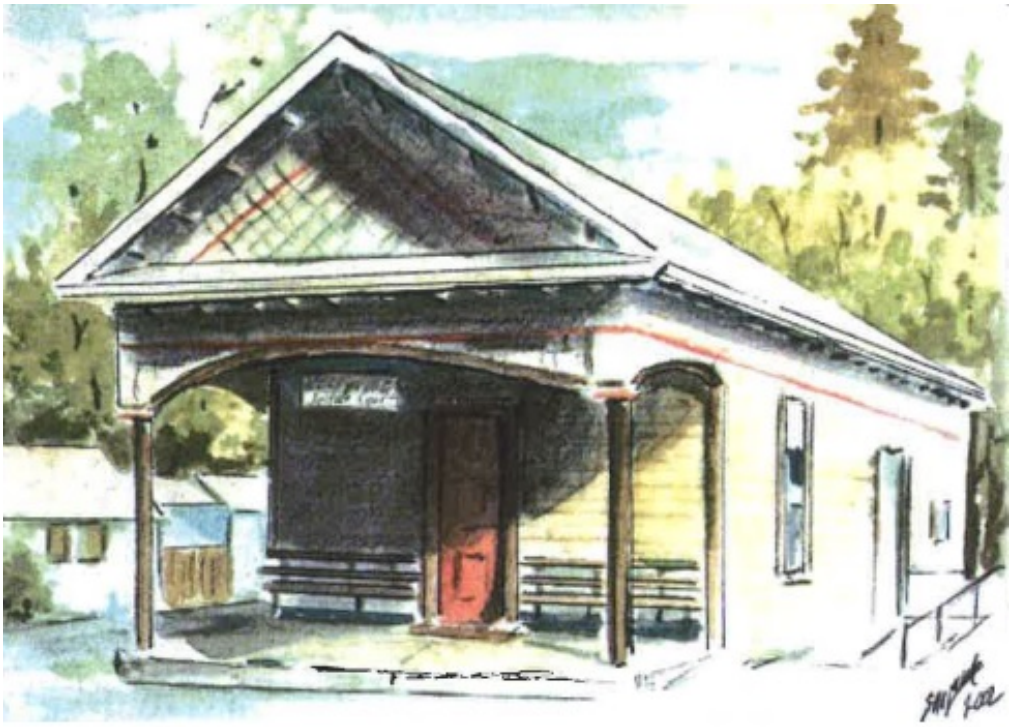
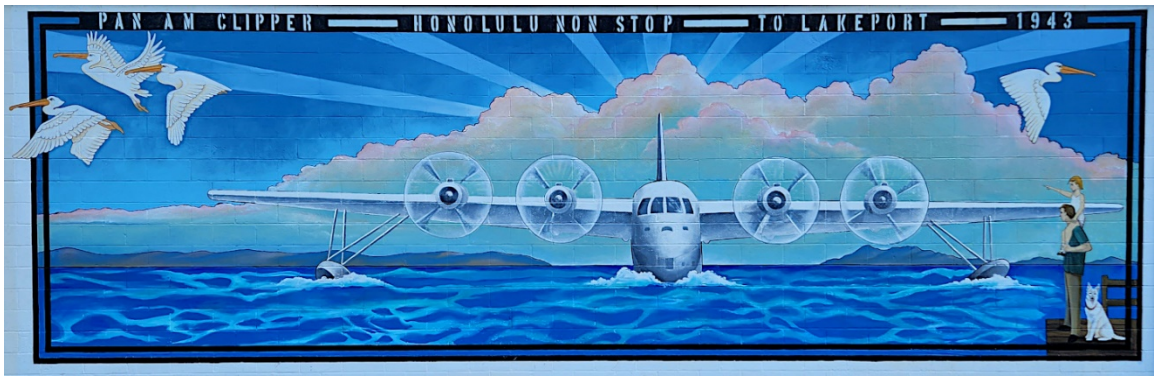


Photo of artwork done by local artist, J.P. Sarlande of Upper Lake.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TO LAKEPORT
1943

In Memory of Our Buried History: Lake County's Cemetery Districts

SUMMARY

Lake County Cemeteries were last reported upon by the Civil Grand Jury in 2007-08, fifteen years ago. The 2022-23 panel delved into the history of cemeteries and the importance of their maintenance in order to preserve our county's history.

Regarding the oversight of the Lake County Cemetery Districts, the Grand Jury observed that most sections of the cemeteries are being well maintained. Cemetery Districts provide cost-effective burial services, provide maintenance, and preserve historical community information. Maintaining websites is also important to clearly list contact information for the public.

The Grand Jury determined that challenges exist to provide proper maintenance and preservation of the more historic sections as mandated by Health and Safety Codes set forth in the State of California.

Cemetery Districts are funded by burial fees plus a percentage of property taxes. Each cemetery District develops its own operating budget. Rising costs of fuel, water, electricity, and other services needed to maintain a cemetery are a challenge to cemetery Boards. A reduction in revenue due to a decrease in full burials and an increase in cremations pose financial challenges, as well. Volunteers are often needed to assist with maintenance projects.

The greatest challenge is preserving the older sections of the six Lake County cemeteries and two Pioneer Cemeteries. Many of the graves, some as early as the 1850's, lack headstones or markers. Older headstones and markers are broken, have fallen, or are too dirty to be read. We have few local historians and genealogists in the County who devote their time to identify remains and place-markers or headstones on the sites. The Grand Jury is concerned that we will lose the integrity of the older sections of the cemeteries, including the Pioneer cemeteries, if a more aggressive effort by the County to take care of our buried history is not made.

METHODOLOGY

In this report, the Civil Grand Jury focused on how Cemetery Districts are operating and how well they are maintained. In an attempt to assess the transparency of the six cemetery Special Districts, the Grand Jury reviewed California laws concerning cemetery maintenance (Government Code 3500 *et seq.*). The Grand Jury met with the Boards of Directors of the six Cemetery Districts and visited the cemeteries in their charge.

The Grand Jury further reviewed the function of Special Districts in providing cemetery services and the role that Local Agency Formation Commission (LAFCO) has in monitoring these Special Districts and recommending best practices. Additionally, the procedures required for processing unidentified or indigent remains by the Sheriff/Coroner's Office were reviewed. [*See*, separate report]. The Grand Jury visited and investigated other cemeteries that were not part of the Lake County Cemetery Districts' oversight, such as the Herndon-Copsey Pioneer Cemetery and Robinson Rancheria Cemetery.

INTRODUCTION

Philosopher Giannis Delimits wrote: “A brief yet reflective walking through a cemetery is enough to teach us more than all the philosophy of the world during a lifetime.”

With this quote and others in his book, the author answers, or at least gives the reader insight into, the meaning of human life or, in the case of cemeteries, the end there-of. His quote renders us reflective on the human condition and on the history of the individual interred in a specific place, whether it be in a family plot, the sea, a graveyard, churchyard, or, in the modern era, a cemetery. The quote reminds the reader that cemeteries are a place where reflection on a person’s life is given respect, acknowledgment, and emotion. Cemeteries help us to remember the dead and what our lives should be like in anticipation of our own death, and burial. Proper maintenance of a cemetery is an important part of helping the living remember the dead. A traditional and common inscription on many older headstones reads:

“Remember me as you pass by,
As you are now, so once was I,
As I am now, so you must be,
Therefore, prepare to follow me”.

GENERAL HISTORY

The word cemetery is taken from the Greek word Koimeterion, which is the term for “sleeping place.” The word implies that the land has been set aside as a burial ground. Although the word “graveyard” is often used interchangeably with “cemetery,” a graveyard is only one type of cemetery - the burial ground within a churchyard.

While taphonomy technically is the study of how an organism becomes preserved as a fossil, the word originated from the Greek word taphos, which means “burial.” The origins of the word became synonymous with the term cemetery. Thus, taphonomy is the study of cemeteries. Taphophilia is the love of cemeteries.

Cemeteries are thought to have first come into existence in the 7th century when burials were firmly controlled by the Church in Europe. The Church was the only institution allowed to bury the dead, and there were no other grounds for burials aside from the churchyard. Part of the churchyard was therefore converted into a graveyard.

However, as the population in Europe began to grow, the capacity of the graveyards was quickly surpassed. Graveyards were no longer sufficient as a burial place. People were being buried on top of each other, and graves were sometimes even dug up to create space for the burial of other bodies.

As a result, people were seeking new places to bury the dead. This search became more urgent as the health risks of overcrowded graveyards became apparent. Garden cemeteries were adopted by the end of the 18th century and were run by governments, private companies, and sometimes private citizens.

Cemeteries in the modern era have become large expansive landscapes located far away from heavily populated areas. They are found outside large cities and town centers and are, for the most part, independent of churches or religious organizations. They provide burial services for people of different cultures and beliefs. To a large degree, the establishment of cemeteries wrested control of burial space from the Church and redefined the provision of space for interment as a civic, rather than a spiritual, responsibility.

There are various cemetery styles in use today. These styles reflect the diversity of the cultural practices that surround death.

Cemeteries are fascinating places. They are full of history and beautiful artwork. They are truly outdoor museums. You can learn so much about your community by learning about your cemetery. Iconic people of multiple eras are buried there. Cemeteries truly were our first parks. Indeed, the dead have a story to tell.

The tombstone of the late Mel Blanc (Voice of Bugs Bunny) illustrates to us his most famous words - “That’s All Folks.” Not everyone buried has left us such a legacy in stone, but there is still a story to tell from every gravestone in existence.

Today, we mostly are informed about the cemeteries and who resides therein through the internet. Websites such as “Find a Grave,” “Legacy.com,” “Billion Graves.com,” and others have contributed to our knowledge of the history of billions of people who have died. These websites have aided the researchers of family history in many ways. Researchers are able through these resources to piece together the puzzles and break down the informational brick walls concerning family histories. Because of volunteers who spend many hours gathering information from cemeteries and local records and then transferring the data to websites, we are given a glimpse into the lives of relatives and, in many cases, a full origin and history of loved ones.

CALIFORNIA

In California, cemeteries have a long history that reflects the State’s cultural and religious traditions. Prior to European contact, burial rituals and traditions of Native Americans varied depending on the area and tribe they were from.

When Spanish missionaries arrived in California in the 1700’s, they established cemeteries near the missions that served as burial sites for converts to the Catholic faith, as well as for Spanish and Mexican settlers who came to California.

In the mid-1800's during the gold rush era, non-Catholic cemeteries began to emerge and were established by fraternal groups, religious groups, and mining communities. Many religious and cultural traditions were represented.

As the population of the State grew, cemeteries became overcrowded, and public health concerns led to the establishment of municipal cemeteries outside of the towns and cities. Their goal was to make cemeteries more sanitary and efficient.

In the middle part of the 20th century, urbanization and changing demographics began to impact the landscape of California's cemeteries. Many older cemeteries were abandoned or fell into disrepair, while new cemeteries were established.

Today, cemeteries in California continue to provide for the religious and cultural traditions of its people and serve as important sites for honoring the memory of the dead and preserving local history.

Americans strived to provide better services for their citizens, and cemeteries were seen as the last great necessity. Moving to the outer limits or more rural areas of the cities allowed for much larger burial grounds that removed the dead from the immediate realm of the living. Once a person is interred in a cemetery, the duty of the cemetery caretakers is to maintain the graves and the grounds around the cemetery to preserve it and prevent deterioration. Unfortunately, cemeteries fall victim to time, the elements, vandalism, and inflation. It is our civic responsibility to see that community cemeteries are well maintained and properly administered in order to preserve the legacy of our loved ones.

CEMETERY RESPONSIBILITIES AND FUNDING

Today, rising costs and fewer burials make it a challenge for cemeteries to preserve their grounds and keep them in good condition. Property taxes are an important source of revenue for the cemeteries in Lake County, California.

The Grand Jury has assessed State requirements for maintaining the cemetery grounds in their inspections of each of the six Lake County Cemeteries.

According to California state law pertaining to cemetery maintenance standards, the State adopted section 2333 of Division 23 of Title 16 of the California Code of Regulations, which reads as follows:

§ 2333. Cemetery Maintenance Standards.

{a} Every endowment care cemetery shall have cemetery maintenance standards to ensure the property is kept in a condition so as to prevent the cemetery's offensive deterioration. The cemetery maintenance standards shall be in accordance with either subdivision {b} or subdivision {c} of this section.

{b} Each endowment care cemetery shall perform, at a minimum, the following maintenance on its cemetery property:

1. Trim or mow grass and prune shrubs and trees in and around the cemetery. Grass shall be trimmed or mowed to a level where flat markers of individual graves can be seen.

2. Suppress or remove weeds on the developed cemetery property.

3. Provide a sufficient supply of water to keep cemetery grass and plants as green as seasonally possible in accordance with natural terrain.

4. Repair or restore improvements, structures and fences on the property which are owned by the cemetery.

5. Keep cemetery roads seasonally accessible and repair surfacing which presents a hazard.

6. Keep all occupied crypts and niches properly sealed or closed.

7. Refill or reset settled graves and markers annually, or within 120 days of the cemetery's office becoming aware of the issue.

8. Repair any grave marker, monument, or burial vault that is damaged by the negligence of the cemetery or its employees or contractors.

9. Supply and empty trash receptacles when filled and keep public areas of the cemetery grounds and water features clear of trash and debris.

10. Provide clear delineation of undeveloped cemetery property with the use of signage.

11. Control vermin and insect problems.

{c} An endowment-care cemetery may establish written rules and regulations in accordance with Health and Safety Code Section 8300. At a minimum, the rules and regulations addressing maintenance of the cemetery's property shall include its lots, graves, grounds, landscaping, roads, paths, parking lots, fences, mausoleums, columbaria, vaults, crypts, utilities, and other improvements, structures, and embellishments.

{d} Notwithstanding subdivision {b}, the care and maintenance of each cemetery may vary depending upon the cemetery size, location, topography, and type of interments.

{e} Nothing contained in subdivision {b} shall be construed to require specific topography, structures, or other cemetery-related items on the property. Cemeteries, including sections within a cemetery, that are specifically established and intended to be maintained in a natural condition are not subject to the

requirements of subdivision {b}, with the exception of {4}, {5}, and {9}. Non-endowment care sections of a cemetery are exempt from the requirements of this Section.

{f} The cemetery contract shall include a statement notifying consumers that maintenance standards are available for inspection at the cemetery office. Upon the consumer's request, the cemetery shall provide, for the consumer'(s} retention, a written copy of their maintenance standards.

{g} The amount collected by the cemetery in endowment care fees under Health and Safety Code Section 8738 shall be reconsidered annually by the cemetery based upon current and projected maintenance expenditures, and adjusted as necessary to ensure that sufficient funds are available to perform the maintenance required by their rules and regulations as described in subdivision {a} or subdivision {b} of this Section if subdivision {a} is not applicable.

NOTE: Authority: Sections 9630 and 9612, Business and Professions Code.
Reference: Section9612 Business and Professions Code, Sections 8115, 8300, 8728 and 8738 Health and Safety Code.

THE ROLE OF SPECIAL DISTRICTS

Special Districts are a form of local government created by a local community to meet a specific need. When residents or landowners want new services or higher levels of existing services, they can form a District to pay for and administer these services.

One type of Special District in California is the Cemetery District. Public Cemetery Districts provide a single service to the public - cemetery plots and interment. There are 256 public Cemetery Districts in the State of California. Health and Safety Code Section 9000, *et seq*., known as the Public Cemetery District Law, provides regulations for cemetery Districts. The Public Cemetery District Law was originally enacted in 1909 and was comprehensively rewritten in 2004.

Public Cemetery Districts are limited-purpose local governments separate from cities and counties. Within their boundaries, they provide focused public services regarding cemeteries and interment for residents in the District. They were created to provide for the respectful and cost-effective interment of human remains to meet the cultural, economic, religious, and social needs of California's diverse communities, according to Health and Safety Code 9001. Public cemetery Districts have provided communities with the means to publicly finance the ownership, improvement, expansion, and operation of public cemeteries and the provision of interment services.

Health and Safety Code Section 9020 provides that a Cemetery District must be made up of at least three members as a Board of Directors. This Board governs the District and is subject to the laws that apply to public agencies for the conduct of meetings, such as the Ralph M. Brown Act (Government Code Section 54950, *et seq*.), the Public Records Act (Government Code 6250, *et seq*.), and the Myers-Milias-Brown Act (Government Code Section 3500, *et seq*.)

Special Districts are divided into dependent and independent districts. Directors of independent districts are usually appointed by the Board of Supervisors of the county where the District is located. Appointees are required to be registered voters in the District in which they are appointed. A county Board of Supervisors can appoint themselves to sit as the Board of a Cemetery District; these are considered to be dependent districts. All boards are required to adopt a budget and comply with municipal operation regulations. They are required to hold meetings every three months.

In Lake County, six separate Cemetery Districts maintain a Board of five members each. They are independent of the Board of Supervisors in governing the Districts. They either meet monthly or bi-monthly, depending on the Board's preferences.

Cemetery Districts have certain rights and powers under Health and Safety Code Section 9041:

1) To sue or be sued.
2) To acquire property by purchase, eminent domain, grant, gift, or other lawful means.
3) To sell, lease, or otherwise dispose of property.
4) To hire employees, define their qualifications and duties, and to set compensation.
5) Hire legal counsel and other professional services.
6) To enter into and perform contracts.
7) To adopt ordinances; to adopt and enforce rules for the administration, maintenance operation, and use of cemeteries.
8) To enter into joint powers agreements.
9) To appoint advisory committees.

Cemetery Districts operate just as cities and counties do. Cemetery Districts are funded in part by property tax revenue, or the District may propose a special tax on all real property within the District through the procedures in the Government Code including the Mello-Roos Community Facilities Act. The District can charge fees to cover the actual cost of services it provides or regulations it enforces.

The Cemetery Districts are authorized to sell interment rights to residents of the District. They can only charge the actual amount it costs them to provide the services. They are allowed to sell interment rights to nonresidents of the District only under certain conditions. A nonresident fee is charged and is typically only

allowed if the person is a family member of a person who is already interred in a cemetery owned by the District. Other exceptions are found in the Health and Safety Code Section 9061.

LAFCO – Local Agency Formation Commission

Lake LAFCO is an independent commission working within the boundaries of Lake County, to help control the borders of cities and special Districts, to discourage sprawl, and encourage orderly government. The Knox-Nisbet Act of 1963 established LAFCOs. LAFCOs conduct Sphere-of-Influence (SOI) assessments and Municipal-Service Reviews (MSR).

The major purpose of LAFCO includes encouraging the orderly formation of local governmental agencies and conserving and preserving natural resources. The commission's efforts are directed toward seeing that services are provided efficiently and economically while agricultural and open-space lands are protected. LAFCOs do not have enforcement authority, nor do they have the authority to initiate a city or District annexation or detachment proceeding. LAFCOs may initiate consolidation or dissolution proceedings; however, these proceedings are subject to voter approval or denial.

LAFCOs are responsible for coordinating logical and timely changes in local governmental boundaries. They conduct special studies that review ways to reorganize, simplify, and streamline governmental structures. LAFCO prepares a review of services called a MSR and prepare a SOI, determining the future probable boundary for each city and Special District within each county. From It's Time to Draw the Line, A Citizens Guide to LAFCOs; LAFCOs are the California Legislature's "watchdogs" over boundary changes to encourage and provide well-ordered urban development.

LAFCO is required to prepare a written statement (MSR) of its determinations with respect to each of the following.

1. Growth and Population
2. Capacity and Infrastructure
3. Financial Ability
4. Shared Facilities
5. Government Structure and Accountability

The objective of the MSR is to develop recommendations that will:

1. Promote more efficient and higher-quality service delivery.
2. Identify areas for service improvement.
3. Assess the adequacy of service provision as it relates to the determination of appropriate Sphere of Influence boundaries.

Lake LAFCO MSR and SOI conduct and publish findings through reports every five years or as necessary. The latest MSR/SOI findings of the six Lake County Cemetery Districts are in the last report published in 2021. Every California independent special District was required to maintain a website by January 1, 2020. Senate Bill 929 added Government Code sections 6270.6 and 53087.8 to provide the public easily and accessible and accurate information about the Districts. The requirements for the District website are as follows:

1. Contact Information
2. Current Agenda
3. Financial Transaction Reports (as sent to the State Comptroller)
4. Compensation Reports (as sent to the State Comptroller)

DISCUSSION AND ANALYSIS

There are 256 cemetery Districts located throughout California.
There are six cemetery Districts in Lake County, California:

1. Kelseyville
2. Upper Lake
3. Middletown
4. Glenbrook (Cobb)
5. Lower Lake
6. Hartley (Lakeport)

Included in this report are two Pioneer cemeteries, the Kelseyville Pioneer Cemetery and the Herndon-Copsey Pioneer Cemetery in Lower Lake. A Pioneer Cemetery is defined as a cemetery that has had 12 or fewer burials in the last 50 years. Robinson Rancheria Cemetery in Upper Lake, under the control of the Robinson Band of Pomo Indians, is included as well.

Copies of budget reports, burial fees, maps, and current agendas were provided to the Grand Jury at each Board meeting. The Lake County LAFCO MSR Review of 2020-2021 was used in part as a basis for questions to the Boards. A review of each of the Cemetery Districts follows.

Documents including each District’s burial fees follows these reports.

1. KELSEYVILLE CEMETERY

The Kelseyville (Lupoyoma) Cemetery District is located at 3375 Bell Hill Rd. The Pioneer Cemetery is located at 4830 Renfro Drive. According to "Find a Grave," there are 3,203 memorials in the Kelseyville Cemetery and approximately 100 in the Pioneer Cemetery. The Kelseyville District Cemetery consists of 18 acres. Ten acres are developed, and eight acres are undeveloped. A beautiful columbarium niche area is present. A columbarium is a room, building, or wall that is designated for the interment of the ashes of people who have died and been cremated. A columbarium niche or cremation niche are compartments within the columbarium that holds a person's cremated remains. Next to the niche area is a large open-air building that is used for burial services. The main cemetery appears to be very well maintained. The cemetery has many Italian cypress and tall oak trees in the older section. Many monuments are visible in this area. The cemetery is easily accessed through many gates from Bell Hill Road. The streets are paved and marked A through L. There are many benches and fountains around the property.

According to the LAFCO Municipal Service Review of 2020-2021, the Kelseyville Cemetery District has two cemeteries to maintain and many historical graves to preserve per California Government Code Section 56430 (a) (3).

The community of Kelseyville was formerly named Kelsey, Kelsey Creek, Kelsey Town, Peartown, and Uncle Sam. Originally called Kelsey Town in honor of Andrew Kelsey who was killed in 1849 along with another settler, Charles Stone, in an uprising by a band of Pomo Indians whom Kelsey and others had enslaved. The uprising ended in 1850 with the Bloody Island Massacre.

Approximately 400 members of the local Pomo tribe, mainly women and children, were murdered by a group of the US military petitioned by local white settlers, in retaliation for the killing of Andrew Kelsey and Charles Stone. The town was then called Uncle Sam which established a post office in 1858, changing its name to Kelseyville in 1882.

Kelseyville was the first white settlement in Lake County. Native American tribes, specifically Pomo and Miwok, have lived in this area for thousands of years.

Kelseyville Pioneer Cemetery**,** established in 1861, has about 100 graves of the early pioneer families, some of which are unmarked. Early settlers buried there include members of the Benson, Crowell, Gard, Kelsay, Kelsey, Nobles and Piner families. In 1884, the Odd Fellows Cemetery, now Kelseyville Cemetery, opened, and some burials from Pioneer Cemetery were relocated to it. In the case of Andrew Kelsey and Charles Stone, their bodies were originally buried on the banks of Kelsey Creek, but, because of vandalism, their remains were reinterred underneath a monument at the end of town at the intersection of Main Street and Bell Hill Rd.

The Kelseyville Cemetery Board has all five members serving and meets monthly. The Board provided the Grand Jury with a copy of their current agenda. Board meetings followed the Brown Act rules of order. The main bulk of new business is related to maintenance issues. The Board develops a yearly budget and currently employs a bookkeeper, superintendent, plus one other maintenance assistant. The Board works closely with the superintendent and determines what course of action is needed to maintain the cemetery. The Board approves any expenditures for maintenance.

The cemetery District has adequate income to meet the needs of the District, according to LAFCO in the MSR and SOI review for 2020-2021. The current 2022-2023 budget also reflects adequate funds to maintain the Cemetery District. Property taxes and burial fees are the primary sources of revenue for the District.

Kelseyville Cemetery District has a website, developed through “Streamline,” in partial compliance with LAFCO and state law SB 929. However, the only way the public can access the website is through the address listed below:

www.kelseyvillecemetery.specialdistrict.org. The cemetery escaped damage from the fires that ravaged Lake County in the last 10 years. The cemetery observes water conservation. Water is provided by the Kelseyville County Waterworks District #3 through its two wells.

Covid 19 was not an issue when the Board met, but there was an increase of about 10 percent in burials because of the pandemic

Kelseyville Pioneer Cemetery

Kelseyville Pioneer Cemetery is minimally maintained, involving only the removal of dead and felled trees, with limited weed abatement. In the past, from 1960 through 1991, local organizations such as the Kelseyville Lions and Lioness Club and Wynacht Memorials, Inc. fenced, restored markers, and cleaned-up the cemetery. Currently, there is no communication between volunteer groups and the cemetery to assist with maintenance. Upon inspection of the Pioneer Cemetery, the Grand Jury observed downed trees and branches with many of the headstones and monuments needing to be cleaned and repaired. The Cemetery District, in the beginning of April, cleared both cemeteries of the downed trees and branches. There has been no action on the maintenance of the gravesites.

AVENUE OF THE FLAGS

Avenue of the Flags (AOTF) is a non-profit national organization that commemorates the memory of veterans who gave their lives in service to our country. The display of flags at cemeteries across the country is a practice that reinforces patriotism, national pride, and represents a visible, bold, and proud display of flags. Flags are donated by the families of interred veterans for display. In most cases, the Avenue of the Flags is only flown on days of special ceremonial significance such as Memorial Day and Veterans Day. In Lake County California, several cemeteries, (Kelseyville, Lower Lake, and Hartley) participate in the biannual observances. Most of the 300-400 donated flags are stored at a facility at Lower Lake Cemetery. Upper Lake Cemetery observes the AOTF, as well, but stores their flags at a private residence in the County.

The flags have been donated to the Avenue of the Flags. Many vintage flags of Kelseyville veterans are stored at Lower Lake Cemetery. The Kelseyville Cemetery District Board would prefer to possess and store the flags of veterans interred at Kelseyville Cemetery.

Currently, the local Avenue of the Flags organization, due to a change in leadership, is only one dedicated individual entrusted to ensure that all the flags are displayed and stored properly. In order to restore the proper function of the organization, a Board of Directors is needed. The organization's tax ID number for fundraising purposes needs to be recovered. This will allow Avenue of the Flags to raise sufficient funds to cover costs of insuring the flags. Avenue of the Flags organization did not display flags last year at the Kelseyville Cemetery.

The website address for the Lake County Avenue of the Flags is uvclc.org. Phone # is 707-900-1652.

FINDINGS

F-1: There is concern over the ownership and proper storage of the veterans' flags connected to Kelseyville Cemetery District.

F-2: Headstones at the Kelseyville Pioneer Cemetery require cleaning and restoration.

F-3: Kelseyville Cemetery District needs to facilitate public and County access to its website.

F-4: The Avenue of the Flags organization in Lake County has no functional board, which affects the operations of the Kelseyville Cemetery Board.

F-5: Kelseyville Cemetery is well maintained, easily accessible to the public, and provides ample space for burial services.

RECOMMENDATIONS

R-1: That the Kelseyville Cemetery District Board of Directors meet with the Avenue of the Flags President to clarify plans for future veterans' events. (F-1, F-4)

R-2: That the Kelseyville Cemetery Board of Directors contact volunteer organizations or State preservation groups to clean and repair the Pioneer Cemetery headstones. (F-2)

R-3: That the Kelseyville Cemetery Board of Directors contact Streamline website services in order to promote better public access to the KCBD website. (F-3)

R-4: That the Kelseyville Cemetery Board of Directors ensure that the website is listed on the County of Lake website. (F-3)

REQUEST FOR RESPONSES

Pursuant to Penal Code § 933.05 (a)(b)c), the following responses are required:

Kelseyville Cemetery District Board	R-1, R-2, R-3, R-4	(90 days)

2. Upper Lake Cemetery District

Upper Lake Cemetery is located at 780 Clover Valley Rd and was established in 1855; the oldest tombstone is dated 1849. Some older, unmarked burials may also be there. The Pomo Indians used to cremate their dead in this area prior to the arrival of white settlers. The oldest part of the cemetery is on the east side of Clover Valley Rd. According to “Find a Grave” website, there are 2,925 memorials in the Upper Lake Cemetery.

The cemetery has fencing around most of the property, and one can enter from access points on either side of Clover Valley Road. There is a large maintenance shed, an office, and a chapel on the west side of Clover Valley Road in the newer section of the cemetery. The oldest part of the cemetery, on the east side of the road, is easily accessed by a large gate. There are many signs posted on the fences along the property showing cemetery hours, regulations, and other rules for the public. Information is also posted on the office window with office hours and cemetery rules.

The Grand Jury observed that the west side of the cemetery is well maintained. The older eastern side of the cemetery requires maintenance. Gopher holes were noticed near some of the graves. Many of the older gravestones need cleaning with a few needing restorations. The website for the District advertises stone cleaning services at $15.00 per headstone.

There are PDF cemetery maps online (www.upperlakecemetery.com) for family, friends, and genealogists. The Upper Lake Cemetery District Board provided the Grand Jury with a copy of its current agenda and its current budget.

Upper Lake Board meetings are not in compliance with Brown Act. In accordance with State of California SB 929, a website has been established. However, the adopted budget is not available on the website.

There are a couple of building maintenance concerns. The cemetery has an issue with woodpeckers damaging buildings. Currently, steps are being taken to mitigate the mage. The Cemetery Board is working to replace the bathrooms and is still accumulating necessary funds. da

There were 28 burials last year; nine were cremations. Volunteers are used for maintenance. Also, Court-ordered Community Service Workers may be assigned to assist the cemetery maintenance. There is an ongoing project to obtain markers or plaques for unmarked graves and to replace wooden headstones in the older section.

The District had three surveillance cameras, but they were recently stolen. There is a columbarium niche section located next to the chapel. There was minimal damage to the cemetery during the fires, mainly to the grass.

Currently, the cemetery stores its flags for Avenue of the Flags ceremonies in a private residence in Upper Lake. The cemetery is looking into ways to store them at the cemetery. When needed, volunteers from the area and North Shore Fire Protection District provide help.

The cemetery has a well system and observes water conservation. In 2008, the Upper Lake Cemetery district established a Master Plan. A 2020 update was noted by the District in LAFCO's MSR of 2021. A backhoe has been replaced and an additional tier has been added to the columbarium niche area. The District also repaired existing paved roads with a chip seal overlay, made improvements to its fencing, and developed Zone 5 (Walnut Addition) with a water system, trees, layout of plots, and pathways.

FINDINGS

F-1: The Cemetery website is not in compliance with current budget information required per State law SB929. The link for access to the budget is broken.

F-2: Flags for memorial ceremonies are currently stored on private property.

F-3: Many of the older gravestones on the east side of the cemetery require cleaning and repair.

F-4: The Upper Lake Cemetery posts rules and regulations along the fence line, making it accessible for public viewing, and posts cemetery maps on its website for easy access to gravesites.

RECOMMENDATIONS

R-1: That the Upper Lake Cemetery District address the broken link issue with its website provider and update its website with current budget information. (F-1)

R-2: That the Upper Lake Cemetery District step up efforts to properly house flags at their cemetery or return them to Lower Lake Cemetery for proper storage. (F-2)

R-3: That the Upper Lake Cemetery District clean and repair gravestones. (F-3)

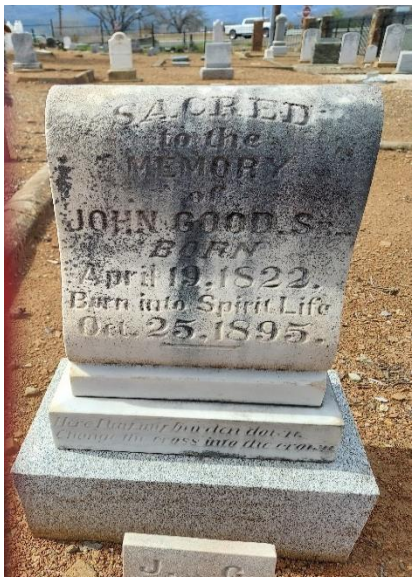
REQUEST FOR RESPONSES

Pursuant to Penal Code § 933.05 (a)(b)(c), the following responses are required:

Upper Lake Cemetery District Board	R-1, R-2, R-3	(90 days)

3. MIDDLETOWN CEMETERY DISTRICT

In 1889, the land for a new cemetery was donated by John Good, Sr. and his brother-in-law John Reinke, both blacksmiths. The cemetery is located at 16357 Butts Canyon Road. This new cemetery was owned by the Odd Fellows Lodge. Previous burials from the small cemeteries at Fiege Ranch and Rabbit Hill were transferred there in 1894. Rabbit Hill was an aviator observation post during World War II. It is located off Stewart Street in Middletown. Middletown's first cemetery was in the flat alongside Rabbit Hill. It is not known where the Fiege Ranch burial site was located.



Twenty-one veterans of the Civil War and one from the Spanish American War are buried in Middletown Cemetery. The Middletown Cemetery District was formed in 1966 to provide cemetery services to residents, families, and taxpayers of the District. In total, the cemetery utilizes 8 acres of land. There are currently 5 members of the Board of Directors. They employ a Manager/Secretary and contract out to do various maintenance projects. The Board is also involved in the maintenance and upkeep of the cemetery. They maintain a website according to state law SB 929 and it is up to date on agenda and

budget information. They have assistance from the Konocti Conservation Camp for upkeep of the grounds. The Board provided copies of their previous and current agendas, and their meeting was held in compliance with the Brown Act rules of order.

The Board expressed the need to obtain a credit card in order to purchase items and pay bills for the cemetery. The Grand Jury was told that, even though the cemetery has a large endowment fund held by the county, the cemetery had difficulty in obtaining a credit card. The Grand Jury has since learned that the cemetery District could obtain a credit card directly from the Lake County Auditor/Controller's office in Lakeport.

The cemetery must conserve water and, in the last few months of the past dry season, trucks brought in water to maintain the cemetery facilities as their only well went dry. The cemetery is now almost devoid of grass. The property used to have grass but, because of the continuing drought, the effort to maintain the grass became impossible.

The cemetery sits on a hill surrounded by decorative iron and brick fencing. Headstones are surrounded by many oak and evergreen trees. The District has planted drought resistant trees and shrubs to enhance the beauty of the cemetery. There are restrooms located at the entrance of the cemetery, and the office is located near the Veterans Memorial. There is a reflection area near the restrooms. The reflection area is used for the Veterans ceremonies on Memorial Day. The office sustained water damage in the big storm in January of this year, and progress is being made in getting it repaired.

Last year there were 12 burials, 9 of which were cremations. They average about 10 burials a year. Minor vandalism was reported. The cemetery owns one surveillance camera and has four more ready to install. The cemetery invested in decorative iron fencing for the main part of the cemetery along Butts Canyon Road and St. Helena Creek Road. The back of the cemetery is contained by a chain link fence.

There was damage to the cemetery in the Valley Fire of 2015, during which trees and

headstones were destroyed. There continue to be maintenance issues due to trees falling from the property next to the cemetery.

There is a niche wall across the road from the office. There are 36 niches surrounded by trees, benches, and arbors. The main road circles around the middle of the property and is paved. There is access to parking, including handicap parking. The oldest part of the cemetery is located closest to St. Helena Creek Road, which contains the Evergreen and Magnolia sections, with the IOOF (International Order Odd Fellows) section next. According to “Find a Grave” website, there are 1,642 memorials at Middletown Cemetery. There is a map of the cemetery inscribed in metal that illustrates the names of the sections, which makes the search for loved ones easier. Burial plots are 6 feet deep, and vinyl liners are utilized. Cremated remains are buried at a 2-foot depth.

Civil war veteran, Lorenzo Theodore Adams, who was born on May 6, 1848, and died on January 18, 1898, in Talmage, Mendocino County, California, was buried in Middletown Cemetery. He did not have a headstone placed after his death. Efforts by his descendant, a local genealogist and Cemetery Board member, plus cemetery staff, were instrumental in obtaining a military marker from the Veterans Administration.

Military honors were held for LT Adams at the cemetery in 2013. His new headstone in 2015 was damaged in the Valley Fire and had to be replaced. The Middletown Cemetery Board continues to research cemetery records at Middletown in order to restore the memory of other Civil War veterans who died in the earliest days of the County.

FINDINGS

F-1: The Cemetery does not have a credit card for purchases and bill-paying.

F-2 The Middletown Cemetery District Board's efforts to find and restore headstones of Middletown Civil War Veterans and other Middletown pioneers interred at the Cemetery are admirable.

RECOMMENDATIONS

R-1: That the Middletown Cemetery District apply for a credit card through the Lake County Auditor-Controller's office. (F-1)

REQUEST FOR RESPONSES

Pursuant to Penal Code § 933.05 (a)(b)(c), the following responses are required:

Middletown Cemetery District Board	R-1	(90 days)
Lake County Controller's Office	R-1	(60 days)

4. HARTLEY CEMETERY

Named for Henry Hare Hartley, a prominent California Mason, the cemetery in Lakeport opened around 1860 as the Masonic Cemetery. Henry Hartley is buried in Sacramento, but the cemetery was renamed in his honor. The Hartley Cemetery is located at 2552 Hill Road. Incorporated in 1888, Lakeport is Lake County's oldest town. Notable residents of Lakeport are William Forbes, who is considered by historians as the father of Lakeport, and James Parish, who founded the first business, a blacksmithing and wagon making shop. In 1867, the original County courthouse burned to the ground in a fire that was suspected to be an act of arson. Shortly after, the county seat was moved to Lower Lake and then moved back to Lakeport in 1871. According to "Find a Grave," there are 4,827 memorials at the cemetery.

The Cemetery District has five members of the Board. Their staff consists of a full-time maintenance supervisor, a full-time maintenance worker, and a part-time secretary/bookkeeper. The cemetery has in-total 36 acres, with 16 acres that are developed to accommodate burials.

The Hartley Cemetery District Board provided the Grand Jury copies of its previous and current agendas, its current budget, and a map of the cemetery. The District has a website currently under construction. The secretary is working with the website company to fix various issues and update current information per state law SB 929. The Board holds their meetings in the chapel, on-site. Meetings are held every other month. Because the Board does not provide budgets or current agendas online, they had not been in compliance with the Brown Act.

Maintenance of the cemetery is assisted by Mendo-Lake Alternative Services, which coordinates with the court system for community service projects. The Cemetery utilizes its water supply from one well and County water supply. Only minimal vandalism, was reported, however the only camera on the property is not working. The main maintenance project for the year is developing a new section for burial plots. The Board states that, in the past, some of the homeless population had been camping nearby, but not presently. Hartley Cemetery has had no recent fires in the last 10 years.

The Cemetery has a large mausoleum/niche area on the property, but the Cemetery does not own it. It is owned by Eversole Mortuary in Ukiah. From the fiscal year 7/01/2021 to 6/30/2022, there were 11 full burials and 26 cremations. There are enough funds in their budget to maintain the Cemetery. Audits must be done every other year. The last audit was completed a year ago at the cost of $3,500 dollars. The maintenance manager and the secretary/Book keeper are in close communication with each other by discussing the needs and finances of the Cemetery.

With the recent winter storms, many tree limbs have dropped to the ground, and the maintenance crew is currently working to address that issue. There are many huge Italian cypress trees that border the main road throughout the cemetery grounds that add beauty to the property. There is a section devoted to the veterans that is very visible from the front of the cemetery. A few of the cement liners are stored in between gravestones near the maintenance shed at the back of the property, which are unsightly.

FINDINGS

F-1: The Cemetery website is not compliant with budget and agenda information per state law SB 929.

F-2: The Cemetery does not have a working surveillance camera.

F-3: Cement liners are stored on top of graves near the maintenance shed.

F-4: The secretary and maintenance manager work closely together to maintain the cemetery while staying within budget.

RECOMMENDATIONS

R-1: That the Hartley Cemetery District finish the update of their website per state law SB 929. (F-1)

R-2: That the Hartley Cemetery District purchase or repair its surveillance camera. (F-2)

R-3: That the Hartley Cemetery District move cement liners from gravesites to a more discreet location on the property. (F-3)

REQUEST FOR RESPONSES

Pursuant to Penal Code § 933.05 (a)(b)(c), the following responses are required:

Hartley Cemetery District	R-1, R-2, R-3	(90 Days)

5. LOWER LAKE CEMETERY

Lower Lake was first known to its European Settlers as Grantsville. Lower Lake was founded in 1858. The Lower Lake Cemetery, located at 9040 Lake Street in Lower Lake, has been utilized since 1850, and is one of the oldest cemeteries in California.

Throughout its history, the Cemetery has been referred to by several names: the old IOOF Cemetery, Lake View Cemetery, and the Catholic Cemetery. Early records of the Cemetery burned in a fire at the Lakeport courthouse in 1867 when all vital records were destroyed. A substantial portion of the records in use by the Lower Lake Cemetery District were recorded in a book titled “Lake View Cemetery Record 1867-1982.” The original book is located at the Lower Lake Schoolhouse Museum, but is not on display due to its fragile condition. The museum has computerized the book and has graciously provided the District with a CD copy.

Unconfirmed records indicate that the earliest burial in the cemetery was John Banbridge, who died in March of 1824. There is no marker or headstone to confirm this. Earliest confirmed burial is that of Sophia Bower, a young girl who died on May 29, 1857. According to “Find a Grave,” there are 6,481 memorials at the Cemetery.

More information on the history of the Cemetery is located at their website maintained by the Lower Lake Cemetery District. The website is up to date on its agenda and budget information according to State law SB 929. In fact, their

website is the most comprehensive in Lake County, because of its inclusion of many records and agendas that go from 2019 to 2023.

In March of 2023, a crew of men cleaned up the debris from recent storms. There are three buildings present on the property: a big maintenance shed, another maintenance building with an office for the manager, and another building which is used for Board meetings and historical flag storage. There is no chapel at the cemetery.

There are four Board members with one vacancy. The staff consists of a Superintendent, and a part-time grounds person. They contract out for some labor and a bookkeeper. The cemetery has approximately 25 acres; with 13 acres developed for burials. The Cemetery Board meeting was in compliance with the Brown Act rules of order.

There are many local organizations who volunteer to help with cleanup of the Lower Lake District 1 cemetery. On October 29, 2022, a group from the Rotary Club and Lower Lake Community Action Group, Lower Lake High School, Lower Lake FFA, Lake County Fire Protection District, and Lower Lake High School's SkilsUSA, joined forces to help clean up Lower Lake Cemetery. More than 60 people were present for the event. Twice a year, the Lower Lake Community Action Group partici-pates in a cleanup of the cemetery in preparation for Memorial and Veterans Day events.

The District installed a niche wall area, consisting of 96 niches total with 24 niches available. Much of the Cemetery is fenced except for the undeveloped part of the Cemetery. The Cemetery is open 24 hours a day, seven days a week.

The Board reported very little vandalism, except for a few tagging incidents. They have a security light, but no surveillance cameras. There are many named streets within the Cemetery.

A percentage of District finances are provided through property taxes. The rest is derived from burial fees. The Sphere of Influence for this District extends from Lower Lake to Glenhaven. The District owns a CAL Card for purchases and uses checks to pay bills.

Cemetery water is primarily for the offices. They discontinued using the sprinklers around the Cemetery as it became too expensive. The cemetery was not damaged by the Clayton Fire. The Cemetery's current priorities are clean-up, maintenance, work on the undeveloped section, and investment in a new backhoe. The older part of the cemetery has some broken headstones, and there are some that need cleaning. Next to the Cemetery is a large pen that is on private property and enclosed by a barbed wire fence, occupied by pigs and other animals. This property, which appears to be part of the Cemetery, but is not, is unsightly.

FINDINGS

F-1: The Lower Lake Cemetery has one Board member vacancy. The Board has been missing a new member for quite some time.

F-2: The Lower Lake Cemetery District website provides a comprehensive archive of yearly budgets, monthly agendas, and minutes that give the public access to many records of the Boards' operation of the Cemetery.

F-3: The Lower Lake Cemetery District is fortunate to have many local volunteer groups - Lower Lake Community Action Group, Lower Lake High School, Lower Lake FFA, and Lake County Fire Protection District - to assist with the Cemetery's maintenance.

RECOMMENDATION

R-1: That the Lake County Board of Supervisors appoint a new Board member for the Lower Lake Cemetery District. (F-1)

REQUEST FOR RESPONSE

Pursuant to Penal Code § 933.5 (a)(b)(c), the following response is required:

Lower Lake Cemetery District	R-1	(90 days)
Lake County Board of Supervisors	R-1	(90 days)

6. HERNDON-COPSEY PIONEER CEMETERY

The Lower Lake District 1 Cemetery does not own or have oversight over the Herndon-Copsey Pioneer Cemetery. In 2005, the Lake County Board of Supervisors voted to establish control of the Pioneer Cemetery and is responsible for its maintenance. The Old Herndon-Copsey Pioneer Cemetery, which is located at 9022 Stagecoach Lane, Lower Lake was once privately owned.

A tour of the small historic C emetery found it to be disrepair. Many of the headstones are broken and are covered with hardened moss and dirt, making them unidentifiable. Lack of proper fencing and gates was evident, and unmaintained growth was starting to cover the graves of the pioneers interred at the cemetery.

The Grand Jury learned that the small three-acre cemetery had its share of owners in the past. Just after Lake County became its own county, separating from Napa County, part of the Herndon homestead was sold to Erastus Day in 1863. Charles Wilson purchased 14 deeds, which included the Cemetery, in 1888 for $5.00 in gold coin. Five months later, Mr. Wilson sold twenty properties, including the Cemetery, to the Getz brothers for $100 in gold coin. The Getz brothers in turn formed a corporation called the Clearlake Land Company, and this company was maintained until 1933 when it was dissolved, selling all holdings except for three shares. No provisions were made for the Herndon Cemetery at the time of this dissolution. The Cemetery was thereafter untaxed and unmaintained, with no known deed or owner. Local lore suggested that the three outstanding shares left over from the Clearlake Land Company were the deed to the cemetery, but the deed and owner had not been located at that time.

In 1983, the Lower Lake District 1 Cemetery located on Lake Street proposed that the Herndon Cemetery be sold and that all buried there be removed to the Lower Lake District 1 Cemetery. Proceeds from the sale would enable expansion of the Lower Lake District 1 Cemetery. This proposal initiated an uproar from the pioneers' relatives, the local community, and members of the Native Sons of the Golden West (NSGW) and Native Daughters of the Golden West (NDGW). The proposal was eventually dropped by the Cemetery District due to pressure from these parties. The NSGW and NDGW installed a plaque near the site of the Cemetery that is there to this day. They attempted to give the Cemetery Historical Designation status, but the local chapter dissolved and thus so did the hopes for historical status.

There was an attempt in 1993 to restore and protect the site. Because the Herndon Cemetery had no title and lacked funds from the County, the Lake County Board of Supervisors (BOS) could not address the neglected Cemetery.

In 2004, there was an attempt again to address the Lake County BOS regarding the Herndon Cemetery. A national organization called Saving Graves was called to investigate the matter of preserving the Herndon Cemetery. A California representative of Saving Graves determined that an old law from 1872 based on (Health and Safety Code 3105) concerning the ownership or oversight of cemeteries, could be used to enable the Lake County Board of Supervisors to take responsibility for Herndon Cemetery and to restore it.

On September 27, 2005, by a vote of 5-0, the Lake County BOS agreed to take responsibility for the Herndon Pioneer Cemetery. The Board of Supervisors gave the Parks Department basic maint -enance responsibilities. In the BOS meeting records, there was no mention of what would be done to restore the property. The Cemetery needs headstone restoration, cleaning, and a gated fence with stair access to the top of the cemetery. At the time of this report, the deteriorating condition of the Cemetery still needs to be addressed.

FINDINGS

F-1: The Lake County Board of Supervisors took responsibility for the maintenance of the Herndon-Copsey Pioneer Cemetery in 2005, but it is currently in disrepair.

F-2: The Cemetery needs headstone restoration, cleaning, and a gated fence with stair access to the top of the cemetery.

RECOMMENDATIONS

R-1: That the Lake County Board of Supervisors clean, repair, and restore the headstones, and build a gated fence with stair access to the top of the cemetery for the Herndon-Copsey Pioneer Cemetery. (F-1, F-2)

REQUEST FOR RESPONSES

Pursuant to Penal Code § 933.5 (a)b)(c), the following responses are required:

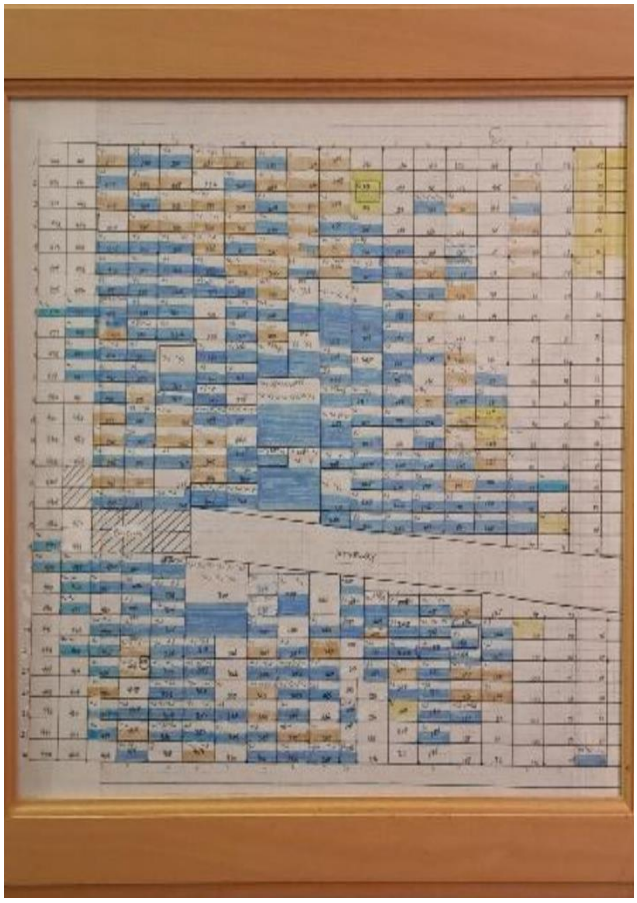
Lake County Board of Supervisors	R-1, R-2	(90 days)

7. GLENBROOK CEMETERY

Glenbrook Cemetery was possibly named after the Glenbrook stage stop and resort that was developed in the area around 1869. This cemetery is located 12969 Bottle Rock Rd, Kelseyville, CA. Silas Broadwell and William Bassett were the early pioneers that built the small community near Cobb, California. Bassett and Broadwell are both buried at the Glenbrook Cemetery. The cemetery was also known as Cobb Mountain and the Hoberg-Mills Cemetery. The Glenbrook Cemetery District was created in 1976 from land that was previously part of the Middletown and Kelseyville Cemetery Districts. According to “Find a Grave,” there are 319 memorials.

The Cemetery Board consists of five members. The Board provided the Grand Jury with copies of its agendas, current budget, and rules and regulations of the Cemetery. Prior to the first of this year, the Cemetery District was not compliant with the State laws establishing a website, posting their agendas, and current budget information. The District Board has since applied for website services through Streamline and is in the process of complying with State law SB 929.

The Cemetery District Board has put into motion, in their rules and regulations, a plan to observe Veterans' Day at the Cemetery and put flags out.



The Cemetery has 1.2 acres. Of that, there is ¼ acre undeveloped. Of the approximately 500 plots, about 150 are unsold. A small map of the cemetery shows areas in white that are available plots. Glenbrook Cemetery is set on a hill with the mountains filling the background behind the cemetery. Trees fill the landscape around most of the graves, giving shade and beauty. Gravestones and grounds are well maintained. The District conserves water, as their irrigation system is controlled via timer, commensurate with weather, and set for alternate days. The Cemetery staffing consists of a secretary and a maintenance sexton.

There is a contemplation area (at the entrance to the Cemetery) surrounded by white picket fencing with tables and benches to sit on. The Cemetery boasts ample parking and has handicap parking available in the front of the property. There was a short discussion about adding a niche wall, but no plans were adopted. There is a maintenance building at the Cemetery that also serves as an office for the District. There is a utility shed at the back of the property.

There are endowment funds in their budget to service the District's needs. Part of the budget is met by the services and fees charged for burials. Most of their funding is provided by tax revenue, as is the case with all the other Cemetery Districts in Lake County.

There are no community volunteers. Last year there were a total of six burials, one full burial and five cremation burials. There are no surveillance cameras on the premises, and the Cemetery is fenced on three sides. There were no incidents of vandalism in the last 10 years. Fortunately, there was no damage to the cemetery during the Valley Fire of 2015. During the Covid-19 pandemic, safety measures were observed. Burial plots are at a depth of 6 feet and cement liners are used.

The most famous residents interred at Glenbrook Cemetery include George Hoberg (plot 276) early developer of the town of Cobb, and builder of the then Cobb Meadow Golf Course, which is presently Mountain Meadow Golf Course. Another resident is Sal Carcione (plot 171) known for his great jazz sax. He played up and down Old Hwy 175 in the 50's and 60's in the open-air dance floors under the stars with the likes of Jimmy and Tommy Dorsey Bands.

FINDINGS

F-1: The Glenbrook Cemetery District has recently applied for a website per State law SB 929.

F-2: Glenbrook Cemetery is well maintained and is easily accessible to the public.

RECOMMENDATION

R-1: That the Glenbrook Cemetery District complete its website and provide a website address for the public. (F-1)

REQUEST FOR RESPONSE

Pursuant to Penal Code § 933.05 (a)(b)(c), the following response is required:

Glenbrook Cemetery District	R-1	(90 days)

8. ROBINSON RANCHERIA CEMETERY

Even though this Cemetery was not part of the Grand Jury's oversight of the Lake County Cemetery Districts, the Grand Jury took an interest in the Robinson Rancheria Cemetery because of its history and curiosity about how the Robinson Band of Pomo Indians cared for their deceased. In April 2023, the Grand Jury met with a representative of the inson Rancheria and toured the C emetery grounds. Rob

The property has a new iron gate and front fencing. The size of the cemetery is about five acres, sits on a hill overlooking Highway 29, and is decorated with many flowers and spiritually significant mementos around the graves. There is a Cemetery Committee from the Rancheria that oversees the grounds. Relatives of the persons interred oversee gravesite maintenance. Many trees surround the property, and there is one small section left available for burials. Lucy Moore, (1844-1954) one of the survivors of the Bloody Island Massacre of 1850, is buried there. This cemetery is privately owned and is not open to the general public.

MIDDLETOWN CEMETERY DISTRICT

P.O. Box C • Middletown, CA 95461 • Tel. 707-987-0511 • Fax 707-987-9032

PRICE LIST: JANUARY thru DECEMBER 2023

All prices are subject to change without notice. All fees must be paid in advance. Check or Money Order only. The Cemetery does not accept cash or credit cards.

If you do not wish to have relative's ashes inured in your grave, please notify the cemetery personnel of your wishes.

Purchase of grave sites is reserved for the burial of property owners and residents of the District.

Section	Type of Burial	Service	Fee
OAK	*Each plot in this section can accommodate one casket and up to four urns.*		
	Burial	Plot	$600
		Liner (including sales tax)	$470
		Opening and Closing Fee	$1,200
		Administration Fee	$100
		Endowment Care Fund	$200
		Deposit on Headstone**	$400
		Total	**$2,970**
	Inurnment	Plot (one-time fee)	$600
		Inurnment (per event)	$250
		Vault (if required)*	$45
		Administration Fee (per event)	$100
		Endowment Care Fund (one-time fee)	$200
		Deposit on Headstone**	$400
		Total	**$1,595**
IOOF	*Each plot in these sections can accommodate up to three urns.*		
MAGNOLIA		Plot (one-time fee)	$400
EVERGREEN		Inurnment (per event)	$250
CATHOLIC		Vault (if required)*	$45
		Administration Fee (per event)	$100
		Endowment Care Fund (one-time fee)	$200
		Deposit on Headstone**	$400
		Total	**$1,395**
CEDAR	*Each plot in this section can accommodate up to two urns.*		
		Plot (one time fee)	$550
		Inurnment (per event)	$250
		Vault (if required)*	$45
		Administration Fee (per event)	$100
		Endowment Care Fund (one-time fee)	$200
		Deposit on Headstone**	$400
		Total	**$1,545**

KELSEYVILLE CEMETERY DISTRICT PRICE SCHEDULE EFFECTIVE 10/01/2022		
	RESIDENT	NON RESIDENT
LOTS		
CEMETERY LOT	$ 1,110.00	$ 1,300.00
ENDOWMENT CARE	$ 375.00	$ 375.00
CREMATION LOTS		
CREMATION LOT	$ 560.00	$ 600.00
ENOWMENT CARE	$ 350.00	$ 350.00
NICHE WALL		
NICHE	$ 675.00	$ 750.00
ENDOWMENT CARE	$ 95.00	$ 95.00
AB LOTS OLD SECTION		
CEMETERY LOT	$ 1,125.00	$ 1,320.00
ENDOWMENT CARE	$ 375.00	$ 375.00
NON RESIDENT FEE		$ 100.00
SINGLE DEPTH		
OPEN & CLOSE	$ 920.00	$ 920.00
VAULT	$ 610.00	$ 610.00
SALES TAX	$ 44.23	$ 44.23
HEADSTONE DEPOSIT	$ 325.00	$ 325.00
NON RESIDENT FEE		$ 900.00
DOUBLE DEPTH		
OPEN & CLOSE	$ 1,160.00	$ 2,060.00
2 VAULTS	$ 1,220.00	$ 1,220.00
SALES TAX	$ 88.45	$ 88.45
HEADSTONE DEPOSIT	$ 325.00	$ 325.00
2ND OPEN & CLOSE	$ 930.00	$ 930.00
NON RESIDENT FEE		$ 850.00
CREMAINS		
OPEN & CLOSE	$ 540.00	$ 540.00
(MULTIPLE)	$ 270.00	$ 270.00
HEADSTONE DEPOSIT	$ 325.00	$ 325.00
NON RESIDENT FEE		$ 350.00
NICHE WALL		
INTERMENT	$ 290.00	$ 300.00
2ND INTERMENT	$ 150.00	$ 200.00
ENGRAVING	$ 275.00	$ 275.00
2ND ENGRAVING (LATER DATE)	$ 275.00	$ 275.00
NON RESIDENT FEE		$ 300.00
COMMINGLING	$ 250.00	$ 305.00
ENDOWMENT CARE	$ 15.00	$ 15.00
INFANT BURIAL SECTION L-3		
CEMETERY LOT	$ 270.00	$ 320.00
ENDOWMENT CARE	$ 185.00	$ 200.00
OPEN & CLOSE	$ 350.00	$ 350.00
INFANT VAULT	$ 250.00	$ 260.00
SALES TAX	$ 18.13	$ 18.85
CHILD VAULT	$ 450.00	$ 460.00
SALES TAX	$ 30.45	$ 31.18
NON RESIDENT FEE		$ 250.00

DISINTERMENT FEES		
SINGLE TO DOUBLE DEPTH SAME SIGHT		
DISINTERMENT	$	1,150.00
OPENING & CLOSING UPPER & LOWER	$	1,350.00
2 VAULTS	$	1,220.00
TAX ON VAULTS	$	88.45
HEADSTONE DEPOSIT	$	325.00
SINGLE TO DOUBLE DEPTH DIFFERENT SIGHT		
DISINTERMENT	$	1,400.00
OPENING & CLOSING UPPER & LOWER	$	1,250.00
2 VAULTS	$	1,220.00
SALES TAX	$	88.45
HEADSTONE DEPOSIT	$	325.00
SINGLE TO SINGLE		
DISINTERMENT	$	1,400.00
OPENING & CLOSING	$	920.00
VAULT	$	610.00
SALES TAX	$	44.23
HEADSTONE DEPOSIT	$	325.00
DOUBLE TO DOUBLE		
DISINTERMENT	$	2,625.00
OPENING & CLOSING UPPER & LOWER	$	1,225.00
2 VAULTS	$	1,220.00
SALES TAX	$	88.45
HEADSTONE DEPOSIT	$	325.00
REMOVAL FROM CEMETERY		
SINGLE DEPTH	$	5,125.00
IF LOT REVERTS TO CEMETERY	$	4,650.00
DOUBLE DEPTH	$	6,090.00
IF LOT REVERTS TO CEMETERY	$	5,650.00
INFANT DISINTERMENT	$	670.00
CREMAINS DISINTERMENT	$	410.00

BOARD OF TRUSTEES, GLENBROOK CEMETERY DISTRICT

COUNTY OF LAKE, STATE OF CALIFORNIA

RESOLUTION NO. 2020-21_02__

A RESOLUTION ESTABLISHING, UPDATING GLENBROOK CEMTERY DISTRICT RATES

WHEREAS, Health and Safety Code §9060 sets forth the limits of interments to:

1. Persons who are residents of Glenbrook Cemetery District (District);
2. Persons who are former residents of the District and who acquired interment rights while they were residents of the District;
3. Persons who pay property taxes on property located in the District;
4. Persons who formerly paid property taxes on property located in the District and who acquired interment rights while they paid those property taxes;
5. Eligible nonresidents of the District, as provided under Health and Safety Code, Division 8, Part 4, Chapter 5;
6. Persons who are family members of any person described in subdivision of Health and Safety Code, Division 8, Part 4, Chapter 5.

NOW, THEREFORE, BE IT RESOLVED THAT the Glenbrook Cemetery District Board of Trustees:

1. Determines that the cemetery has adequate space for the foreseeable future.
2. Determines minimum payment into the District Endowment Care Fund is required for each interment pursuant to Health and Safety Code §9065, §8738 and sets as follows:

	District Residents	Non-Residents
Full Burial (per interment)	$300.00	$400.00
Cremation (per interment)	$250.00	$350.00

3. Sets as follows schedule of fees for interments, including schedule of fees for nonresidents interments, pursuant to Health and Safety Code §9068:

	District Residents	Non-Residents
Full Burial Plot 4' by 9'	$900.00	$1,200.00
Full Burial Plot, Double Depth	$1,000.00	$1,300.00
Cremation Plot 4' by 4' (Up to 4 cremations)	$500.00	$700.00
Cremation Interment	$500.00	$700.00
Cremation Exhumation	$600.00	$800.00
Full Burial Exhumation (Single)	$2,000.00	$3,000.00
Full Burial Exhumation (Double)	$3,500.00	$4,025.00
Cement Liner (plus applicable sales tax)	$512.00	$590.00
Lowering Device (for full burials)	$250.00	$290.00
Headstone Deposit	$500.00	$800.00
Headstone or Burial Marker Setting Fee	$200.00	$300.00
Transfer or Ownership Fee	$100.00	$150.00
Sexton Fee	$250.00	$350.00
Administration Fee	$100.00	$150.00
Weekend or Holiday Burial Fee	$400.00	$500.00
Pre-Paid Contract Fee	$100.00	$150.00
Interment of Cremated Pet Remains with an Individual	$100.00	$150.00

20-21

LOWER LAKE CEMETERY DISTRICT
9040 Lake Street • PO Box 1193
Lower Lake, CA 95457
(707) 994-7820 FAX: (707) 994-7883
llcd95457@gmail.com

RATES FOR SERVICES
EFFECTIVE 05/18/2017

DATE: _____

		DISTRICT RESIDENT
Plot - 5'x10'		$ 1,350.00
Plot - 5'x5' (Holds up to four (4) cremains)		$ 950.00
Opening and Closing (Single)		$ 1,100.00
Opening and Closing (Double)		$ 1,750.00
Opening and Closing (Infant)		$ 750.00
Administration Fee		$ 175.00
Cremains - Opening and Closing (single)		$ 850.00
Cremains - Opening and Closing (multiples) $850.00, plus $425.00 per additional urn		$
Disinterment - single depth: $2,250.00 - double depth: $5,500.00		$
Disinterment of Cremains-		$ 1,000.00
Endowment Care - Full Burial (per interment)		$ 350.00
Endowment Care - Cremations (per interment)		$ 275.00
Extraordinary Services-(tree removal, headstone removal or replacement, etc.) $75.00 per hour		$
One Hour Minimum		
Non-Resident (additional fee)		$ 300.00
Cremation Vault	$211.00 + $15.30 tax = ...	$ 226.30
Vault (adult)	$527.00 + $38.20 tax = ...	$ 565.20
Vault (child/infant)	$311.00 + $22.55 tax = ...	$ 333.55
Protective Vault (Sealed)	$640.00+ $46.40 tax = ...	$ 686.40
Oversize Vault	$852.00 + $61.77 tax = ...	$ 913.77
Outside Vault Handling Fee		$ 300.00
Cap Removal		$ 300.00
10' X 15' Shelter Tent Set-Up Fee		$ 75.00
Headstone Inspection Fee		$ 75.00
Final Date on Headstone Fee		$ 25.00
Transfer of Plot Fee		$ 250.00
Emergency Interment Fee and/or Weekend Burials		$ 1,000.00
(In addition to all other above-mentioned fees)		
Inter Cremated Pet Remains with an Individual-$200.00 for the first pet, $50.00 per pet thereafter		
Pre-Need Contract Fee		$ 150.00
Interment of Cremains with Full Burial-$250.00 per urn, plus Endowment Care and Administration Fee per urn		
Photocopy Requests- .10 cents per page after the first five copies		$
TOTAL:		$ _____

LOCATION: _____ DECEASED: _____

_____ ADDRESS: _____

CITY/ST./ZIP _____

CERTIFICATE: _____ INFORMANT: _____

ADDRESS: _____

DATE OF DEATH: _____ CITY/ST./ZIP: _____

DATE OF BURIAL: _____ RELATIONSHIP: _____

OF PEOPLE EXPECTED _____ TIME: _____:_____

NO SERVICE: _____ FULL SERVICE: _____ PHONE: (707) _____

HARTLEY CEMETERY DISTRICT			
PRICE SCHEDULE			
EFFECTIVE JULY 1, 2022			
	DISTRICT RESIDENT	COUNTY RESIDENT	NON-COUNTY RESIDENT
CEMETERY LOT - 5' X 10'	$ 1,100.00	$ 1,200.00	$ 1,300.00
ENDOWMENT CARE - 5' X 10' LOT	$ 400.00	$ 450.00	$ 450.00
OPENING & CLOSING COSTS - SINGLE DEPTH	$ 925.00	$ 925.00	$ 985.00
GARDEN CRYPT	$ 600.00	$ 600.00	$ 600.00
SALES TAX ON GARDEN CRYPT - 7.25%	$ 43.50	$ 43.50	$ 43.50
CREMAINS LOT - 3' X 3'	$ 550.00	$ 625.00	$ 725.00
ENDOWMENT CARE - 3' X 3' LOT	$ 175.00	$ 225.00	$ 250.00
OPENING & CLOSING COSTS - CREMAINS LOT	$ 525.00	$ 550.00	$ 575.00
CEMETERY SERVICE - FULL & CREMATION	$ 350.00	$ 350.00	$ 350.00
NON RESIDENT FEE - FULL BURIAL		$ 850.00	$ 850.00
NON RESIDENT FEE - CREMAINS		$ 400.00	$ 400.00
WEEKEND BURIAL FEE - FULL BURIAL	$ 600.00	$ 600.00	$ 600.00
WEEKEND BURIAL FEE - CREMAINS	$ 350.00	$ 350.00	$ 350.00
CHAPEL RENTAL FEE	$ 150.00	$ 150.00	$ 150.00
DISINTERMENT FEE - SINGLE DEPTH GRAVE	$ 2,500.00	$ 2,500.00	$ 2,500.00
DISINTERMENT FEE - DOUBLE DEPTH GRAVE	$ 5,000.00	$ 5,000.00	$ 5,000.00
DISINTERMENT FEE - CREMAINS	$ 500.00	$ 500.00	$ 500.00

UPPER LAKE CEMETERY DISTRICT
SCHEDULE OF FEES
EFFECTIVE SEPTEMBER 1, 2022

DESCRIPTION	DISTRICT	COUNTY	NON-COUNTY
LOT, FULL WITH STANDING HEADSTONE	$ 1,200.00	$ 1,380.00	$ 1,440.00
LOT, FULL BURIAL (5 x 10)	$ 1,050.00	$ 1,210.00	$ 1,260.00
LOT, INFANT	$ 250.00	$ 290.00	$ 300.00
LOT, CREMATION	$ 550.00	$ 635.00	$ 660.00
ENDOWMENT, FULL	$ 300.00	$ 349.00	$ 360.00
ENDOWMENT, INFANT	$ 100.00	$ 115.00	$ 120.00
ENDOWMENT, CREMATION	$ 125.00	$ 145.00	$ 150.00
OPEN/CLOSE, FULL GRAVESITE	$ 900.00	$ 1,035.00	$ 1,080.00
OPEN/CLOSE, INFANT GRAVESITE	$ 300.00	$ 345.00	$ 360.00
OPEN/CLOSE, CREMATION	$ 500.00	$ 575.00	$ 600.00
MARKER FEE	$ 350.00	$ 405.00	$ 420.00
CEMETERY SERVICE (FULL & CREMATION)	$ 350.00	$ 405.00	$ 420.00
WEEKEND, FULL	$ 600.00	$ 690.00	$ 720.00
WEEKEND, INFANT & CREMATION	$ 400.00	$ 460.00	$ 480.00
LINER	$ 600.00	$ 600.00	$ 600.00
SALES TAX, LINER ONLY 7.25%	$ 43.50	$ 43.50	$ 43.50
MARKER CLEANING SERVICES			
SMALL	$ 15.00	$ 20.00	$ 25.00
MEDIUM	$ 25.00	$ 30.00	$ 35.00
LARGE - LARGE MARKERS & SMALL UPRIGHTS	$ 50.00	$ 60.00	$ 70.00
X-LARGE - X-LARGE UPRIGHTS & FLATS	$ 75.00	$ 90.00	$ 95.00
NICHE	$ 900.00	$ 1,035.00	$ 1,080.00
ENDOWMENT CARE	$ 200.00	$ 230.00	$ 240.00
(INCLUDES: PLAQUE W/NAME, DATE OF BIRTH AND DEATH			
WEEKEND, FEE	$ 200.00	$ 230.00	$ 240.00
MARKER SETTING FEE			
SMALL	$ 50.00	$ 60.00	$ 70.00
MEDIUM	$ 75.00	$ 90.00	$ 95.00
LARGE	$ 100.00	$ 115.00	$ 120.00
DISINTERMENT, FULL	$ 2,300.00	$ 2,645.00	$ 2,760.00
DISINTERMENT, INFANT & CREMATION	$ 575.00	$ 660.00	$ 690.00
WEEKEND ASSIST FEE			
FIRST HOUR	$ 100.00	$ 115.00	$ 120.00
ADDITIONAL PER HOUR FEE	$ 50.00	$ 60.00	$ 70.00

State Controller Schedules County Budget Act January 2010	County of Lake Special Districts Reserves/Designations Fiscal Year 2022-23	Schedule 14

District Name	Reserves/ Designations June 30, 2022	Decreases or Cancellations		Increases or New		Total Reserves/ Designations for the Budget year
		Recommended	Adopted by the Governing Board	Recommended	Adopted by the Governing Board	
1	2	3	4	5	6	7
Cemetery Districts						
Hartley						
General	$ 292,220	-	-	-	$ 21,878	$ 314,098
Endowment (Fund 377)	$ 214,183	-	-	-	-	$ 214,183
Endowment Int (Fund 378)	$ 152,525	-	-	-	-	$ 152,525
Endowment Hdstone (Fund 379)	$ 40,000	-	-	-	-	$ 40,000
Kelseyville						
General	$ 189,623	-	-	-	$ -	$ 189,623
Capacity Expansion	$ 30,702	-	-	-	73,368	$ 104,070
Endowment Deposits (Fund 380)	$ 166,235	-	-	-	-	$ 166,235
Endowment Int (Fund 381)	$ 98,241	-	-	-	-	$ 98,241
Endowment Hdstone (Fund 382)	$ 20,405	-	-	-	-	$ 20,405
Endowment Prepay (Fund 383)	$ 29,935	-	-	-	-	$ 29,935
Lower Lake						
General	$ 75,097	-	-	-	$ -	$ 75,097
Endowment Deposits (Fund 384)	$ 513,541	-	-	-	-	$ 513,541
Endowment Int (Fund 385)	$ 34,377	-	-	-	-	$ 34,377
Veteran's Memorial (Fund 386)	$ 4,611	-	-	-	-	$ 4,611
Endowment Prepay (Fund 387)	$ 76,514	-	-	-	-	$ 76,514
Beautification (Fund 399)	$ 2	-	-	-	-	$ 2
Middletown						
General	$ 342,951	-	-	-	$ 39,426	$ 382,377
Endowment Deposits (Fund 388)	$ 62,250	-	-	-	-	$ 62,250
Endowment Int (Fund 389)	$ 42,552	-	-	-	-	$ 42,552
Upper Lake						
General	$ 24,037	-	$ -	-	-	$ 24,037
Designated-Equipment	$ 9,763	-	-	-	-	$ 9,763
Designated-Building	$ 51,324	-	-	-	$ -	$ 51,324
Endowment Deposits (Fund 391)	$ 145,475	-	-	-	-	$ 145,475
Endowment Int (Fund 392)	$ 37,208	-	-	-	-	$ 37,208
Endowment Hdstone (Fund 393)	$ 9,390	-	-	-	-	$ 9,390
Glenbrook						
General	$ 23,419	-	-	-	-	$ 23,419
Designated-Capacity Expansion	$ 27,293	-	-	-	$ 13,947	$ 41,240
Designated-Capacity Expansion	$ 6,000	-	-	-	-	$ 6,000
Endowment Prepay (Fund 390)	$ 17,260	-	-	-	-	$ 17,260
Endowment Deposits (Fund 394)	$ 36,730	-	-	-	-	$ 36,730
Endowment Int (Fund 395)	$ 10,114	-	-	-	-	$ 10,114
Endowment Hdstone (Fund 396)	$ 3,475	-	-	-	-	$ 3,475
Total Cemetery Districts	**$ 2,787,452**	**$ -**	**$ -**	**$ -**	**$ 148,619**	**$ 2,936,071**
Waterworks Districts						
Co. Waterworks Dist No. 1 Lower Lake						
General	$ 356,532	-	60,000	-	$ -	$ 296,532
Designated-Equipment	$ 126,042	-	-	-	$ -	$ 126,042
Designated-Building	$ 29,984	-	-	-	$ -	$ 29,984
Designated-Capacity Expansion	$ 174,950	-	-	-	$ 26,400	$ 201,350
Designated-Water System Repl	$ 130,000	-	79,334	-	-	$ 50,666
FHA (Fund 370)	$ 92,285	-	-	-	-	$ 92,285
Callayomi County Water						
General	$ 23,001	-	$ -	-	301,999	$ 325,000
Designated	$ -	-	-	-	405,032	$ 405,032
Designated-Building	$ -	-	-	-	-	$ -
Debt Service Fund (369)	$ 11,522	-	-	-	-	$ 11,522
Water Capacity Exp (371)	$ 578,715	-	-	-	-	$ 578,715
Deposits (Fund 373)	$ 5,575	-	-	-	-	$ 5,575
Upper Lake Water						
General	$ 197,218	-	$ -	-	-	$ 197,218
Designated-Capacity Expansion	$ 62,632	-	-	-	7,556	$ 70,188
Debt (Fund 374)	$ 30,420	-	-	-	-	$ 30,420
Total Waterworks Districts	**$ 1,818,876**	**$ -**	**$ 139,334**	**$ -**	**$ 740,987**	**$ 2,420,529**

State Controller Schedules
County Budget Act
January 2010

County of Lake
Fund Balance - Special Districts
Fiscal Year 2022-23

Schedule 13

Actual [X]
Estimated [ ]

District Name	Total Fund Balance June 30, 2022	Less: Fund Balance-Reserved/Designated			Fund Balance Unreserved/ Undesignated June 30, 2022
		Encumbrances	General & Other Reserves	Designations	
1	2	3	4	5	6
Cemetery Districts					
Hartley	$ 314,098	$ -	$ 292,220	$ -	$ 21,878
Kelseyville	$ 293,693	$ -	$ 189,623	$ 30,702	$ 73,368
Lower Lake	$ 228,420	$ -	$ 75,097	$ -	$ 153,323
Middletown	$ 501,620	$ -	$ 342,951	$ -	$ 158,669
Upper Lake	$ 109,763	$ -	$ 24,037	$ 61,087	$ 24,639
Glenbrook	$ 84,823	$ -	$ 23,419	$ 33,293	$ 28,111
Total Cemetery Districts	**$ 1,532,417**	**$ -**	**$ 947,347**	**$ 125,082**	**$ 459,988**

State Controller Schedules
County Budget Act
January 2010

County of Lake
Special Districts Summary
Fiscal Year 2022-23

Schedule 12

District Name	Total Financing Sources				Total Financing Uses		
	Fund Balance Unreserved/ Undesignated June 30, 2022	Decreases to Reserves/ Designations	Additional Financing Sources	Total Financing Sources	Financing Uses	Increases to Reserves/ Designations	Total Financing Uses
1	2	3	4	5	6	7	8
Cemetery Districts							
Hartley	$ 21,878	$ -	$ 210,453	$ 232,331	$ 210,453	$ 21,878	$ 232,331
Kelseyville	$ 73,368	$ -	$ 176,559	$ 249,927	$ 176,559	$ 73,368	$ 249,927
Lower Lake	$ 153,323	$ -	$ 140,987	$ 294,310	$ 294,310	$ -	$ 294,310
Middletown	$ 158,669	$ -	$ 157,965	$ 316,634	$ 277,208	$ 39,426	$ 316,634
Upper Lake	$ 24,639	$ -	$ 91,474	$ 116,113	$ 116,113	$ -	$ 116,113
Glenbrook	$ 28,111	$ -	$ 17,410	$ 45,521	$ 31,574	$ 13,947	$ 45,521
Total Cemetery Districts	**$ 459,988**	**$ -**	**$ 794,848**	**$ 1,254,836**	**$ 1,106,217**	**$ 148,619**	**$ 1,254,836**

State Controller Schedules
County Budget Act
January 2010

County of Lake
Special Districts
Reserves/Designations
Fiscal Year 2022-23

Schedule 14

District Name	Reserves/ Designations June 30, 2022	Decreases or Cancellations		Increases or New		Total Reserves/ Designations for the Budget year
		Recommended	Adopted by the Governing Board	Recommended	Adopted by the Governing Board	
1	2	3	4	5	6	7
Cemetery Districts						
Hartley						
General	$ 292,220	-	-	-	$ 21,878	$ 314,098
Endowment (Fund 377)	$ 214,183	-	-	-	-	$ 214,183
Endowment Int (Fund 378)	$ 152,525	-	-	-	-	$ 152,525
Endowment Hdstone (Fund 379)	$ 40,000	-	-	-	-	$ 40,000
Kelseyville						
General	$ 189,623	-	-	-	$ -	$ 189,623
Capacity Expansion	$ 30,702	-	-	-	73,368	$ 104,070
Endowment Deposits (Fund 380)	$ 166,235	-	-	-	-	$ 166,235
Endowment Int (Fund 381)	$ 98,241	-	-	-	-	$ 98,241
Endowment Hdstone (Fund 382)	$ 20,405	-	-	-	-	$ 20,405
Endowment Prepay (Fund 383)	$ 29,935	-	-	-	-	$ 29,935
Lower Lake						
General	$ 75,097	-	-	-	$ -	$ 75,097
Endowment Deposits (Fund 384)	$ 513,541	-	-	-	-	$ 513,541
Endowment Int (Fund 385)	$ 34,377	-	-	-	-	$ 34,377
Veteran's Memorial (Fund 386)	$ 4,611	-	-	-	-	$ 4,611
Endowment Prepay (Fund 387)	$ 76,514	-	-	-	-	$ 76,514
Beautification (Fund 399)	$ 2	-	-	-	-	$ 2
Middletown						
General	$ 342,951	-	-	-	$ 39,426	$ 382,377
Endowment Deposits (Fund 388)	$ 62,250	-	-	-	-	$ 62,250
Endowment Int (Fund 389)	$ 42,552	-	-	-	-	$ 42,552
Upper Lake						
General	$ 24,037	-	$ -	-	-	$ 24,037
Designated-Equipment	$ 9,763	-	-	-	-	$ 9,763
Designated-Building	$ 51,324	-	-	-	$ -	$ 51,324
Endowment Deposits (Fund 391)	$ 145,475	-	-	-	-	$ 145,475
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Glenbrook						
General	$ 23,419	-	-	-	-	$ 23,419
Designated-Capacity Expansion	$ 27,293	-	-	-	$ 13,947	$ 41,240
Designated-Capacity Expansion	$ 6,000	-	-	-	-	$ 6,000
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Endowment Deposits (Fund 394)	$ 36,730	-	-	-	-	$ 36,730
Endowment Int (Fund 395)	$ 10,114	-	-	-	-	$ 10,114
Endowment Hdstone (Fund 396)	$ 3,475	-	-	-	-	$ 3,475
Total Cemetery Districts	**$ 2,787,452**	**$ -**	**$ -**	**$ -**	**$ 148,619**	**$ 2,936,071**
Waterworks Districts						
Co. Waterworks Dist No. 1 Lower Lake						
General	$ 356,532	-	60,000	-	$ -	$ 296,532
Designated-Equipment	$ 126,042	-	-	-	$ -	$ 126,042
Designated-Building	$ 29,984	-	-	-	$ -	$ 29,984
Designated-Capacity Expansion	$ 174,950	-	-	-	$ 26,400	$ 201,350
Designated-Water System Repl	$ 130,000	-	79,334	-	-	$ 50,666
FHA (Fund 370)	$ 92,285	-	-	-	-	$ 92,285
Callayomi County Water						
General	$ 23,001	-	$ -	-	301,999	$ 325,000
Designated	$ -	-	-	-	405,032	$ 405,032
Designated-Building	$ -	-	-	-	-	$ -
Debt Service Fund (369)	$ 11,522	-	-	-	-	$ 11,522
Water Capacity Exp (371)	$ 578,715	-	-	-	-	$ 578,715
Deposits (Fund 373)	$ 5,575	-	-	-	-	$ 5,575
Upper Lake Water						
General	$ 197,218	-	$ -	-	-	$ 197,218
Designated-Capacity Expansion	$ 62,632	-	-	-	7,556	$ 70,188
Debt (Fund 374)	$ 30,420	-	-	-	-	$ 30,420
Total Waterworks Districts	**$ 1,818,876**	**$ -**	**$ 139,334**	**$ -**	**$ 740,987**	**$ 2,420,529**

AGENDA

COUNTY OF LAKE

BOARD OF SUPERVISORS

Supervisor Ed Robey - District 1
Supervisor Jeff Smith - District 2
Supervisor Gary Lewis - District 3
Supervisor Anthony Farrington - District 4
Supervisor Rob Brown - District 5

Any person may speak for three (3) minutes on any agenda item; however, total public input per item is not to exceed 15 minutes, unless extended at the discretion of the Board. This rule does not apply to public hearings. Non-timed items may be *taken up at any unspecified time.*

****

The Lake County Board of Supervisors meets concurrently as the Board of Directors of Lake County Air Quality Management District, Board of Directors of Lake County Watershed Protection District, Board of Directors of Kelseyville County Waterworks District #3, Board of Directors of Lake County Sanitation District, Lake County Housing Commission, Lake County Redevelopment Agency, Lake County Board of Equalization and Board of Directors of Lake County In-Home Supportive Services Public Authority.

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REQUEST FOR DISABILITY-RELATED MODIFICATION OR ACCOMMODATION: A request for a disability-related modification or accommodation necessary to participate in the Board of Supervisors meeting should be made in writing to the Clerk of the Board at least 48 hours prior to the meeting.

SEPTEMBER 27, 2005

CALL TO ORDER - 9:00 A.M.
MOMENT OF SILENCE
PLEDGE OF ALLEGIANCE

LAKE COUNTY COURTHOUSE
255 NORTH FORBES STREET
LAKEPORT, CA 95453

TIMED ITEMS

A-1 Board of Supervisors **9:00 A.M.** APPROVAL OF CONSENT AGENDA (SEE LISTING FOLLOWING REGULAR AGENDA) - CONSENT AGENDA ITEMS ARE EXPECTED TO BE ROUTINE AND NON-CONTROVERSIAL. THEY WILL BE ACTED UPON BY THE BOARD AT ONE TIME WITHOUT DISCUSSION. ANY BOARD MEMBER MAY REQUEST THAT ANY ITEM BE REMOVED FROM THE CONSENT AGENDA FOR LATER DISCUSSION

A-2 Board of Supervisors **CONSIDERATION OF ITEMS NOT APPEARING ON THE POSTED AGENDA** - CONSIDERATION OF ITEMS NOT APPEARING ON THE POSTED AGENDA,

		EASEMENT (TO CLEAR LAKE), IN THE PARADISE VALLEY SUBDIVISION, IN THE GLENHAVEN AREA OF THE COUNTY OF LAKE
A-10 Supervisor Robey	**11:15 A.M.**	DISCUSSION/CONSIDERATION OF NECESSARY ACTION FOR THE RESTORATION AND MAINTENANCE OF THE LOWER LAKE PIONEER CEMETERY BY A LOCAL COMMUNITY GROUP
		Carried Over From September 6, 2005
A-11 Administrative Office	**11:30 A.M.**	CONSIDERATION OF PROPOSED RESOLUTION DESIGNATING THE AMOUNT OF FUNDING TO BE ALLOCATED TO TITLE II AND TITLE III PROJECTS PURSUANT TO H.R. 2389 FOR FISCAL YEAR 2005/2006 (FEDERAL FOREST RESERVE FUNDS)
		Continued From August 23, 2005
A-12 Supervisor Robey	**1:30 P.M.**	*(a) DISCUSSION/CONSIDERATION OF A MORATORIUM ON THE USE OF* GENETICALLY MODIFIED ORGANISMS (GMO) IN LAKE COUNTY; and (b) PRESENTATION BY PHILIP MURPHY REGARDING A PROPOSAL FOR A MORATORIUM ON PLANTING AND CULTIVATING GENETICALLY-ENGINEERED ALFALFA IN LAKE COUNTY

NON-TIMED ITEMS

A-13 Board of Supervisors	SUPERVISORS WEEKLY CALENDAR, TRAVEL, AND REPORTS
A-14 Board of Supervisors	REVIEW AND APPROVAL OF PROPOSED RESPONSE TO FISCAL YEAR 2004/2005 GRAND JURY FINAL REPORT
A-15 Supervisor Farrington	CONSIDERATION OF PROPOSED DIRECTIVE TO STAFF TO PROCESS BOTH SEPTIC AND BUILDING PERMIT APPLICATIONS CONCURRENTLY
A-16 Auditor-Controller	CONSIDERATION OF PROPOSED BUDGET TRANSFERS TO COVER YEAR END OVERDRAFTS IN GRAND JURORS AND MARINE PATROL BUDGETS AND PROPOSED RESOLUTIONS TO APPROPRIATE OVER REALIZED REVENUE IN TRIAL COURTS, MENTAL HEALTH SERVICES AND VETERANS SERVICE OFFICER BUDGETS, FOR THE FISCAL YEAR ENDING JUNE 30, 2005 (OVERDRAFTS EXIST DUE TO AUDITOR'S CONVERSION TO MODIFIED ACCRUAL ACCOUNTING SYSTEM)
A-17 Public Works	PROPOSED RESOLUTION OF INTENTION TO ESTABLISH PROPOSED ZONE B (STONEFIELD COURT) OF COUNTY SERVICE AREA NO. 23, APPROVE THE ENGINEER'S REPORT, THE FORM OF BALLOT AND BALLOTING PROCESS FOR THE ASSESSMENT, AND SETTING A PUBLIC HEARING FOR PROTESTS AND BALLOTING DETERMINATION ON **NOVEMBER 15, 2005, AT 9:15 A.M.** (COUNTYWIDE COUNTY SERVICE AREA FOR ROAD IMPROVEMENT/MAINTENANCE PROGRAM)
A-18 LACOSAN (Sitting as the Board of Supervisors and as the Board of Directors of Lake County Sanitation District)	CONSIDERATION OF AMENDMENT NO. 1 TO WATER SUPPLY AGREEMENT BETWEEN LAKE COUNTY SANITATION DISTRICT, THE COUNTY OF LAKE AND YOLO COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT FOR THE FULL CIRCLE PROJECT
	Advanced From September 13, 2005

EXHIBIT A

OFFICIAL MINUTES OF THE LAKE COUNTY BOARD OF SUPERVISORS MEETING HELD SEPTEMBER 2, 2055

9. **ITEM A-8 - 10:30 A.M. - PUBLIC HEARING - INTENTION TO NAME AN EXISTING UNNAMED ROAD "BLACK ARROW TRAIL" LOCATED OFF OF WIGHT WAY, APPROXIMATELY THREE MILES SOUTHWEST OF KELSEYVILLE -** County Surveyor Steve Farr was present.

Supervisor Smith was present at 10:40 a.m. and announced that he has to return to jury duty at 1:30 p.m. today.

Chair Robey opened the public hearing and the following persons spoke against naming the existing unnamed road Black Arrow Trail: Mr. Rick Weiner and Ms. Shelly Wright. Also, Mr. Weiner read a letter in opposition from Mr. Garry Bosma. Ms. Stephanie Oosterveld spoke in favor of naming the existing unnamed road Black Arrow Trail. There was no one else present wishing to speak on this item and the public hearing was closed.

On motion of Supervisor Brown and by vote of the Board (5 ayes), denied naming an existing unnamed road "Black Arrow Trail" located off of Wight Way, approximately three miles southwest of Kelseyville.

10. ITEM A-9 - Continued from August 23, 2005 - 10:45 A.M. - PUBLIC HEARING - INTENTION TO VACATE A PUBLIC LAKE ACCESS EASEMENT (TO CLEAR LAKE), IN THE PARADISE VALLEY SUBDIVISION, IN THE GLEN HAVEN AREA OF THE COUNTY OF LAKE - Assistant Public Works Director Bob Lossius was present and gave a brief overview of the intention to vacate a public lake access easement. The proposed vacation required that the Planning Commission make a determination that the vacation is in conformity with the Lake County General Plan and during the Planning Commission meeting held on May 27, 2005, the proposed vacation was found to be in conformance with the General Plan.

Chair Robey opened the public hearing and the following persons spoke: Mr. Marvin Butler, Ms. Wendy White and Mr. John Roddy. No one else was present wishing to speak and the public hearing was closed.

On motion of Supervisor Lewis and by vote of the Board (5 ayes), approved the Agreement to vacate a public lake access easement between the County of Lake and Joe Sanfilippo, for payment to the County of Lake the fair market value of easement in the amount of $38,500, said funds are to be utilized to acquire additional public lake access easements or properties in the general vicinity of Lucerne, and authorized the Chair to sign.

Supervisor Lewis offered Resolution No. 2005-161 (vacating a public lake access easement, Paradise Valley Subdivision), and it was passed by a roll-call vote (5 ayes).

11. ITEM A-10 - 11:15 A.M. - DISCUSSION/CONSIDERATION OF NECESSARY ACTION FOR THE RESTORATION AND MAINTENANCE OF THE LOWER LAKE PIONEER CEMETERY BY A LOCAL COMMUNITY GROUP - Public Services Director Kim Clymire and Public Services Analyst Jacqueline Armstrong were present.

Chair Robey passed the gavel to Vice-Chair Farrington.

On motion of Supervisor Robey and by vote of the Board (5 ayes), that the County has claimed jurisdiction over the site of the Lower Lake Pioneer Cemetery and assumed control and directed Public

Services to manage and maintain the Lower Lake Pioneer Cemetery.

The gavel was passed back to Chair Robey.

12. ITEM A-11 - Carried Over from September 6, 2005 - 11:30 A.M. - CONSIDERATION OF PROPOSED RESOLUTION DESIGNATING THE AMOUNT OF FUNDING TO BE ALLOCATED TO TITLE II AND TITLE III PROJECTS PURSUANT TO H.R. 2389 FOR FISCAL YEAR 2005/2006 (FEDERAL FOREST RESERVE FUNDS) - Deputy Administrative Officer Jeff Rein was present.

Chair Robey asked if anyone present wished to speak on this item and the following persons spoke: Mr. Ray Mostin, Mr. Bob Dutcher, Ms. Susanne Scholz and Mr. Duane Furman. No one else was present wishing to speak and the public portion of this item was closed.

Supervisor Lewis offered Resolution No. 2005-159 (designating 50% of funding to be allocated to Title II and 50% of funding to be allocated to Title III local projects pursuant to H.R. 2389 for Fiscal Year 2005/2006), and it was passed by a roll-call vote (5 ayes).

The Board recessed for lunch at 12:13 p.m. and reconvened at 1:33 p.m. with Supervisor Smith absent. Supervisor Smith was again called for jury duty.

13. **ITEM A-12 - Continued from August 23, 2005 - 1:30 P.M. - (a) DISCUSSION/CONSIDERATION OF A MORATORIUM ON THE USE OF GENETICALLY MODIFIED ORGANISMS (GMO) IN LAKE COUNTY; and (b) PRESENTATION BY PHILIP MURPHY REGARDING A PROPOSAL FOR A MORATORIUM ON PLANTING AND CULTIVATING GENETICALLY-ENGINEERED ALFALFA IN LAKE COUNTY -** Supervisor Smith was present at 1:40 p.m.

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CORONER'S PROCEDURES FOR THE INDIGENT AND UNIDENTIFIED

SUMMARY

During the Grand Jury's overview of the County's cemeteries, the question of procedures and costs necessitated by processing unidentified or indigent decedents was raised. The Grand Jury conferred with the Coroner Sergeant and learned that such decedents are cremated and that the remains are dispersed off the Mendocino Coast.

METHODOLOGY

The Grand Jury interviewed the Coroner's Sergeant, the Chapel of the Lakes Mortuary staff, and relatives of two decedents classified as "Coroner's Cases." Additionally, online research was conducted, including relevant California statutes.

DISCUSSION

Of the three methods utilized to provide Coroner services in California, Lake County utilizes the Sheriff-Coroner model, as do 47 additional counties. Under California Government Code § 27491, reports of deaths to the Coroner's Office are mandated under the following circumstances:

1. Without medical attendance, which includes all deaths outside of hospitals or skilled nursing facilities.
2. Wherein the deceased had not been attended by a physician in the 20 days prior to death.
3. The attending physician is unable to render a reasonable opinion as to the cause of death.
4. When homicide is known or suspected.
5. When suicide is known or suspected.
6. When a criminal action is involved or suspected to be involved in the death.
7. Related to, or following known or suspected self-induced or criminal abortion.
8. Associated with a known or alleged rape or crime against nature.
9. Known or suspected as resulting in whole or in part from an accident or injury, either old or recent.
10. When aspiration, starvation, exposure, drug addiction or acute alcoholism is the known or suspected cause.
11. When poisoning is known or suspected.

12. When occupational disease or hazards are the known or suspected cause.
13. When a contagious disease is the known or suspected cause.
14. When death occurred while in-custody of a law enforcement agency or while in prison.
15. All deaths of State Hospital patients.
16. All Sudden Infant Death Syndrome (SIDS) deaths.
17. Deaths during or related to surgery or surgical procedures, or following a surgery or surgical procedure if the deceased did not awake from the anesthetic.

The protocol has been changed for fetal deaths *in utero* older than 20 weeks. They are now considered an "attended death" if the obstetrician signs the Death Certificate. In the past, some hospitals delayed calling the Coroner, and the subsequent investigation was very hard on nurses and families. Nor are self-induced abortions any longer investigated by the Coroner.

Only a pathologist can determine the <u>cause</u> of death. The Investigator determines the <u>manner</u> of death – what led up to the death.

In 2022, the Lake County Sheriff's Office assigned a Sergeant full-time, with no extra pay, to the Coroner's Division, along with an Assistant Technician. The cities of Lakeport and Clearlake have their own Death Investigators who respond to deaths within the city limits and take the lead initially in determining "what happened." If they conclude that no crime has been committed, the deceased persons are then referred to the Sheriff-Coroner's office.

The Sergeant is the Coroner's Investigator and responds to all calls if he is on-duty and, if possible, meets personally with the families. If he is not on-duty, another Sheriff's Deputy responds to calls. He also confers with the Death Investigator and funeral homes and obtains relevant reports and records. The Sergeant's compassion and commitment to open communication were evident.

The Sergeant and Assistant Technician share a small office that is quite cramped, but the entire Sheriff's Office will eventually be moved to the former Armory after remodeling, and additional space will become available. The Sergeant expressed the need for one additional Investigator.

All autopsies are conducted at Chapel of the Lakes by the forensic pathologist who covers Colusa, Tehama, Lake, and Mendocino Counties.

Decedents qualifying as "Coroner's Cases" and who cannot be identified or whose estate or relatives are unable to pay for burial or cremation are specially processed. In order for a person to be classified as "indigent" or "unidentified," prescribed steps must be taken.

1. INDIGENT

A deceased person without an estate who has no family and therefore no monetary sources to handle the disposition of remains is classified as "indigent." California is one of 12 states requiring access of the DOJ database NamUs (National Missing and Unidentified System) within 10 days following discovery of the body. The purpose of NamUs is to house records and information, without charge, in a centralized location about cases of missing persons, unidentified decedents, and unclaimed decedents. That information is available to law enforcement.

The Coroner sends a letter to the Public Administrator, who attempts to contact the next-of-kin and looks for bank accounts or other funds to pay the requisite fees. The California *Health and Safety Code* § 7103 and § 7104 states that the legal next of kin, as dictated in the California *Health and Safety Code* § 7100, is financially responsible for handling the disposition of the deceased's remains. If the legal next of kin fails to inter the remains, after thirty (30) days, the Sheriff-Coroner will proceed with Indigent Cremation, for which Lake County is financially responsible.

When a person is declared indigent, the process takes an additional thirty days (30) for the disposition to occur. The first step is that the decedent is offered to the State of California's Willed Body Program. This funeral home is required by law (Health & Safety Code § 7200) to report to the State Curator's office all unclaimed persons whose disposition would otherwise be paid for by public monies. If the decedent is not accepted by the State Curator, a direct cremation will ensue at one of the three County funeral homes. The remains in an urn remain at the funeral home for no more than 30 days. They are then stored in an established vault in the Sheriff's Office for about six months, after which time they are scattered at sea off the coast of Ft. Bragg by the owner of Chapel of the Lakes Mortuary via chartered boat. The trip is generally in the Fall and Spring. The cremated remains are not returned to family members.

2. **UNIDENTIFIED -** labeled "Jane Doe" or "John Doe"

Fingerprints are run by the FBI. Sometimes a fingertip may need to be sent to the Department of Justice (DOJ). Dental records are scanned after the jaw and teeth are sent to California Assemblyman Dr. Jim Wood (also a forensic odontologist). NamUs is notified. Articles are printed, including on social media, regarding the location and circumstances surrounding the death and soliciting identification of the decreased. Fingernails are sent to the DOJ for DNA testing. Cremation is carried out when officials are certain that the body cannot be identified. Within 180 days, all final reports and evidence are submitted to NamUs. As with the Indigent remains, the Unidentified bodies are also cremated and the "Cremains" stored - for no

more than 30 days at the mortuary and then in the Sheriff's Office - until the approximately twice-annual voyage off the Mendocino Coast for dispersal.

FEES

$115	Transport to & from Chapel of the Lakes
$75/hr.	Transport of body in another county back to LC
$275	Forensic Dental review
$1,800	Autopsy
$1,000	Cremation
$25/day	Body storage fee (after 10 days)
$12/each	Ash scatter permit
$75/person	Scattering the ashes

There is no charge for children younger than 14

In 2022, there were 451 Coroner's Cases, with 54 (11.9%) determined to be Indigent. Generally, unidentified bodies comprise fewer than 1% of Coroner's Cases. The one Jane Doe found in January 2023 at Austin Park was subsequently identified.

AT-SEA DISPERSAL

Each mortuary is responsible for registering the death certificate with the State and obtaining a disposition permit for the scattering at-sea off the Mendocino Coast at Ft. Bragg. The owner of the Chapel of the Lakes charters a commercial fishing boat twice a year to scatter the ashes from approximately 30 urns. [However, as of 5/1/23, 54 urns were stored in the Sergeant-Coroner's Office. He and his assistant lock their office door whenever they leave so as to keep the urns safe.] The entire trip takes about seven hours. The Coroner Technician provides the Mortuary with a list of ashes to be scattered and a copy of the disposition permit to make sure no corrections are needed prior to registration with the County Health Department.

The day prior to the trip, the cremains – each in a plastic bag inside a hard plastic urn - are transferred from the Sheriff's Office to the Mortuary. Each urn is labeled with the deceased's name (or "Doe" number), crematory name, and cremation number. The urns are lined up alphabetically, as are the permits, to make certain all are accounted for. The urns are then boxed for transport. The Mortuary owner drives to Ft. Bragg, meets with the ship's captain, and unloads the boxes onto the boat. California law requires that ashes be scattered more than 500 yards offshore. When at the appropriate location, the owner and his assistant open the urns and

plastic bags and scatter each set individually, following which the ID is crossed off the list. The owner returns the plastic bags to the Mortuary to dispose of them as hazardous waste. The labels from the urns are taken to the Lake County Landfill.

The date of disposition is added to the permits, which are then signed. One copy is made for the Sheriff's Office and another for the Mortuary. The originals go to the Mendocino County Health Department, whence the permits are registered with the State Department of Health. At the end of the process, the Mortuary secretary will send a bill to the Coroner's Office for $87 for each set of cremains ($75 for the dispersal and $12 for the permit).

FINDINGS:

F-1: While the Sergeant-Coroner and Technician are accomplishing especially sensitive tasks as well as they can with what they have, they need an additional Investigator and separate secure storage.

F-2: The sensitivity and humanity of the Sergeant-Coroner in dealing with the anguished relatives of decedents who have died under troubling circumstances was greatly appreciated by family members.

RECOMMENDATIONS:

R-1: That the Sheriff fund a second Investigator. (F-1)

RESPONSES:

Pursuant to Penal Code § 933.05 (a)(b)(c), the following response is required:

Lake County Sheriff	(R-1)	60 days

SEX TRAFFICKING: HIDING IN PLAIN SIGHT

SUMMARY

Human trafficking is the illegal trade of human beings for the purposes of reproductive slavery, commercial sexual exploitation, and forced labor. Human trafficking, widely recognized as a modern-day form of slavery, includes

> "… the recruitment, transportation, transfer, harboring or receipt of persons by means of threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power, or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of prostitution of others or other forms of sexual exploitation, forced labor services, slavery or practices similar to slavery, servitude or the removal of organs."

Human trafficking has become the second largest criminal industry following the drug cartel. An estimated 27 million adults and 13 million children are trafficked worldwide, with a profit of $150 billion a year. Nearly 80 percent of human trafficking is for sex and 20 percent is for labor exploitation.

California is particularly vulnerable because of its proximity to international borders, the number of ports and airports, its significant immigrant population, and a large economy that includes industries that attract forced labor. The presence of major airports and intrastate highways in California allows traffickers to transport the victims with ease, making human trafficking in California a profitable, low-risk and high-reward scheme. It serves both as an entry point for slaves imported from outside the US as well as a destination for slaves.

Though awareness and concern around sex trafficking have increased in recent years, the incidence is consistently underreported due to its covert nature, low community awareness, lack of law enforcement resources, limited assistance for victim recovery, and social blaming of victims. Perpetrators of sex trafficking often target people who are poor, vulnerable, living in an unsafe situation, or searching for a better life. Due to the complex nature of the crime, traffickers often operate under the radar, and those being trafficked are not likely to identify as victims, often blaming themselves for their situation, making identification of the crime all the more difficult.

Combatting human trafficking with intervention, prevention and zero tolerance demands a coordinated effort from all corners of the community – individuals, advocates, community groups, law enforcement, faith-based organizations, and schools. Greater education and emphasis on this topic, especially among youths

and those working with youths, will reinforce the facts that clues do exist that can be recognized and that victims will step forward, including on one memorable occasion in Lake County in 2018 that was facilitated by the Soroptimists.

METHODOLOGY

The Grand Jury interviewed law enforcement officials, including specialists in sex crimes, both locally and with Homeland Security; former and current persons in the District Attorney's office, school district officials; relatives of victims, community members vitally concerned about trafficking, and several of the principals involved in the *Jane Doe in Wonderland* presentation in April, 2018. Research and numerous reports on the topic were reviewed.

DISCUSSION

Human Trafficking is fueled by a demand for cheap labor and commercial sex. Sex trafficking is the most common form (79%) of human trafficking. Women and girls represent 65% of all trafficking victims globally, but men and boys are also trafficked. More than 90% of female victims were trafficked for sexual exploitation. Victims are taught by their traffickers to distrust outsiders, especially law enforcement. They may distrust government for fear of being deported.

According to a recently released report by the State Department, the top nations-of-origin for victims of human trafficking are the U.S., Mexico, East Asia, and the Philippines. California's major hubs are centered on Los Angeles, Sacramento, San Diego, and San Francisco. Additional cities with the highest rates of human trafficking are Las Vegas, Atlanta, Washington DC, and Miami. The State Department report further noted that California, together with New York, Texas, and Florida, have the largest concentrations of survivors of human trafficking.

The most common victims are: Unhoused youths or runaways, youths in and out of foster homes or juvenile facilities, sexually abused boys or girls, refugees or migrant workers, those with substance-abuse disorders or mental illness, survivors of prior violence, members of minority populations based on gender or sexual identity, and the disabled. They can be found in legal and illegal labor industries, including child care, elder care, the drug trade, massage parlors, nail and hair salons, factories, restaurants, and, especially in California, large dairies, vineyards, and pot farms.

Traffickers may approach potential victims by pretending to be a friend or boyfriend, contacting them on social media, posting ads for jobs or special opportunities, or even threatening or kidnapping them. They employ a variety of control tactics, most commonly physical and emotional abuse and threats, isolation from friends and families, pregnancy, coerced substance use, and economic

abuse (assuring them of fast and easy money). They are skilled in addressing the needs of their target in order to impose control. Victims are often approached by someone they know. Contrary to popular belief, traffickers rarely kidnap victims, but, rather, employ psychological manipulation to get what they want. The ultimate goal of a human trafficker is to gain access to, and the trust of, a potential victim, which sometimes takes weeks or months.

The United Kingdom nonprofit organization Barnardo's created a model called the 'Grooming Line,' which identifies the different tactics a perpetrator may use to groom someone.

The Four Stages of Grooming

1. **The Targeting Stage**

- Observing the target
- Selecting of victim
- Befriending the victim, being nice, giving gifts, taking an interest, giving compliments, etc.
- Gaining and developing trust
- Sharing information about a target amongst other predators

2. **Friendship Forming Stage**

- Making the victim feel special
- Giving gifts and rewards
- Spending time together
- Keeping secrets
- Being there for them
- Saying things like, "No one understands you like I do"
- Being their best friend
- Testing out physical contact, accidental touching
- Offering protection

3. **Loving Relationship Stage**

- Being their boyfriend/girlfriend
- Establishing a sexual relationship
- Lowering their inhibitions - e.g., showing them pornography
- Engaging them in forbidden activities - e.g., going to clubs, doing drugs, drinking
- Being inconsistent - building up hope then pushing them away

4. Abusive Relationship Stage

- Becomes an “unloving' sexual relationship”
- Withdrawal of love and friendship
- Reinforcing dependency on them - stating the victim is “damaged goods”
- Isolation from family and friends
- Trickery and manipulation: “You owe me”
- Threatening behavior
- Sexual assault
- Making them have sex with other people
- Giving them drugs
- Playing on the victim's feeling of guilt, shame, and fear

Recognizing Trafficked Victims

Red Flags: Every victim is different and may exhibit only one sign – or several:

Being Controlled

- Lives with “employer,” who holds ID or passport
- Not allowed or able to speak for themselves, refusal to make eye contact
- Has little personal property/wears the same clothes over and over again, or carries belongings in a trash bag
- Paid mostly in cash, not in control of their money/no financial records or bank account
- Seems to respond with scripted or rehearsed content

Working Conditions

- Recruited with false promises concerning the nature and conditions of their work
- Unpaid or paid very little by cash tips off the record
- Has a pimp, manager or someone who will not leave their side
- Not free to leave or come and go as they wish
- Works long and/or unusual hours
- Has a large debt that cannot be paid off
- Is under the age of 18 and performing sex acts in exchange for anything of value
- Exchanging commercial sex acts for needs like shelter, food, or other means of survival

Mental Health

- Fearful, anxious, depressed, submissive, tense, nervous, or paranoid
- Appears to be under the influence of drugs or alcohol
- Overly attached to one person or has one person overly attached to them
- Needs permission or direction to make simple decisions, such as going to the bathroom

Physical Health

- Show signs of physical and/or sexual abuse, physical restraint, confinement, or bruises, cuts, etc.
- Has branding scars such as burns or tattoos with crowns or money symbols. Some pimps use inked barcodes or gang signs or price tags
- No access to healthcare, or unable to access healthcare without supervision
- Appears malnourished or extremely skinny

Department of Homeland Security (DHS)

The Grand Jury learned through one of its Special Agents that DHS is responsible for investigating human trafficking crimes, arresting traffickers, and protecting victims. DHS also provides immigration relief to non-U.S. citizen victims of human trafficking. The agent emphasized that DHS utilizes a victim-centered approach to combat human trafficking, which places equal value on identifying and stabilizing victims and on investigating and prosecuting traffickers. DHS understands how difficult it can be for victims to come forward and works with law enforcement due to their trauma and is committed to helping victims feel stable, safe, and secure.

DHS works closely with Immigration and Customs Enforcement and Custom and Border Protection to coordinate its efforts to combat human trafficking under the Blue Campaign. The Blue Campaign is a national public awareness program designed to educate the public and law enforcement especially to recognize the indicators of human trafficking and how to respond appropriately to possible cases. An example of the Blue Campaign's training for first responders is attached as **Exhibit A**. The Campaign also has developed general awareness trainings within vulnerable populations to help reduce victimization.

Lake County

Eighty percent of the state's human trafficking cases occur in the Bay Area, Los Angeles and San Diego, according to the California Department of Justice. Lake County, only two hours north of San Francisco, is close to the Pacific Coast and only 60 miles from Interstate 5, one of the state's most commonly traveled routes that is known for many truck stops and motels that are used for luring, recruiting, and transporting trafficked victims. Its location, then, has made Lake County a prime area for human trafficking activity.

One well-known – and, sadly, typical - case came to light in 2013. A Lakeport man arrested and indicted in 2013 for a marijuana trafficking case that also had involved his holding-captive and having sex with a teenage girl (who he had kept in a metal box) was sentenced in July 2019 to 31 years in federal prison. The defendant initially met the 15-year-old victim in Los Angeles and offered to let her live with his family in Northern California. Instead, he drove her to his rural marijuana grow site in Lake County and coerced her into helping with marijuana cultivation.

He admitted to physically abusing the minor victim, including forcibly confining her in a small, metal tool chest for an extended period of time, restraining her, and electrically shocking her, according to authorities. He also admitted to sexually abusing the minor by having nonconsensual sex with her while requiring her to work on the marijuana grow. (A co-defendant was also arrested and pled to the crimes.)

As an example of the time and energy required by numerous agencies for this type of investigation and prosecution, the minor victim was rescued, and two men were arrested, as a result of the joint efforts of the Department of Homeland Security – Homeland Security Investigations, the Drug Enforcement Administration, the Department of Defense – Criminal Investigation Service, the Lake County Sheriff's Office, the Los Angeles Police Department and the West Sacramento Police Department. The men were prosecuted by the United States Attorney's Office for the Northern District of California with significant assistance from the Lake County District Attorney's Office.

Two Effective Community Groups

Lake Family Resource Center (LakeFRC), founded in 1995, is the longest existing nonprofit organization in Lake County. They have placed a focus on providing quality victim services, including family and community violence prevention and intervention, child and youth development, parenting education, personal development, and health and wellness. They have especially focused on sex trafficking. They have emphasized that human trafficking is a rapidly emerging industry and an expanding problem in Lake County. The Grand Jury learned a great deal from their lecture and slide presentation, which they have graciously permitted us to include in this report, attached as **Exhibit B**.

LakeFRC's Human Trafficking Program offers free and confidential services including a 24/7 Community Crisis Line (1-888-485-7733) answered by trained advocates. The Human Trafficking Program also provides individual counseling, support, safety plans, education, hospital accompaniment, law enforcement advocacy, and court advocacy.

In 2019, LakeFRC received a $550,000 three-year grant from the Office for Victims of Crime, part of the U.S. Department of Justice. In 2020, the first year of the grant, LakeFRC built its program to help the victims of human trafficking. In year two, they began providing direct services. In 2021, Lake Family Resource Center served 18 clients, of which 13 had been the victims of sex trafficking and five had been subjected to labor trafficking. Altogether, the organization stated, it provided 1,108 services that year to those 18 clients, including crisis intervention, one-on-one and group counseling, referrals for therapy, emergency shelter, transportation, financial assistance for food and clothing, and personal and legal advocacy.

Human trafficking has also been a signature project of Soroptimist International of the Americas, including the Lake County chapter, Soroptimist International of Clear Lake, which includes a number of LakeFRC members. They have worked diligently with their community leaders to raise awareness about the barbarity of this type of trafficking through training and proclamations calling attention to the problem. Among their joint advocacy was inducing the Lakeport and Clearlake City Councils and the Board of Supervisors to declare April 14, 2018 as Human Trafficking Awareness Day.

Jane Doe in Wonderland

The date April 14, was chosen in recognition of the anti-trafficking play, *Jane Doe in Wonderland*, being presented at the Soper Reese Theatre in Lakeport on April 14th. The play's debut was sponsored by the Soroptimists in partnership with Jane Doe in Wonderland Theatre Against Sex Trafficking. The play was a collaboration of Game Over, an anti-sex-trafficking nonprofit organization founded by sex-trafficked-survivor/educator Elle Snow (a pseudonym), and three playwrights, all from Northern California.

Jane Doe was written for a high-school audience in a manner that was nonviolent or explicit and drew parallels between the well-known story of *Alice in Wonderland* and how young women and men are lured into the world of sex trafficking. It followed the most common example: that of a "Romeo Pimp" targeting a rural high-school girl by pretending to be her boyfriend before bringing her to an unfamiliar city and trafficking her. The play accentuated the common "red flags" of traffickers and addressed the often-seen social stigma against the victims by answering the question, "Why don't they run?" The hour-long performance was followed by a survivor talk-back wherein audience members could ask questions and learn directly from a survivor's experience. Tickets were free for youths under 18.

The Resulting Prosecution

At the end of the performance, a young woman from the audience sought out a uniformed Highway Patrolman from the Clear Lake station who was present and indicated that she believed that she was being sex-trafficked. The officer immediately contacted the Sheriff, who urged him to reach out to the District Attorney (DA), who fortuitously was also in attendance, along with the DA-elect. The woman went to the DA's office the following week, and the resulting investigation culminated in the arrest in July 2018 of a Lakeport resident and his wife. Following the couple's arrest, four more victims came forward and were added to the case. Altogether, they were charged with 10 counts that included human trafficking, pimping, and pandering for their crimes against five young women, identified as Jane Does one-through-five in court records.

The charging documents said that the couple posted Internet ads to solicit sex with the victims, transported them to San Francisco, kept them in hotel rooms where the prostitution activities were conducted, and received the money individuals paid to have sex with the victims. After a controversial plea deal, the man was convicted in December 2018 and sentenced to 20 years in prison for selling [only four of the five] teenage girls into prostitution in the Bay Area. With time served, he was expected to be imprisoned for 9 years. Had he been convicted of all of the original charges; he would have spent his life in prison. He also had to register as a sex offender and pay restitution.

In October 2018, the woman had pled guilty to one count of human trafficking and was sentenced to three years felony probation, with credit for time served in the Lake County Jail after her arrest, and would undergo strict mental health treatment. She faced up to 12 years in prison if she did not complete the terms of her probation. The DA said that he believed the woman when she said that when she met the man, she was on medication for mental health issues and that he took her off of the medication and coerced her into prostitution. While the woman initially was a victim, she later became "a willing participant."

The plea agreements resulted in a backlash of public opinion against the DA, with community members calling them too lenient.
[12/5/18 -Lakeport man sentenced to state prison for human trafficking; victims decry sentence as too lenient (lakeconews.com)]

In January 2019, a different Superior Court judge refused to accept the woman's plea, which she later withdrew. What followed was a series of rescheduled hearings and ongoing consideration of the defense request for mental health diversion, which the court ultimately denied. During a February 2020 court appearance, the woman accepted the identical offer by pleading to one charge of Penal Code 236.1(a), depriving Jane Doe No. 1 of her personal liberty with the intent to obtain forced labor or services. This was the same charge to which she

had pleaded previously. As a result of that plea, the other seven counts were dismissed.

After its production in Lakeport, the theatre group put on the play in several other Bay Area cities over the course of several months. The Grand Jury attempted, unsuccessfully, to locate the play's originator, Elle Snow, who is thought to live in Humboldt County, with the goal of obtaining a copy of the manuscript and permission to mount another production in Lake County.

A More Recent Case in Lake County

Human Trafficking may be incidentally uncovered during other law enforcement investigations. One recent example was documented in an article in LakeCoNews, quoted in its entirety to illustrate the not uncommon fortuitous discovery of trafficked victims, as well as the marshalling of resources necessary to disrupt these operations.

Lengthy investigation targets drug operation; authorities discover human trafficking LakeCoNews, March 23, 2023

> Over the last several months, Lake County Sheriff's Office detectives assigned to the Narcotics Unit and deputies assigned to the Roadmap Task Force, have investigated a large illegal marijuana production operation that originated within Clearlake Oaks.
>
> Over twenty locations were investigated after search warrants were authored by detectives and signed by Lake County Superior Court Judges. The search warrants were served at locations in Clearlake Oaks, Clearlake, Lower Lake, Kelseyville, Middletown, Sacramento, and West Sacramento.
>
> During the investigation, a large, sophisticated chemical manufacturing laboratory was located in the Middletown area. The laboratory was using very volatile, combustible, and highly flammable chemicals for manufacturing concentrated marijuana, commonly referred to as hash oil. There were over 780 gallons of the chemicals at the scene, which were not being properly and safely stored, which posed a severe hazard and safety concern to the community. The chemicals on scene were later safely removed by a hazardous materials team. The laboratory was producing over 200 pounds of hash oil each day it was active, which was determined by ledgers and products found on scene. Over 200 pounds of hash oil, 7,000 pounds of processed marijuana, over 600 marijuana plants, and an assault rifle were located at the scene. Lake County Sheriff's Office Detectives and Lake County Victim's Advocates found and identified <u>three victims of forced labor human trafficking</u> at the

scene. The victims were provided with resources and services to assist them with their pathway to recovery from the traumatic conditions they were forced to be involved in.

During the investigation, another location, associated with the suspects of the laboratory, was discovered in the city of Clearlake. At this scene, over 11,000 marijuana plants were located. Additionally, Lake County Sheriff's Office Detectives and Lake County Victim's Advocates found and identified another victim of forced labor human trafficking at the scene. The victim was also provided with resources and services to assist them with their pathway to recovery from the traumatic conditions they were forced to be involved in.

Lake County Sheriff's Office Detectives later served search warrants at properties associated with the suspects involved in the investigation in Sacramento and West Sacramento. During the service of the search warrants, over 50,000 cartridges of ammunition were located and seized. Over 20 firearms were seized, including several assault rifles. Over 100 pounds of hash oil product from the laboratory was located, as well as large amounts of packaged processed marijuana bud. Additionally, Lake County Sheriff's Office Detectives discovered illegal proceeds earned through the unlawful sale of controlled substances. The assets included United States currency in excess of $300,000.00. The investigation is ongoing.

[Image provided by the Lake County Sheriff's Office]

A special thanks to the supporting and assisting agencies in the investigation, who aided in maintaining the safety of the victims, the community, and the environment. The Lake County Sheriff's Office would like to thank Lake County Victim/Witness advocates, CALFIRE, Lake County Fire Protection District, Department of Fish and Wildlife, California Department of Justice, Sacramento Police Department, Sacramento County Sheriff's Office, Lake County Code Enforcement, Clearlake Code Enforcement, and Lake County Environmental Health.

For more information and resources about human trafficking, visit humantraffickinghotline.org

The Lake County Sheriff's Office remains dedicated to ensuring Lake County stays safe. To report any suspicious activity or possible human trafficking, call central dispatch (707) 263-2690.

Any suspicious activity can also be reported to the National Human Trafficking Hotline at 1 (888) 378-7888 or to our local law enforcement agencies:

CHP	707-279-0103
Clearlake PD	707-994-8251
Lakeport PD	707-263-5491.

At the time of the Grand Jury inquiry, no current human/sex trafficking cases were reported as being prosecuted by the DA's Office.

Sound of Freedom

A relevant movie about to be released may ramp up interest in this subject.

- Sound of Freedom is based on the true story of a US government agent who quits his job to devote his life to rescuing children from global child traffickers.
- Sound of Freedom will be theatrically released worldwide on July 4, 2023.
- Jim Caviezel (The Passion of the Christ, Count of Monte Cristo) plays the lead role of Tim Ballard.
- The purpose of this film is to put a spotlight on the global movement to end the trafficking of minors by successfully distributing this film to a worldwide audience.

FINDINGS

F-1: Human/Sex Trafficking cases are complex, require lengthy investigations, involve multiple agencies across county, state and country boundaries, and are costly to resolve.

F-2: Lake Family Resource Center has developed detailed training materials on Trafficking.

F-3: Widespread education on Trafficking, especially among youths and persons working with youths, can increase awareness and opportunities for potential intervention.

RECOMMENDATIONS

R-1: That the six School District Superintendents partner with Lake Family Resource Center to create and implement programs that focus on Human/Sex Trafficking age-appropriate curricula and handouts for students, staff, and parents and develop protocols for identifying and reporting a suspected case of human trafficking or responding to a potential victim. (F-2, F-3)

R-2: That the Lakeport Police Department, Clearlake Police Department, and the Sheriff's Office provide annual training on Trafficking for their officers and staff. (F-1, F-2, F-3)

RESPONSES

As per California Penal Code § 933.05 (a)(b)(c), the following responses are required:

Lakeport Unified School District Superintendent	R-1	60 days
Lucerne Unified School District Superintendent	R-1	60 days
Kelseyville Unified School District Superintendent	R-1	60 days
Konocti Unified School District Superintendent	R-1	60 days
Middletown Unified School District Superintendent	R-1	60 days
Upper Lake Unified School District Superintendent	R-1	60 days
Clearlake Police Department	R-2	90 days
Lake County Sheriff's Office	R-2	60 days
Lakeport Police Department	R-2	90 days

Exhitbit A

First Responder Training

This training for first responder personnel includes three lessons and a final exam. The lessons will he you understand what human trafficking is, who can become a victim, and how you can play a role in identifying and responding to suspected victims.

As a first responder, you are often first on the scene in an emergency. This gives you the unique opportunity to notice signs of human trafficking.

Lesson 1: What is Human Trafficking

Simply put, human trafficking is modern day slavery.

Every year, men, women, and children are exploited in every part of the world, including here in the United States.

Human trafficking happens everywhere across our communities in cities, suburbs, and rural areas.

It's a highly profitable crime, and a violation of basic human rights.

Human trafficking occurs when an individual is exploited through force, fraud, or coercion for forced labor, domestic servitude, or commercial sex.

Importantly, under US law, any minor under the age of 18 who has engaged in commercial sex is a victim of human trafficking, regardless of whether force, fraud, or coercion is involved.

When we talk about human trafficking, we're talking about a specific crime against a person.

Don't confuse human trafficking with human smuggling.

They're different crimes.

While human trafficking is the illegal exploitation of a person, human smuggling is the illegal movement of a person across a border, whether by land, air, or sea.

Anyone can be a victim of human trafficking. Victims can be any age, race, ethnicity, gender, sex, or nationality, and they can come from any socioeconomic background.

In the same way, traffickers can be any age, race, ethnicity, gender, sex, or nationality, and come from any socioeconomic background.

Some traffickers operate as part of a larger criminal organization, such as a gang or cartel, while others operate individually.

Traffickers may also be related to the victim, such as a parent or guardian. Human trafficking is in our communities, often hidden from view because the indicators are unknown.

It is extremely rare for victims to self-report, to seek help, or to attempt escape due to fear.

They may be excessively truant, have unstable housing, dress too provocatively for their age, have academic problems, and may have social or emotional difficulties.

Victims may be afraid of being touched and may even flinch away from physical contact.
They may be nervous or fearful of discussing their injuries or problems.

The school may report various people picking the child up from school or that the child seems to hang out with much older people.

While no single indicator is a definite sign of human trafficking, you should keep in mind the totality of the circumstances.

It is important to remember that depending on the victim's actual or perceived relationship to the trafficker the victim may feel a sense of loyalty.

The trafficker may be the victim's parent or someone the victim considers a boyfriend, for example.
This can increase the victim's reluctance to discuss problems, injuries, or living conditions.

Finally, there are a number of common environmental indicators of human trafficking.

Overcrowded or substandard living conditions and restricted or monitored transportation are two common indicators.

A building may appear to be in use but with boarded up windows and extra locks on fences or doors.
These buildings may be heavily monitored by surveillance equipment.

You may also encounter living spaces with a large number of occupants where residents lack private space, personal possessions, or financial records.

Other environmental and situational indicators include people frequently moved back and forth by the potential trafficker, houses or hotels where heavy foot traffic has been noticed, and workers who seem to live on or near work premises.

Now that you know the common indicators of human trafficking, let's take a look at indicators specific to your role.

Law enforcement officer, first responder, dispatcher.

As a law enforcement officer you work tirelessly to protect your community and maintain law and order.

If an individual refuses to speak to you, seems fearful of something outside of the situation, or displays signs of abuse, you may have encountered a victim of human trafficking.

You may also have the opportunity to go into buildings and residences when law enforcement may not.

You may notice environmental conditions that point toward human trafficking.

While walking through a house during or after an emergency, you may notice evidence of too many people living in a small space, multiple beds lining a single room, and other substandard living conditions.

If you enter a home where children live and you discover indicators such as pornography in plain view or a large amount of audio and visual equipment, carefully observe the rest of the situation.

When combined with other indicators, discoveries like these should raise suspicion.

Watch for children who are talkative with you but fearful of the family.

Many child victims of sex trafficking are taught from a young age that sex with adults is normal.

They may not know that what is going on is wrong.

As a first responder you are in a unique position for noting and responding to indicators of human trafficking during health assessments.

Some indicators you would notice during an assessment include signs of malnourishment or overall poor health, untreated injury or infection, signs of drug or alcohol addiction, and signs of physical abuse, such as unexplained injuries, multiple injuries in various Stages of healing, or signs of prolonged abuse.

Even if they are clearly injured or unwell, individuals who have been victimized by human trafficking may resist or refuse your help.

They may demonstrate fear of providing information, be unwilling or unable to give you basic information, such as their name or address, or they may provide unrealistic or inconsistent information.

Another sign of possible human trafficking is the presence of an individual who seems to be controlling the potential victim.

In addition, there are two other methods of reporting you may follow.
You can call the tip line toll free 24 hours a day from the US and Canada at 866-DHS-2-ICE.
Or you can call the international number at 1-802-872-6199 from anywhere in the world.
You can also call the National Human Trafficking Hotline, Call 1-888-373-7888, or text help, or info to l Free (233733).

The national human trafficking hotline is associated with a non-governmental organization.

Trained personnel answer the hotline and will provide victim support, offer more information, and conn you with a service provider in your area.

You might be asking yourself what if I am wrong? It's OK.

Reporting suspected human trafficking is always the right thing to do.

Your tip, by itself or combined with other information, could help build a case against the trafficker and rescue of victim.

Unless you are a member of law enforcement do not confront suspected traffickers or victims.

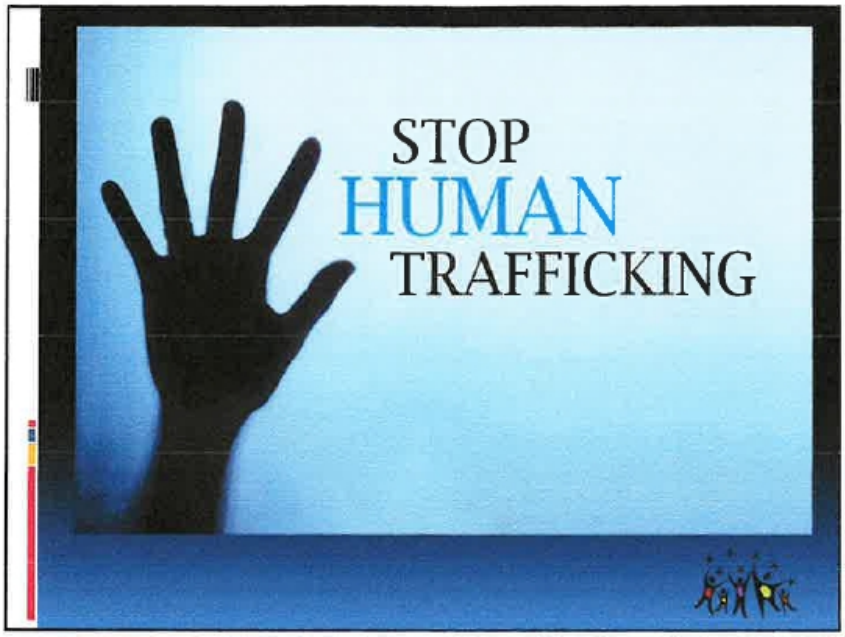
This will help to ensure your safety and the safety of those around you.

It's equally important that you refrain from drawing unnecessary attention to yourself, the suspected trafficker, or the suspected victim.

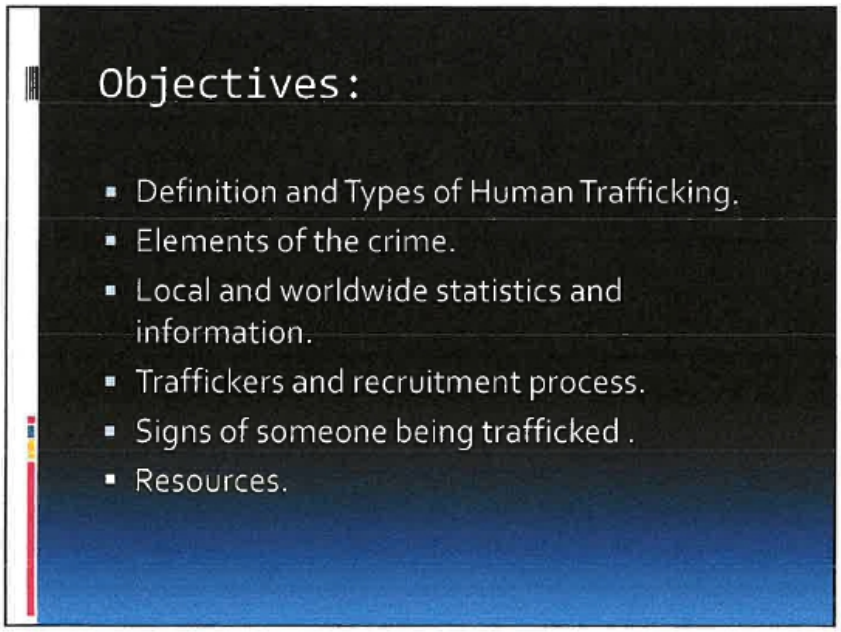
This attention could alert the trafficker to your suspicions.
You've now completed this course and you're ready to recognize and report indicators of human trafficking activity.

For more information please visit the Blue Campaign's website at https://protect-us.mimecast.com/s/oQnmCxkmEXU1QkwoS889lp?domain=dhs.gov.
Email us at bluecampaign@hq.dhs.gov or connect with us on Facebook.

Exhibit B


STOP
HUMAN
TRAFFICKING

1


Objectives:
Definition and Types of Human Trafficking.
Elements of the crime.
Local and worldwide statistics and information.
Traffickers and recruitment process.
Signs of someone being trafficked .
Resources.

2

What is Human Trafficking

- Human Trafficking - The act of tricking, luring, or forcing a person into leaving their home to work for little or no payment.

- People are bought, sold, and traded

3

United Nations Defines:

Human trafficking as the recruitment, transportation, transfer, harboring, or receipt of persons by improper means (such as force, abduction, fraud, or coercion "tricking") for an improper purpose including forced labor or sexual exploitation

4

Three Elements Of Human Trafficking

Action	Means*	Purpose
Induce Recruits Harbors Transports Provides or Obtains	Force Fraud or Coercion	Commercial Sex *(Sex Trafficking)* or Labor/Services *(Labor Trafficking)*

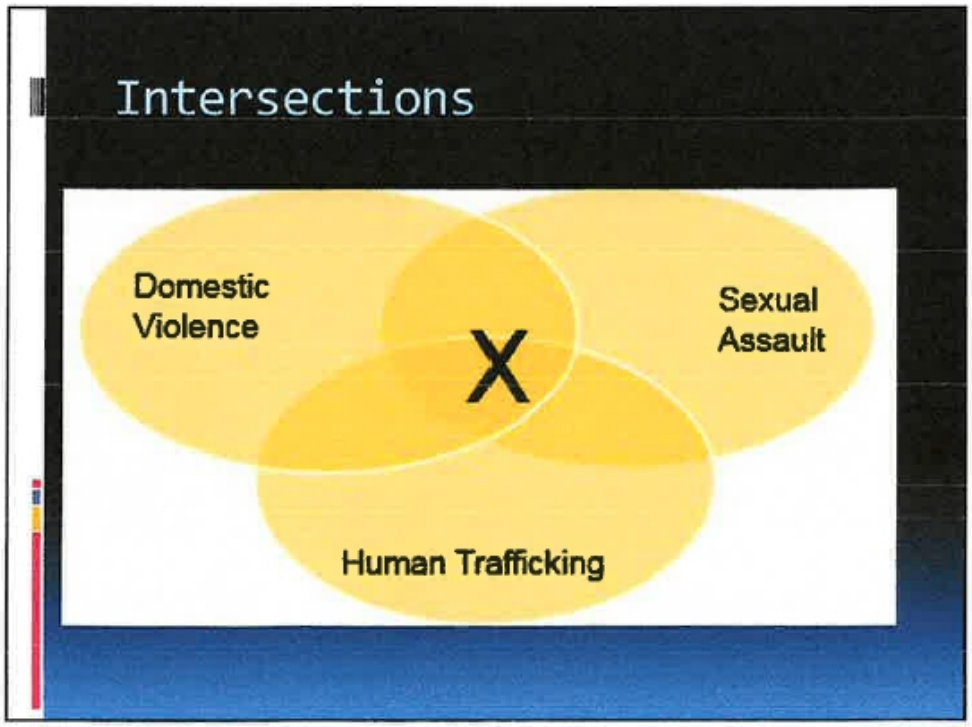
*Minors induced into commercial sex are human trafficking victims—regardless if force, fraud, or coercion is present.

5

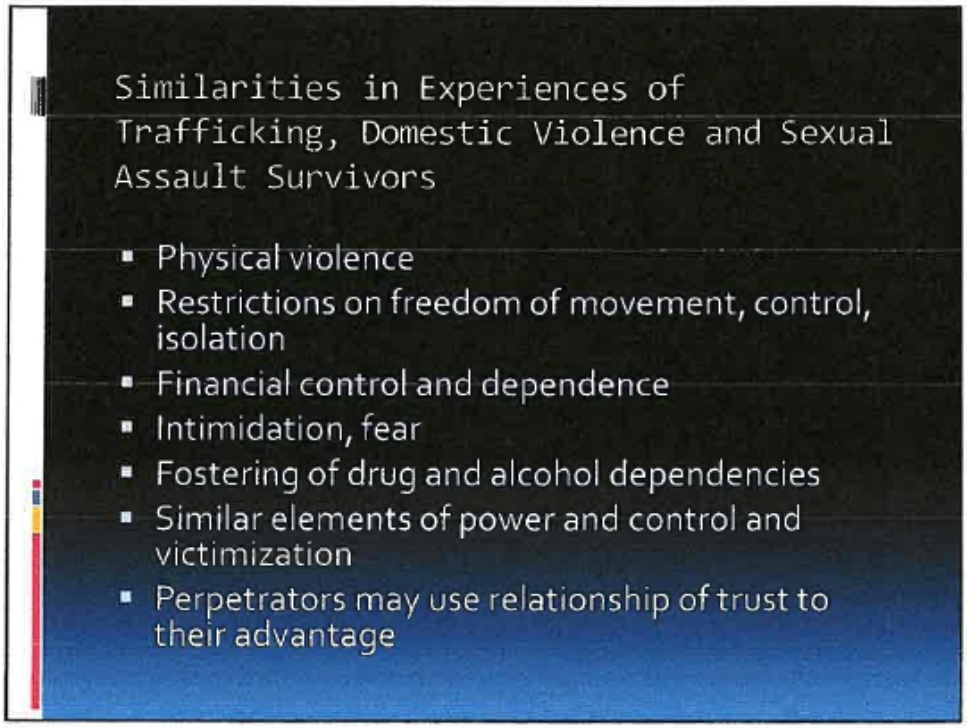
Dynamics of trafficking

- The dynamics of human trafficking mirror the dynamics of power and control that characterize domestic violence.
- The often subtle tactics used by recruiters, traffickers, and their agents are often the same as the tactics used by batters.

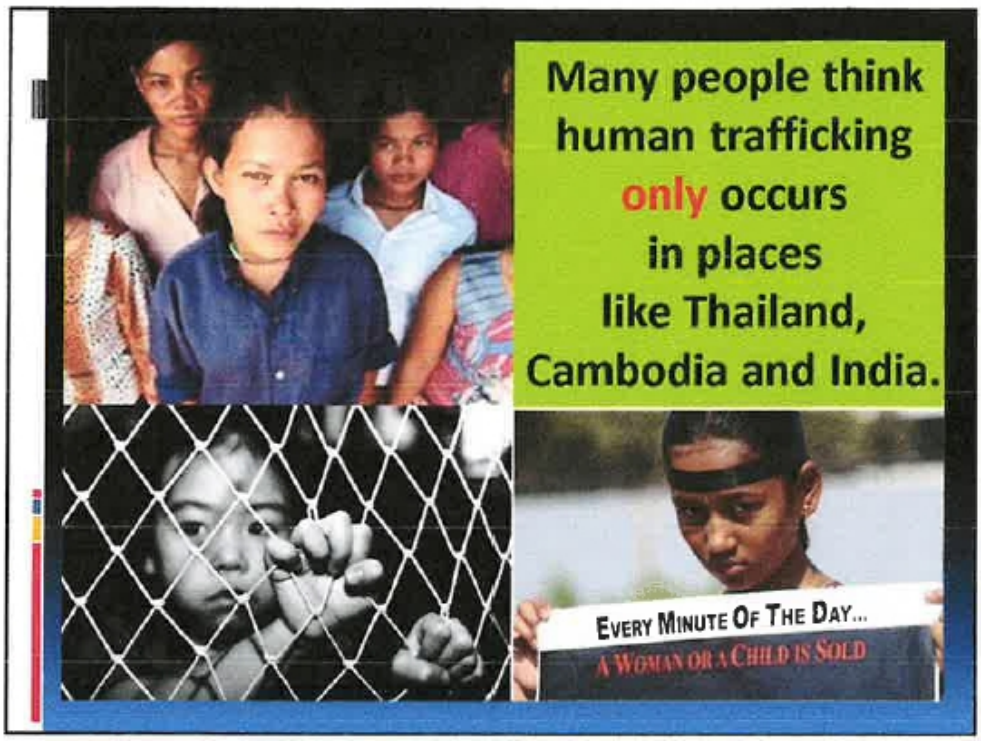
7


Intersections
Domestic Violence
Sexual Assault
X
Human Trafficking

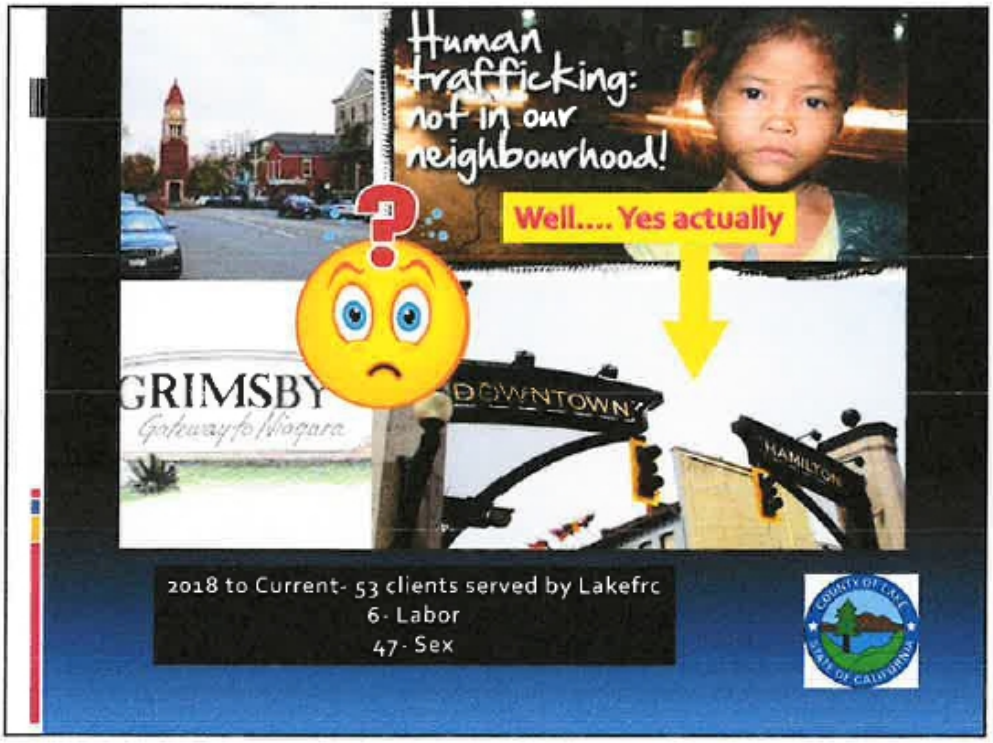
8


Similarities in Experiences of Trafficking, Domestic Violence and Sexual Assault Survivors
Physical violence
Restrictions on freedom of movement, control, isolation
Financial control and dependence
Intimidation, fear
Fostering of drug and alcohol dependencies
Similar elements of power and control and victimization
Perpetrators may use relationship of trust to their advantage

9


Many people think human trafficking only occurs in places like Thailand, Cambodia and India.
EVERY MINUTE OF THE DAY...
A WOMAN OR A CHILD IS SOLD

11


Human trafficking: not in our neighbourhood!
Well.... Yes actually
GRIMSBY
Gateway to Niagara
DOWNTOWN
HAMILTON
2018 to Current- 53 clients served by Lakefrc
6- Labor
47- Sex

12

Statistics

- 27 million adults/ 13 million children worldwide
- Second largest criminal industry worldwide, to the drug cartel
- $32 billion a year
- 80% victims are sex trafficked and 19% labor
- 71% are women and girls, 29% men and boys
- Average age of entry is 12-14

15

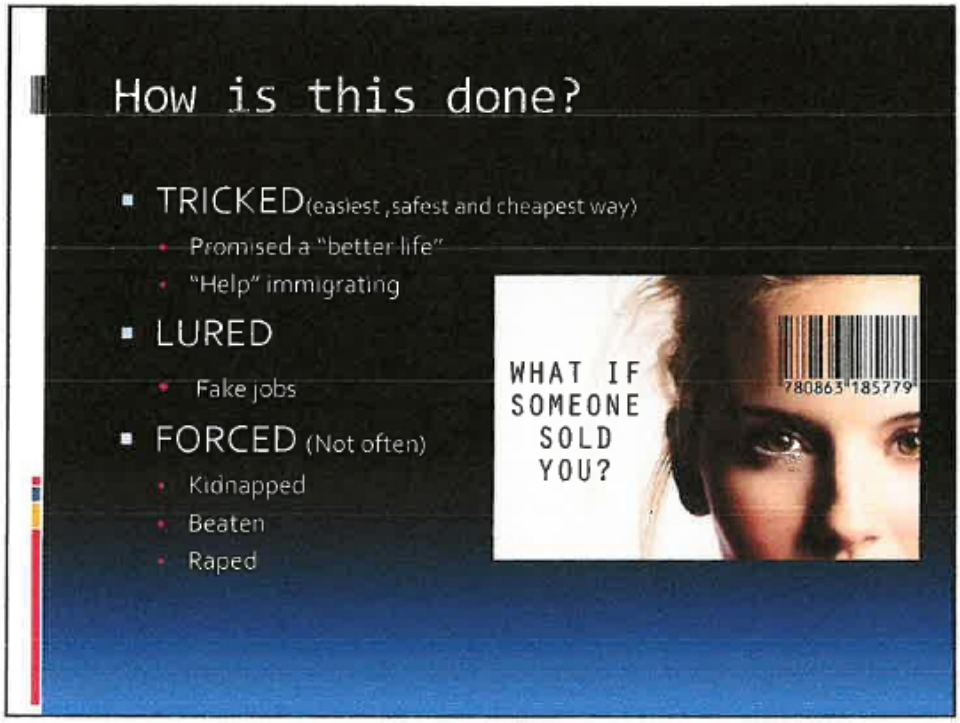
Lake County "a prime area for labor and sex trafficking activity"

- One of the nation's top three destination states for HT
- Three of the top national thirteen cities for trafficking exist in California (Bay Area, Los Angeles and San Diego)
- 2 hours north of San Francisco, the Pacific Coast, and Sacramento (a rising hub for HT)
- Interstate 5 is only 60 miles from Lake County and is one of the state's largest traveled routes commonly known for many truck stops and motels that are used for luring, recruiting and transporting trafficked victims.

13

HELP
ME
BRING
HOME
JESS
1,000s

14


How is this done?
TRICKED (easiest ,safest and cheapest way)
Promised a "better life"
"Help" immigrating
LURED
Fake jobs
FORCED (Not often)
Kidnapped
Beaten
Raped
WHAT IF SOMEONE SOLD YOU?
780863 185779

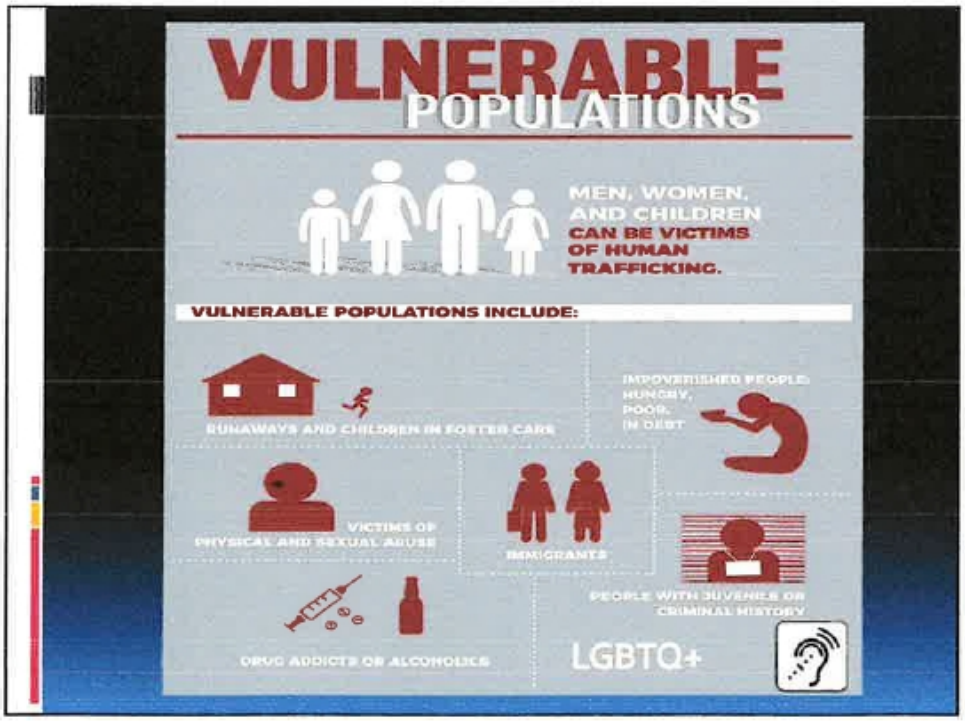
17

What are victims made to do?
Prostitution (more customers, more money, sold over and over)
Brothels
Streets
Forced Labor
Sweat shops
Commercial agriculture
Domestic situations
Construction sites

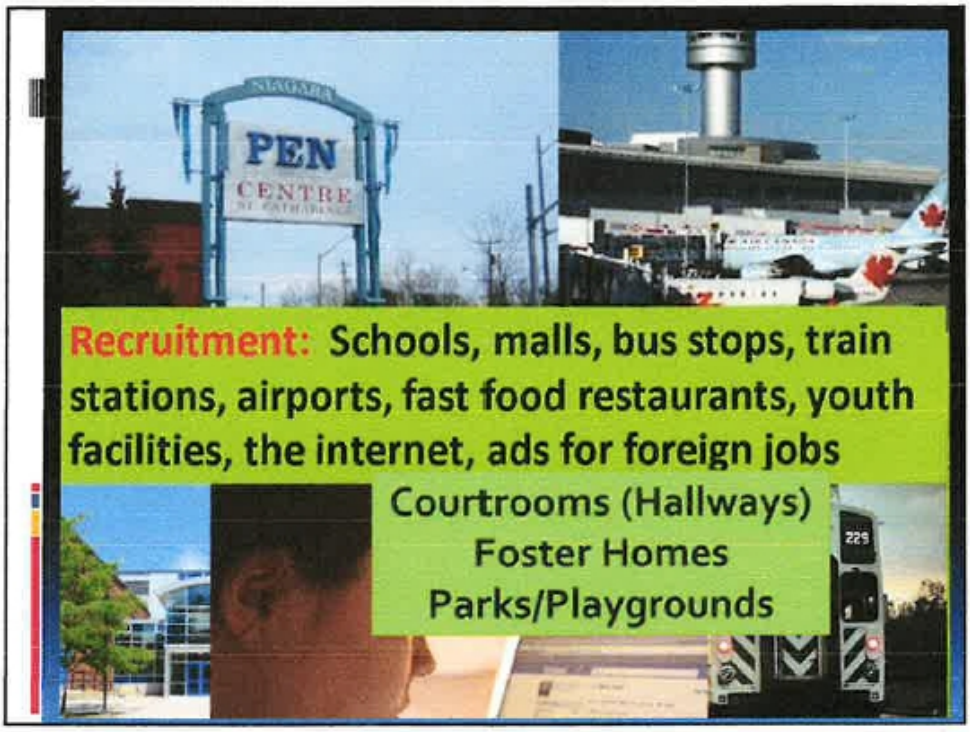
18

Recruitment
Pimps prey on the vulnerable
"Groom" with attention, gifts, and "affection"
The process involves:
Compliments, attention, "love" gifts, promise of job, isolation, Coercion, 'you owe me' , forced labour, transport, violence, abuse.....
RECRUITMENT
METHODS
Give them drugs and alcohol
Create emotional bonding/loyalty
Become violent when victim resists

19


VULNERABLE
POPULATIONS
MEN, WOMEN, AND CHILDREN CAN BE VICTIMS OF HUMAN TRAFFICKING.
VULNERABLE POPULATIONS INCLUDE:
RUNAWAYS AND CHILDREN IN FOSTER CARE
IMPOVERISHED PEOPLE: HUNGRY, POOR, IN DEBT
VICTIMS OF PHYSICAL AND SEXUAL ABUSE
IMMIGRANTS
PEOPLE WITH JUVENILE OR CRIMINAL HISTORY
DRUG ADDICTS OR ALCOHOLICS
LGBTQ+

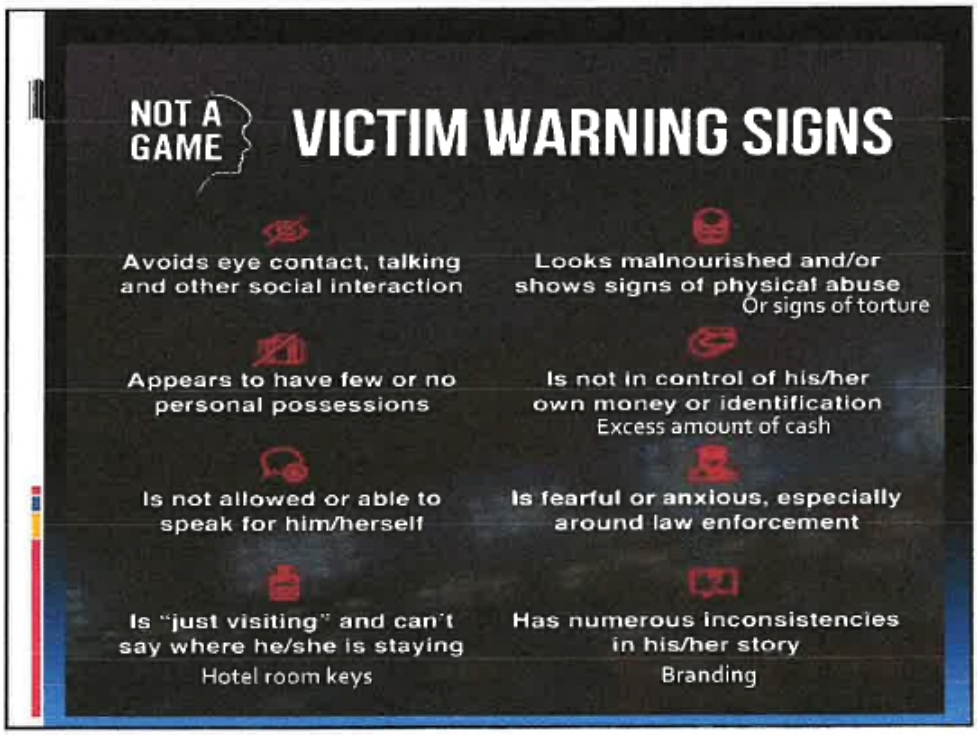
20


PEN
CENTRE
Recruitment: Schools, malls, bus stops, train stations, airports, fast food restaurants, youth facilities, the internet, ads for foreign jobs
Courtrooms (Hallways)
Foster Homes
Parks/Playgrounds

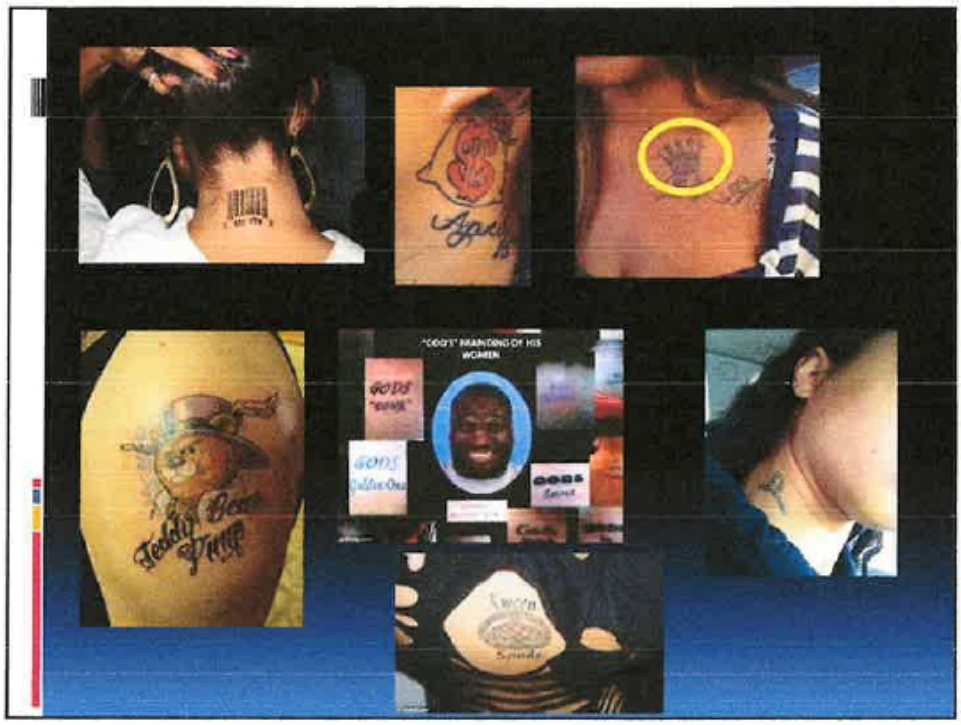
21

Marketing/Recruiting for the Exploitation
Internet **
CityXguide.com
Escortdater.com
Adultsearch.com
Localescortpages.com
HushVIP.com
Eccie.net
Backpage.com
Twitter
Facebook
Myspace
TikTok
Snapchat
Tinder
Whisper
Omegle
Etc.
Flyers
Sexually oriented businesses
Massage parlors
Abduction
Word of mouth
SOLD
Who is at risk? Every Child
"Predators spend entire days trolling Facebook, looking for girls who post about fighting their parents or feeling left out of school." -Trafficking detective

22


NOT A GAME
VICTIM WARNING SIGNS
Avoids eye contact, talking and other social interaction
Looks malnourished and/or shows signs of physical abuse
Or signs of torture
Appears to have few or no personal possessions
Is not in control of his/her own money or identification
Excess amount of cash
Is not allowed or able to speak for him/herself
Is fearful or anxious, especially around law enforcement
Is "just visiting" and can't say where he/she is staying
Hotel room keys
Has numerous inconsistencies in his/her story
Branding

24



25

Sex Traffic Language

- Caught A Case
- Choosing Up
- Circuit
- Daddy
- Turn Out
- Date
- Trick
- Escort Service
- Exit Fee
- Family/Folks
- Automatic
- Bottom
- Branding
- Out of Pocket
- Pimp Circle
- Quota
- Brothel (a/k/a Cathouse or Whorehouse
- Finesse Pimp/Romeo Pimp
- Gorilla (or Guerilla) Pimp
- "John" (a/k/a Buyer or "Trick")
- Kiddie Stroll
- Lot Lizard
- Madam
- Reckless Eyeballing
- Renegade
- Seasoning
- Squaring Up
- Stable
- The Game/The Life
- Track (a/k/a Stroll or Blade)
- Trade Up/Trade Down
- Wifeys/Wife-in-Law/Sister Wife

26

RESOURCES:

Lake Family Resource Center

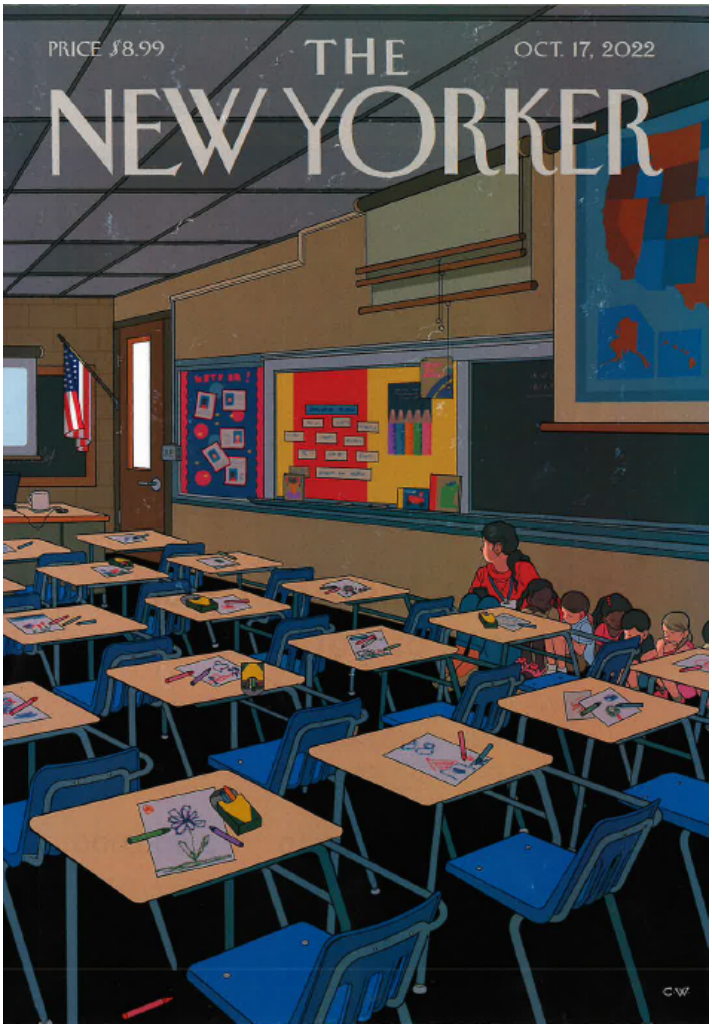
Anti-Trafficking Program

707-279-0563

24/7 Community Crisis Line 1-888-485-7733

ESSENTIAL WORKERS

America is Bleeding: School Shootings



SUMMARY

America is bleeding. Mass shootings, in which numerous people are murdered by gunfire, occur with such frequency that gun violence with lower numbers of victims can go virtually unnoticed in a society desensitized to its tempo of firearm violence. Unfortunately, comparison of statistics from different databases is inexact, but, regardless, the carnage is undeniable.

Despite the attention they generate, school shootings at any age are relatively rare. More than 50 million students attend schools every year, and fewer than 300 of them shoot someone on campus. Nonetheless, since 1970, school shootings, a subset of mass killings in general, have escalated in the U.S. The data below include incidents occurring from 1970 to early 2023.

Summary of School Shootings

Total Deaths includes Shooter deaths
Incidents
2,363
Victims Wounded
2,021
Victims Killed
727
Total Deaths
961

There were 302 shootings on school property in 2022, with 51 resulting in injuries or deaths, more than in any other year since 1970. Since 2017, the number of shootings each year has significantly increased. This pattern matches the spiking rates of violent crime and gun crime across the country. Of significance, most shootings at schools are committed by current or former students, not outsiders breaking into the building. Because of this, school security plans generated by Lake County School District officials and their law enforcement consultants need to include all levels of schools, and shootings by all ages of students, and in all locations on school grounds.

Three specific strategies that schools have implemented to reduce school shootings and improve school safety are: (a) addressing the role of mental health in school shootings and violence perpetration; (b) implementing multidisciplinary threat assessment protocols; and (c) target hardening and utilizing school resource officers. Based on available evidence, a public health approach to addressing firearm violence in schools is the most effective way to prevent school shootings, even if these effects are indirect through improvements in student social competence and positive school climate.

There have been no shootings in Lake County schools, and school officials clearly are attuned to the need for student drills and staff training. Therefore, the discussion in this report will review generally what is known of the incidence of, contributing factors to, and potential mitigation against these tragedies' occurring here.

METHODOLOGY

The Grand Jury obtained school district safety plans and met with the Superintendents of the six school Districts in the County, as well as the Superintendent of the Lake County Office of Education. Also interviewed were law enforcement officers from the Sheriff's Office and the Lakeport and Clearlake Police Departments, and the California Highway Patrol. Jury members were able to observe part of a law enforcement active-shooter training program by the FBI in Lakeport. Extensive research on all aspects of both mass and school shootings was conducted.

DISCUSSION

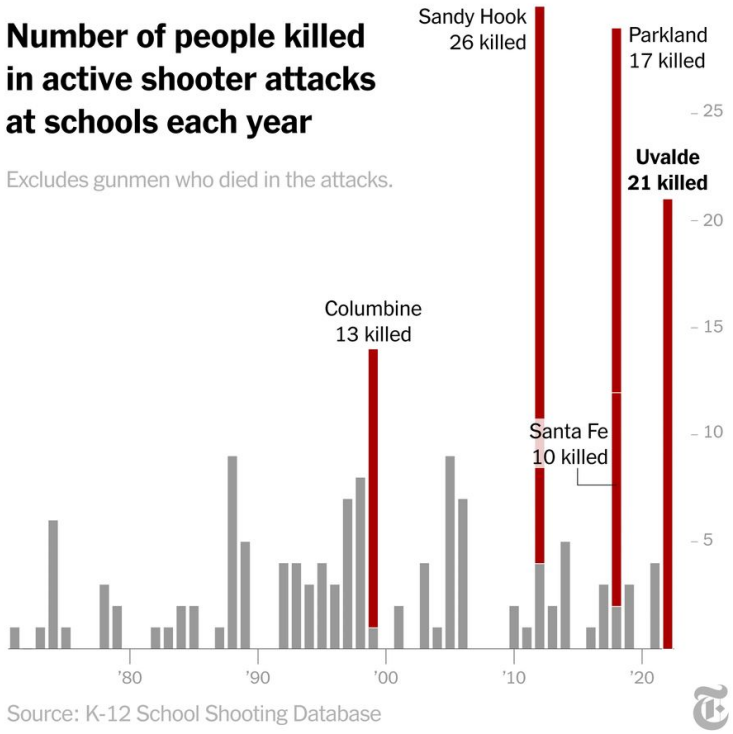
The country's gun violence problem has been increasing over the years - based on the number of mass shootings, shooting victims, suicides, and injuries. Incidents are labeled as an **"active shooter"** when the shooter killed and/or wounded victims, either targeted or random, within the school campus during a continuous episode of violence. The use of this definition/criteria for an "active shooter" blends the FBI's definition with the homicide literature's differentiation between a rampage killing versus a traditional homicide. Importantly, there are widely differing definitions for mass killer, serial killer, rampage killer, active shooter, and school shooter. There is no legal definition, or specific criminal charges, for an "active shooter."

School shootings alone have skyrocketed, reaching a record 302 incidents in 2022, according to the Center for Homeland Defense and Security's school shooting database. School shooting incidents include any incident where a firearm is brandished or fired at a K-12 school property for any reason at any time of day, regardless of whether there were any shooting victims. Since 2018, there have been at least 114 school shooting incidents each year, an unprecedented rate.

There was a total of 93 school shootings with casualties at public and private elementary and secondary schools during the 2020–21 school year, more than in any other year since data collection began in 2009, according to the Report on Indicators of School Crime and Safety: 2021. The annual report released by the National Center for Education Statistics also showed that cyberbullying in public schools increased to 16 percent in 2019–20, versus 8 percent in 2009–10. Although the rate of nonfatal violent victimization at school for 12- to 18-year-olds was lower in 2019 than in 2009, there were more school shootings with casualties in 2021 than in any other year since data collection began in the early 2000's, increasing from 11 in 2009 to 93 in 2021.

2022 is tied with 2018 as the year with the most mass shootings. For instance, the May 24, 2022 Robb Elementary school shooting in Uvalde, Texas, that claimed the lives of 19 children and two teachers by an 18-year-old shooter who was fatally

shot during a widely-criticized police response. That horrendous event took place only 10 days after 10 Black people were gunned down in a Buffalo supermarket by an 18-year-old white supremacist who later pled guilty to his crime. Eight days after the Robb Elementary school shooting, a gunman murdered four people at a hospital in Tulsa, Oklahoma, before taking his own life.



K-12 School Shooting Database (k12ssdb.org)

ALL ROADS LEAD FROM COLUMBINE

The Columbine shooting on April 20, 1999 at Columbine High School in Littleton, Colorado, occurred when two teens went on a shooting spree, killing 13 people and wounding more than 20 others, before turning their guns on themselves and committing suicide. The Columbine shooting was, at the time, the worst high school shooting in U.S. history and prompted a national debate on gun control and school safety, as well as a major investigation to determine what motivated the gunmen, Eric Harris, 18, and Dylan Klebold, 17. One report observes that the school was pervaded by a sort of “cult of the athlete,” revolving in particular around football, such that athletes or “jocks” ruled the school and perpetrated violence and harassment upon outcasts. This bullying was tolerated and even encouraged by peer bystanders, who claimed that the outcasts were morally disgusting to the entire school.

Bullying at Columbine increased beginning in middle school and during the transition from middle school to high school. Social hierarchies were in the midst of being established, and, given the long-standing tradition of athleticism and physical domination as being signs of the elite, hierarchies were established through violence and intimidation, especially in the case of the male students. Adolescent peer groups were grouped into the jock elite, burnout outcasts, and the rest in the middle. In Columbine, the jock elite was composed of members of the Columbine Sports Association, whereas the burnouts were called “goths,” some of whom went around in trench coats and called themselves “The Trench-Coat Mafia,” as did Klebold and Harris.

At approximately 11:19 a.m., the shooters, dressed in trench coats, began shooting fellow students outside their high school. The pair then moved inside the school, where they gunned down many of their victims in the library. By approximately 11:35 a.m., Klebold and Harris had killed 12 students and a teacher and wounded more than 20 other people. Shortly after 12 p.m., the two teens turned their guns on themselves. Investigators later learned that they had arrived in separate cars at Columbine around 11:10 on the morning of the massacre. The two then walked into the school cafeteria, where they placed two duffel bags each containing a 20-pound propane bomb set to explode at 11:17 a.m. The teens then went back outside to their cars to wait for the bombs to go off. When the bombs failed to detonate, Harris and Klebold began their shooting spree. The rest, as they say, is history.

School shootings have increased

The mass shooting at Marjory Stoneman Douglas High School in Parkland, Florida, was one of 119 school shootings in 2018. In that year, and every year since, there have been more school shootings than in any year before 2018. Since Parkland, there have been more than 900 shootings in K-12 school settings according to data generated by David Riedman, an independent researcher with the K-12 School Shooting Database (who generously is permitting reproduction of his tables and data). Thirty-two were indiscriminate attacks apparently driven by the intent to kill as many people as possible, including mass casualty events at Robb Elementary School in Uvalde, Texas, in May 2022 and at Oxford High School in Oxford, Michigan, in November 2021.

School gun violence also occurs outside of buildings. In January 2023, five students were wounded during shootings at high school basketball games in five different states. These shootings at school games are a “quiet phenomenon” that gets little national attention. Based on Mr. Riedman’s data documenting more than 260 shootings at sports events, most schools do not have a plan for them, such as what an announcer should say or how students can evacuate. Another emerging challenge for school leaders is the 264 fights in five years that escalated

into shootings. Unlike any planned attacks, these cases were simple disputes that turned deadly because students were armed at school.

Owing to the pandemic and widespread school closures, in 2020 there were no planned attacks at schools for the first time since 1981. But in 2019, a student shot five classmates, killing two, before dying by suicide between classes at a high school in Santa Clarita, California. And two students committed a coordinated attack that killed one student and injured eight others at the STEM School in Highland Ranch, Colorado.

Among the 250 shootings at schools in 2021, a 12-year-old girl, who wrote plans to target scores of her Rigby, Idaho, middle school classmates, wounded three students before a heroic teacher disarmed her in the hallway.

There were a record 302 shootings on school property in 2022. In April, one month before Uvalde, a sniper fired hundreds of shots during dismissal at the Edmund Burke School in Washington, D.C. Then in October, at a Performing Arts High School in south St. Louis, a 19-year-old armed with a semi-automatic rifle and hundreds of rounds of ammunition shot and killed a teacher and a 15-year-old student, and injured seven other people.

In total through the end of 2022, since Parkland, 198 people have been killed, including 84 students, teachers, and school staff, and another 637 people have been wounded in school shootings. Yet another community was stricken with grief in the wake of the horrific shooting at Monterey Park, California, on January 21, 2023, that left 11 people dead and 9 more wounded.

Thus far in 2023, Mr. Riedman has confirmed 112 injuries or deaths in 141 incidents on school grounds.

YOUNG SHOOTERS

Barely a week into 2023, a *six-year-old boy shot* his teacher at an elementary school in Newport News, Virginia, becoming one of the youngest school shooters in the nation's history. *S*ome details are now known: The child took the loaded gun from his home, and the firearm was legally purchased by his mother. This was the 17th shooting involving a student under the age of 10 at a school since 1970. Generally, in school shootings, the gun was taken from the student's home or from the house of a friend or relative. Most of these shootings were not intentional, but, in 1975, a nine-year-old student at a middle school in Detroit was in a fight with a 13-year-old, left campus, obtained a rifle from his house and came back to the school and shot the student in the head, killing him. And in 2000, a six year old boy, following a dispute on the playground, shot his classmate in their classroom at an elementary school in Michigan.

In many states, the legal system assumes that young children are not capable of the thought and planning that goes into committing a violent crime. California law prohibits prosecution of children younger than 14 years of age. I**n some situations,** a minor who is at least 14 years old may be tried as an adult. In fact, California law specifies certain crimes for which a minor 14 years and older must be prosecuted in adult court, e.g., "Murder with special circumstances" if the prosecutor alleges that the minor personally killed the victim. The six-year-old student in Michigan was not charged with a crime, but his uncle pleaded guilty to involuntary manslaughter and was sentenced to prison for a minimum of two years for leaving a firearm in an easily-accessible place. In 2021 in Rigby, Idaho, a 12-year-old girl shot three people during a planned attack at her middle school. Based on her written plan, this young girl intended to kill 20 students and wound 40 to 60 others. She is currently being held in juvenile custody until she turns 19 – and possibly until age 21 if she is not deemed fully rehabilitated – following a guilty plea to three counts of first-degree murder.

COLLEGE CAMPUS SHOOTINGS

While rare, campus attacks are not unheard of in the U.S. There have been nine mass shootings in or around college or university settings since 1966, according to The Violence Project database, which defines a mass shooting as one in which four or more people are murdered in public in a single incident, not including the shooter. The deadliest of these mass shootings was the 2007 attack by a student at Virginia Tech in which 32 people were killed. Since then, there have been five more mass shootings, the last being in 2015 when a 26-year-old student at Umpqua Community College near Roseburg, Oregon, fatally shot a professor and 8 students in a classroom. In November 2022, three members of the University of Virginia football team were shot and killed on campus, and four University of Idaho students were stabbed to death in their off-campus residence. Recently, a gunman opened fire at Michigan State University on February 13, 2023, killing three people and injuring five others before taking his own life. The 43-year-old man responsible did not have any known connections to the university.

In all the campus mass shootings in the Violence Project database, the gunman was male, with an average age of 28. The youngest was 22 and the oldest was 43. Six of the nine perpetrators were nonwhite. College and university shooters typically have a prior connection to the campuses they target. For example, a shooter who killed three people and wounded three others at the University of Alabama in Huntsville in 2010 was a Biology faculty member with a history of violence who had recently been denied tenure. That the Michigan State shooter took his life after the attacks is not unusual. Five of the nine college mass shooters in our Riedman database died by suicide. Mr. Riedman suggests that his research shows that mass shootings are often a form of suicide driven by despair.

Mass public shootings are chaotic scenes. At Michigan State, between the first alert at 8:31 p.m. telling students to “run, hide and fight” and the police news conference confirming the gunman’s death at 12:20 a.m., much misinformation circulated online amidst the confusion on campus. There were two shootings within minutes at an academic building on the northern part of campus and the nearby student union, but police also received calls about shots fired at seven other campus locations. Law enforcement officers were sent scrambling across the university campus only to find no other evidence of shootings. Police also responded to reports of men on campus with rifles that turned out to be plainclothes police officers, and the name and photo of an alleged suspect circulated online that turned out to be false.

This loss of what is known as a “common operating picture” – a single, consistent, display of relevant information – was cited as one of the critical issues for first responders to address in the 9/11 Commission Report released in 2004 and continues to be an issue today, exacerbated in part by social media.

SWATTING

SWAT is an acronym for Special Weapons and Tactics: a military-like unit within US police forces that is trained to deal with especially dangerous situations, such as shootings, hostage-taking, and riots. The term “swatting” refers to an internet prank/crime in which someone calls 9-1-1 anonymously and reports a fake emergency that results in a massive law enforcement response with SWAT teams being dispatched to the address. A succession of threats and false reports of shooters have been pouring into schools and colleges across the country for months, raising concerns among law enforcement and elected leaders.

In March, 2023, the Kelseyville School District was the recipient of one of these false calls, necessitating a full-court response by law enforcement and emergency responders, with evacuations and school closures. The inauthenticity was fairly rapidly confirmed, and a student was identified as the caller.

Schools in the East Bay, Pennsylvania, and Utah were next targeted by swatting in March. And on one day, nearly 30 Massachusetts schools received fake threats. School officials were already on-edge amid a backdrop of deadly school shootings, the latest that month at a Christian school in Nashville. Hundreds of cases of swatting occur annually, with some using caller ID spoofing to disguise their number. An FBI official said in November that they believe the wave of false threats focused on schools may be coming from outside of the country.

CONTRIBUTING FACTORS

Violence in the Media

Experts in media and its connections to violence have reported some disturbing findings about how children are influenced by gun violence depicted in media like television, movies, and video games. What makes this more troubling is the fact that millions of children in the U.S. have easy access to firearms in their homes, increasing the risk of gun deaths, including suicides.

Researchers also find that the depiction of gun violence is increasing in both movies and on TV. They note that acts of gun violence in PG-13 movies have nearly tripled in the 30 years since the rating was introduced in 1984. PG-13 movies are not exclusively watched by teens and older. A survey of adults in 2019 found that 12% said they had been allowed to watch PG-13 movies between the ages of six and nine, with 6% saying they watched such films at even younger ages.

Although some skeptics say that violent media do not lead children to become more aggressive, a large survey conducted in 2015 found that most pediatricians

and media scholars agree that there is a link. Violent media can also lead children to engage in more dangerous behavior if they find a real gun. In one study, exposure to both movies and video games with guns was found to encourage children ages 8-12 years old to pick up a real gun that had been hidden in a drawer and pull the trigger, including while pointing the gun at themselves or their friend. This behavior was observed by a hidden camera.

In another study, researchers found that children exposed to multiple sources of violence may become desensitized, increasing the possibility of their imitating the aggressive behaviors they watch and considering such behavior as normal.

Movies containing gun violence that are rated PG-13 portray the use of guns in ways that are unrealistic. The effects of gun use in such films are often sanitized so that one rarely sees much blood or serious harm, unlike what is typically shown in movies that are rated R. This could give a child the sense that using a gun to harm someone is not as dangerous as it actually is.

What is concerning about these findings is that they come at a time of increased media consumption by younger children. A 2021 report by Common Sense Media found that media use by children has risen faster in the two years since the pandemic began than the four years before. Research has found that children ranging in age from five to 11 years old spent an average of more than three hours a day on screens and consuming media during the pandemic.

Guns in the home

Children are naturally curious, and adults often underestimate their ability to find guns hidden in the home. As one firearms expert noted, “Their brains are developing. That same curiosity that can inspire them to pick up a book and want to learn how to read can inspire them to go looking for a parent’s gun.”

The U.S. has far more civilian-owned guns per capita than any country in the world, with 120.5 guns per 100 residents – the next highest country is Yemen, with 52.8 guns per 100 residents. The U.S. is also an outlier when it comes to gun-related violence, with rates about 23 times higher than in other developed countries.

Figures from the nonprofit Everytown for Gun Safety show that every year more than 300 people are either wounded or killed in unintentional shootings by children. It is vital for gun owners to lock away firearms, unloaded, with ammunition stored separately – especially if there are children in the home. The American Academy of Pediatrics recommends that all guns be secured to decrease “the risk of both unintentional gun injuries and intentional shootings.” Roughly a third of U.S. homes with children have guns, but less than half of gun owners secure their guns. As of

2022, an estimated 4.6 million children in the U.S. live in a home with unlocked, loaded guns.

Bullying

During the school years, bullying is one of the most common expressions of violence. Research on bullying started more than forty years ago, when the phenomenon was defined as “aggressive, intentional acts carried out by a group or an individual repeatedly and over time against a victim who cannot easily defend him- or herself.” Three criteria are relevant in order to define aggressive behavior as bullying: (1) repetition, (2) intentionality, and (3) an imbalance of power. Given these characteristics, bullying is often defined as systematic abuse of power by peers. Bullying involves a dynamic interaction between the perpetrator and the victim. The bully increases in power, and the victim loses power. As a result, it is difficult for the victim to respond or to cope with the problem. Imbalance of power can be derived from physical strength, social status in the group, or from group size (e.g., a group targeting a single person). Power may also be achieved through knowing a person’s vulnerabilities (e.g., appearance, learning problem, family situation, personal characteristics) and using this knowledge to harm him or her.

There remains a critical need for efficient and effective bullying prevention programs during the middle school years (12-15) when bullying peaks. Bullying tends to decrease by the end of high school. With respect to the forms of bullying, with increasing age there appears to be a shift from physical bullying to indirect and/or relational bullying. Most studies found that boys are more likely to be involved in physical forms of victimization, while bullying among girls is more likely to be either relational or verbal. Cyberbullying seems to be equally divided.

Many risk factors for being bullied can be understood in the light of the bullies’ characteristics and goals: children who are unassertive and insecure can elicit aggression-encouraging actions in potential bullies. Such characteristics may also make a child a suitable target for someone aiming at status enhancement. By choosing victims who are submissive, insecure about themselves, physically weak, and rejected by the peer group, bullies can signal their power to the rest of the group without having to be afraid of confrontation or losing support of other peers.

Having protective friends moderates the association between risk factors and victimization. Thus, children who are shy and anxious have a higher probability of being victimized if they have friends who are physically weak and/or disliked by other peers, as compared to the children who have friends and who are strong and/or liked by others. Although victimized children can benefit from having friends who are strong and who can protect them from bullies, in reality, victimized children tend to hang out with other victimized peers.

What does bullying have to do with school shootings? Everything. Of 38 school shootings analyzed by one researcher in 2009, at least 20 were in retaliation for bullying. Bullying and harassment ranged from small cruelties to near torture, with incidents of students' being burned by cigarette lighters. A 2004 study by the U.S. Secret Service and U.S. Department of Education found that nearly three-quarters of school shooters had been bullied or harassed at school. Initial media reports suggested that the perpetrator in Uvalde had been bullied and harassed at school for years for a speech impediment. When someone has been struggling alone for a while and failing, the feelings of loss, humiliation, and despair can turn into anger, researchers say, which can lead to fantasizing about revenge and then to homicidal thoughts. Easy access to guns — one of the biggest risk factors — can turns these fantasies into reality.

Prevention of school shootings, therefore, naturally ties into prevention of bullying.

Cyberbullying

Thanks to all the technologies available to children, cyberbullying is becoming more and more common nowadays. Youths today are often connected to the Internet for several hours daily. The most common apps that teenagers use for cyberbullying are **Instagram, Twitter, and Snapchat.** It becomes more difficult to stop because parents and teachers don't know when and where it will happen. Teenagers speak swear words or post photos on the Internet, and they don't know

that once they post it, it will not disappear. The home used to be a safe place for teenagers, but now children are still within the scope of cyberbullying, whether through **YouTube, Ask.fm or SMS**. Many people argue that young children are not socially or emotionally mature enough to understand the consequences of posting online or sending private messages to others. Cyberbullying is widespread, and, because it is public, it has a very wide audience, which adds to the shame of being tracked. Mobile phones and computers are always on hand, and attacks can occur at any time of the day or at night and anywhere, by which the victim feels totally helpless. If a child or teen becomes the target of cyberbullying, he or she may experience **anxiety, depression, low self-esteem, or even feel worthless, which may become a precursor to suicide or violence against others.**

The State of **Student Mental Health and Safety**

6,600+ youths ages 10–24 died by suicide in 2020

#2

#2 cause of death for 10- to 14-year-olds is suicide

What does Gaggle see?

Gaggle is a Google software product that more than 1,500 school districts in the US – including in Lake County - use to monitor on-line communication by students using school-provided electronic devices. By alerting to key words, the software employs both artificial intelligence and trained safety experts to proactively assist districts in the prevention of bullying, self-harm, suicide, school violence, and other harmful situations—24/7/365. Flagged content is reviewed by a minimum of two tiers of Gaggle safety experts in order to verify the content, understand the context, and determine the level of severity. In situations deemed “severe,” district-appointed contacts are immediately notified by phone, even after standard business hours.

During the 2021–22 school year, Gaggle was instrumental in helping K-12 educators save the lives of 1,562 students—an 11% increase compared to the previous year. In fact, the Superintendent of the Upper Lake Unified School District recently related that he twice had been notified during the night of a potentially

suicidal student and that he was able to contact law enforcement officers who then went to the students' homes to alert the parents.

Gaggle also offers teletherapy sessions for students. More than 70% of teens view anxiety and depression as a major problem with their peers, as documented by Gaggle data. During the 2021–2022 school year, more than 1,800 students were referred for mental health services, and Gaggle conducted more than 6,500 teletherapy sessions with these students.

Overall, during the 2021–22 school year, Gaggle noted significant increases in Possible Student Situations (PSS). The highest level of severity for Gaggle alerts, these are incidents that reveal an imminent threat to a student's well-being. They found a 40% overall increase in the number of PSS. These staggering increases—which are per 10,000 students compared to the 2020–21 school year—show just how much today's students are struggling with serious situations that require swift school district intervention to avoid a potential crisis.

During the 2021–2022 school year, Gaggle's data indicated that more than 156,000 incidents were flagged for Suicide and Self-Harm. Incidents flagged in this category include references to self-inflicted physical violence, threats of suicide, and eating disorders. Suicide and self-harm incidents increased by 6%, rising from 255 to 271 incidents per 10,000 students. Gaggle flagged more than 130,000 incidents referencing violence during the 2021–22 school year.

This year, imminent incidents of Violence Toward Others more than doubled to 8,455, which represents a 152% increase from the prior year. Signs of possible violence include mentions of weapons, bomb threats, or other explicit threats. While the most incidents were in middle-school students, Google found a 35% increase among elementary school students.

Gaggle flagged more than 58,000 student safety incidents in its Harassment category during the 2021–2022 school year, which includes incidents involving bullying and cyberbullying. This 118% increase represents more than twice the number of student safety incidents from the previous year. This increase may be a result of students returning to school in person full-time. Bullying is common for students at school, and, in the past, they could put physical distance between themselves and the harasser. But now, students get smartphones as soon as elementary and middle school, and cyberbullying is becoming all too familiar an experience. Cyberbullying creates a state of anxiety when students are harassed directly and indirectly. Many students who struggle in this situation do not know how to ask for help.

Student safety incidents flagged for Nudity and Sexual Content span a wide range of activities, such as sharing nude photos, asking for inappropriate images from another student, discussing sex acts, grooming by child predators, threatening

sexual assault, or even revealing instances of rape and incest. During the 2021–2022 school year, Gaggle data revealed more than 58,000 such incidents. This represents a slight decrease (5%) in incidents year over year.

Gaggle flagged almost 30,000 student safety incidents referencing Drugs and Alcohol during the 2021–2022 school year. Representing a 224% increase. Greater access to drugs and alcohol as a result of returning to the school campus may explain why serious student incidents related to drugs and alcohol tripled year over year. When reviewing incidents in this category, the Gaggle Safety Team considers whether the student is referencing past use, present use, or intent to use in the future. Incidents of current or planned use are treated with a greater sense of urgency to help educators proactively intervene. The percentage of incidents in this category is lower than in other categories. However, the Gaggle Safety Team pays equal attention to this category as active intervention may be needed. Some incidents require notification of a district emergency team to intercept drug and alcohol possession and/or a student's need for immediate medical attention

AFTER-EFFECTS OF SHOOTINGS

The immediate focus should be on providing services for survivors and the families of those who died. The trauma of experiencing or witnessing a shooting can have lasting psychological impacts, including post-traumatic stress disorder, anxiety, and depression. Survivors may also face physical injuries, long-term disabilities, and financial burdens related to medical treatment and recovery. And mass shootings have far-reaching and devastating effects that extend to communities and society as a whole, including increased fear and anxiety, social isolation, and a sense of helplessness and despair. Supporting the survivors and victims of mass shootings means providing them with the resources and support needed to heal and recover, while also reassuring the public that governments are working to prevent future acts of gun violence.

"Good Morning America" asked more than one dozen survivors of school shootings across the country and across generations to write letters to the next school shooting survivor, to tell them what to expect in the days, weeks, months, and years ahead, and what they wish they had known when it happened to them. Below is a letter from a 2012 Sandy Hook survivor in her own words:

Dear future school shooting survivor,

I was only 7 years old at the time, and it felt like I was forced to grow up that day. And now, I write to future gun violence survivors as a 17-year-old. The reason I'm writing this is because I believe that the aftermath of a tragedy is not just the few days that gain the

public's attention. It's the years of mourning, grieving, and processing.

Over the past 10 years, I have struggled with PTSD, anxiety, and depression. I'm afraid of loud noises, and I startle when I hear a door slam, or a hydro flask fall. I never enter a new place without knowing where an exit is. In public spaces, I seat myself where I can always see the door in case a threat comes in. I always make sure my classes have a hiding spot in close proximity. This is my life as a gun violence survivor.

I still struggle as a teenager to understand why I survived. Nobody expects something this tragic to happen to them, and when it does it makes you feel guilty. Especially as a child, I would watch these truly horrific events affect people, and I never thought that it would happen to me, until it did. So often I found myself asking, how could something like this happen to innocent people? To my bus buddy, my friend? It's impossible to even fathom. Suddenly I was dealing with complex emotions, trying to wrap my head around what happened. It took me years to gain some understanding of that day, and even in 2022, I'm still processing.

Returning to school after the tragedy was difficult for everyone. It was a new school we had to adjust to. Having my classmates and teachers around definitely helped give me a sense of normalcy. To this day I feel safer around people that went to SHS with me. But it didn't resolve everything, and many of us continued to struggle at our new unfamiliar school. I, myself, was afraid to show my emotions. I felt like keeping my composure was the only thing that was going to get me through the long days. So, I bottled things up. I tried not to think about it, I pushed it away to try to live my life as a "normal kid."

But I'm here to tell you NOT to do that. Those years of emotions and hidden feelings have to come out eventually, and when they do it's exhausting and overwhelming. You're allowed to have emotions. It's human, and going through something traumatic almost requires you to have emotions.

Trauma can't disappear, but it can be managed. You're entitled to scream, cry, break down, mourn and grieve; it's a part of healing. No one deserves to live their life feeling like they have to stay silent. If you're struggling, reach out to people. Your family, your friends, anyone who you trust is there to support you every step of the way. I think the biggest thing I want to stress is that everyone's trauma is different. Don't invalidate your trauma just because "other

people" have it worse, or that other people deserve to have a stronger response. Trauma is not a scale; we can't just rank tragic experiences. Two people who had been present at the same event of gun violence can have drastically different experiences.

Be kind to yourself and listen to what you need. You deserved to survive and you are not your trauma. I am a Sandy Hook survivor, but that is not my sole identity. I am a daughter, a sister, a friend, and so many more roles. You are not defined by your tragedy, It's only a piece of your jigsaw puzzle identity.

EQUIPMENT IS NOT PREVENTION

Since Parkland, school safety has been a priority for parents and policymakers, but efforts to physically fortify schools to keep intruders at bay often are detached from the reality that most school shooters are current or former students of the schools they target.

Having been trained in lockdown procedures since kindergarten, most students know exactly how a school will respond to an active shooter and even plan for it; they navigate security daily. At Uvalde, the shooter was a former student who entered through a back door. The shooter in St. Louis was a former student who broke a side window to open a locked door.

New equipment designed to protect students from shooters can create a false sense of security and make classrooms feel more like prisons than places of learning. Regular shooting drills may lead to students accepting violence as normal or inevitable. Following the attack in Uvalde, Texas legislators approved $110 million for school safety, but nearly half of the money went to new ballistic shields for school police officers. These shields do not prevent school shootings, or aid during one, because police are trained to immediately run to the shooter, not run to their office to grab a shield.

Some technologies could even inadvertently endanger students. Most classroom barricades violate the Americans with Disabilities Act and other federal codes designed to help people evacuate from fires and other dangerous situations. Much like body armor that can make a mass shooter harder to stop, so, too, potentially, could a school’s new bulletproof doors.

The research reviewed does tend to favor see-through plastic backpacks, metal detectors at entrances, security cameras, and limiting access to school grounds and parking lots.

WHAT DO TEACHERS THINK?

A newly published survey says 54% of teachers believe that carrying firearms in school would make kids less safe. Still, 19% said they would be interested in carrying a gun to school, according to the non-partisan research organization RAND Corporation's survey of K-12 teachers — which would equate to more than 550,000 of the nation's 3 million K-12 teachers. The remaining 26% said it would neither make schools more or less safe, according to this survey of 1,000 K-12 teachers conducted by RAND between October and November 2022. White teachers were more likely to believe carrying firearms at schools would make them safer, compared to Black teachers. Male teachers in rural schools were also more likely to say they would carry a firearm if the school allowed, according to the survey.

While such events as the mass killing in Uvalde have sparked debate on how to best keep kids safe from guns in school, the issue teacher said they were most concerned about is bullying, according to the survey. Despite the prevalence of anti-bullying programs, everyday school violence is a concern for teachers. Bullying, not active shooters, was teachers' most common top safety concern, followed by fights and drugs.

When it came to school shootings, about 80% of teachers said that their school had physical safety measures. Only about half of the respondents saw physical security measures like exterior and interior locks, ID badges, cameras, and security staff as positive. Among “soft” security measures, visitor screening and see-through backpacks were favored. However, five percent felt these measures had a negative impact on the climate at the school.

PREVENTING THE NEXT PARKLAND

Just three weeks before Parkland, on January 23, 2018, 20 students were shot, two fatally, in a planned attack at a high school in Kentucky. Three months after Parkland, on May 18, 2018, 10 people were killed and 13 wounded at a high school in Santa Fe, Texas. Despite billions spent on security upgrades, schools are stuck in a perpetual cycle of gun violence. If current trends hold, there could well be another 1,000 school shootings over the next five years.

But research shows that school shootings are not inevitable and that they can be prevented – or at least minimized in number. Nearly all school shooters exhibit warning signs before pulling the trigger, from changes in their behavior to verbal or written threats. From Parkland to Uvalde, these warnings were not recognized or reported until it was too late. Schools must think beyond metal detectors, security cameras and other high-tech equipment to invest in multidisciplinary behavioral intervention and threat assessment systems to respond to warning signs. There are federal monies and resources available

thanks to the Bipartisan Safer Communities Act, passed in the wake of Uvalde in the summer of 2022.

Almost all shootings by children and teens can be prevented by safe storage of firearms and accountability for adult gun owners. When a weapon is stored separately from its ammunition, locked and unloaded, it is much more difficult for someone to quickly use it in a violent attack. While the family claims the gun was locked, safe and separate storage could have prevented a six-year-old from shooting his teacher. Five years after Parkland, school shootings have become more frequent and deadly. The status quo is not working. Instead of accepting that more young lives will be lost and that the best schools and police can do is lock down and rehearse emergency responses. School safety must shift to focus on upstream prevention.

As the National Association of School Psychologists says, “There is NO profile of a student who will cause harm.” Indeed, any attempt to develop profiles of school shooters is an ill-advised and potentially dangerous strategy. Profiling risks wrongly including many children who would never consider committing a violent act and wrongly excluding some children who might. However, while an overemphasis on personal warning signs is problematic, there can still be value in identifying certain commonalities behind school shootings. These highlight problems that can be addressed to minimize the occurrence of school shootings, and they can play a pivotal role in helping the school community know when to check in—either with an individual directly or with someone close to them (such as a parent or guidance counselor). Carefully integrating this approach into a broader prevention strategy helps school personnel understand the roots of violent school incidents and assess risks in a way that avoids the recklessness of profiling.

The Grand Jury reviewed studies examining five antecedents of school shootings – a history of rejection, acute rejection experience, a history of psychological problems, fascination with death or violence, and fascination with guns. More than half of all shooters had a history of psychological problems. More K-12 shooters than college or mass shooters displayed a history of rejection. However, more mass than school shooters had experienced an acute rejection, such as a workplace firing.

A student’s psychosocial development is considered to be composed of positive and negative constraints. Positive constraints incorporate academic success, positive peer and adult relationships, support from adults, and student engagement/involvement, whereas negative constraints encompass academic failure, hyperactivity, antisocial peer relationships, or a lack of supportive networks. Students who are lacking positive constraints may be more likely to develop patterns of aggressive behavior due to anger or resentment towards others, a lack of healthy relationships, or academic struggles in school. Thus, in order to further reduce school violence, educators can help students to decrease negative

constraints by assisting students who are struggling academically, by encouraging tutoring and mentorship, utilizing a peer pal or buddy system to foster healthy communication and social skills between peers. Educators can also facilitate groups addressing friendship skills, anti-bullying, and social skills, as well as work with parents and families to increase familial involvement so that students do not feel alone or misunderstood.

Counselors can further assist students in developing more positive constraints in their lives by acting as mentors, reinforcing student involvement in extracurricular activities, teams and clubs; communicating with parents and guardians to enhance family involvement; creating a positive and accepting school climate in which students celebrate their differences; motivating students to promote a connection within the school; and helping students recognize and build upon their strengths in order to achieve their personal goals. While school counselors cannot regulate the behaviors and choices of students, they can implement interventions for students struggling with anger issues and grief and those who display weak coping skills in order to provide them with techniques and strategies to deal with their emotions in a healthier manner rather than acting out in aggressive or violent ways.

SCHOOL RESOURCE OFFICERS

The role, function, and impact of school resource officers (SROs) in schools are widely debated. There has been a widespread increase in the presence of SROs in the past three decades, and, more recently, there is a movement to remove SROs from schools based on the argument that their presence as law enforcement officers harms and criminalizes minority students, particular Black males from economically disadvantaged backgrounds. More recent articles examine the impact of intentional trauma-informed training on SROs and its role in creating physically and psychologically safe schools. Their findings confirm that engaging in these training experiences can help SROs understand how school safety is affected by influences from the neighborhood, community, and society, and how treating students with compassion, establishing trust, and focusing on building relationships can facilitate a positive school climate.

RETHINKING SCHOOL DISCIPLINE

The field of school safety has been exploring positive alternatives to harsh discipline and exclusion as pathways to promote positive youth development and academic achievement for several decades. However, traditional zero tolerance has been a prominent feature in schools since the early 1990s, and a surprisingly large percentage of teachers support zero-tolerance practices as a tool for improving school discipline. Nonetheless, students and teachers in schools with increased approval of zero tolerance feel less safe. These zero-tolerance practices have come under increasing scrutiny in a growing body of literature that points to

their shortcomings. Alternatives such as restorative practices have been gaining increased attention.

What is restorative justice in schools?

RESTORATIVE JUSTICE PRACTICES

- Builds relationships.
- Strives to be respectful to all.
- Provides opportunity for equitable dialogue and participatory decision-making.
- Involves all relevant stakeholders.
- Addresses harms, needs, obligations, and causes of conflict and harm.
- Encourages all to take responsibility.

1. IF CRIME HURTS, JUSTICE SHOULD HEAL.
   The focus is on repairing harm if it has occurred
2. NOTHING ABOUT US WITHOUT US.
   Those impacted feel welcome and safe to speak and participate.
3. THERE IS SIMPLY NO SUBSTITUTE FOR THE PERSONAL.
   Building respectful relationships is foundational and an outcome of any process.
4. THIS CAN WORK, I CAN LIVE WITH IT.
   Agreements are made by consensus
5. I AM WILLING TO DO THIS.
   Participation is voluntary.

What Is Restorative Justice in Schools? (weareteachers.com)

Restorative justice is a theory of justice that focuses on mediation and agreement rather than punishment. Offenders must accept responsibility for harm and make restitution with victims. The Oakland Unified School District (OUSD) began using the program at a failing middle school in 2006. Within three years, the pilot school saw an 87 percent decrease in suspensions, with a corresponding decrease in violence. The practice was so successful that by 2011 OUSD made restorative justice the new model for handling disciplinary problems.

CONCLUSION

Mass shootings have become a feature of American life, and the Grand Jury knows very well what follows each one: the shock, the horror, the demonization of the guilty, the prayers for the innocent, the calls for action, the finger-pointing, the paralysis, and, finally, the forgetting. Part of the shock of any mass shooting is the helplessness that is felt in its wake—society's inability to answer with anything more than stuffed animals and futile politics. But mass shootings are not unstoppable, and there are people trying to stop them. They are not inexplicable. After a mass shooting at a school, many questions are left: Why was this school targeted? Was there anything anyone could do to stop it? Were there any clues in the shooter's behavior that might point to why they resorted to this type of

violence? Although there is still much researchers do not know, after years of study, they do know that most school shooters have these four factors in common:

Early-childhood trauma and exposure to violence - Running the gamut from parental suicide to physical or sexual abuse, neglect, domestic violence and/or severe bullying, this trauma is often a precursor to mental health issues, including depression, anxiety, thought disorders, or suicidality. School-based mental health services such as counselors and social workers may help mitigate childhood trauma. In addition, schools can implement a curriculum including positive coping skills, resilience, and social-emotional learning, especially for young boys as, according to published data, 98 percent of mass shooters are men.

Anger over a recent event, resulting in feelings of suicidality - Nearly every mass shooter had a specific, identifiable point of crisis in the weeks and/or months before the shooting, which resulted in their becoming angry and despondent. Relationship rejection or loss often played a role in the shooter's life prior to the attack. Research also shows, however, that in 80 percent of the cases, school shooters communicated to other people that they were in a crisis, whether it was in the form of a significant change in behavior, expressing suicidal thoughts or plans, or discussing specific threats of violence. For this reason, all adults in schools, from the principal to the custodian, need high-quality training in crisis intervention and suicide prevention and the time and space to connect with a student. At the same time, schools need formal systems in place for students and staff to (anonymously) report a student in crisis.

Being inspired by other school shooters – Unfortunately, there is a contagion element that may come into play. School shooters often have studied—and may admire—other school shooters. Today, with the 24-hour news cycle, the internet, and social media, it has never been easier for potential shooters to conduct their own research into not only how to carry out a shooting, but also the specific script to follow to ensure notoriety after the event—even if they end up dying in the process. Because media coverage of an incident can provide a blueprint for potential future shooters, some media refrain from printing a shooter's name or photo.

Having the means to carry out an attack - In order to carry out a school shooting, students need access to firearms and ammunition. Most school shooters obtain their weapons from members of their own family, typically parents and grandparents. Once someone decides life is no longer worth living and that murdering others would be a proper revenge, only means and opportunity stand in the way of another tragic shooting. Schools can help by educating parents and other caregivers about ensuring that all firearms and ammunition are kept locked up securely. In addition, schools can make their property less accessible through visible security measures like fences and metal detectors.

While educators and school officials are not responsible for school shootings, they are a crucial link in early prevention efforts that foster emotional and mental well-being. Schools that create inclusive communities can help prevent school shootings, and schools that have actively involved parents and the support of their local community are in a better position to make sure that students are being well served.

FINDINGS

F-1: School shootings are still relatively rare, but have been increasing since 2017.

F-2: The guns used in school shootings usually come from the student's or a relative's home.

F-3: School violence is not uncommon at athletic events.

F-4: SROs benefit from specialized training focusing on non-violent communication, with youths' social and emotional development.

F-5: Single entrances and metal detectors at campus entrances are helpful in screening for weapons.

F-6: School officials' outreach to parents/guardians to sensitize them to worrisome changes in students' behavior can help identify at-risk students needing intervention.

RECOMMENDATIONS

R-1: That School District officials stress to parents that they have the responsibility to make sure that every firearm in their homes is locked, secured, and accounted for, with separate storage for ammunition. (F-2)

R-2: That School District officials and law enforcement officers include athletic events in their active shooter response plans. (F-3)

R-3: That School District officials hire SROs and provide them with specialized training to better understand adolescent development and non-violent communication. (F-4)

R-4: That School District officials reduce the number of campus entrances. (F-5)

R-5: That School Districts investigate available funding for the installation of metal detectors to prevent weapons from being brought on campus. (F-5)

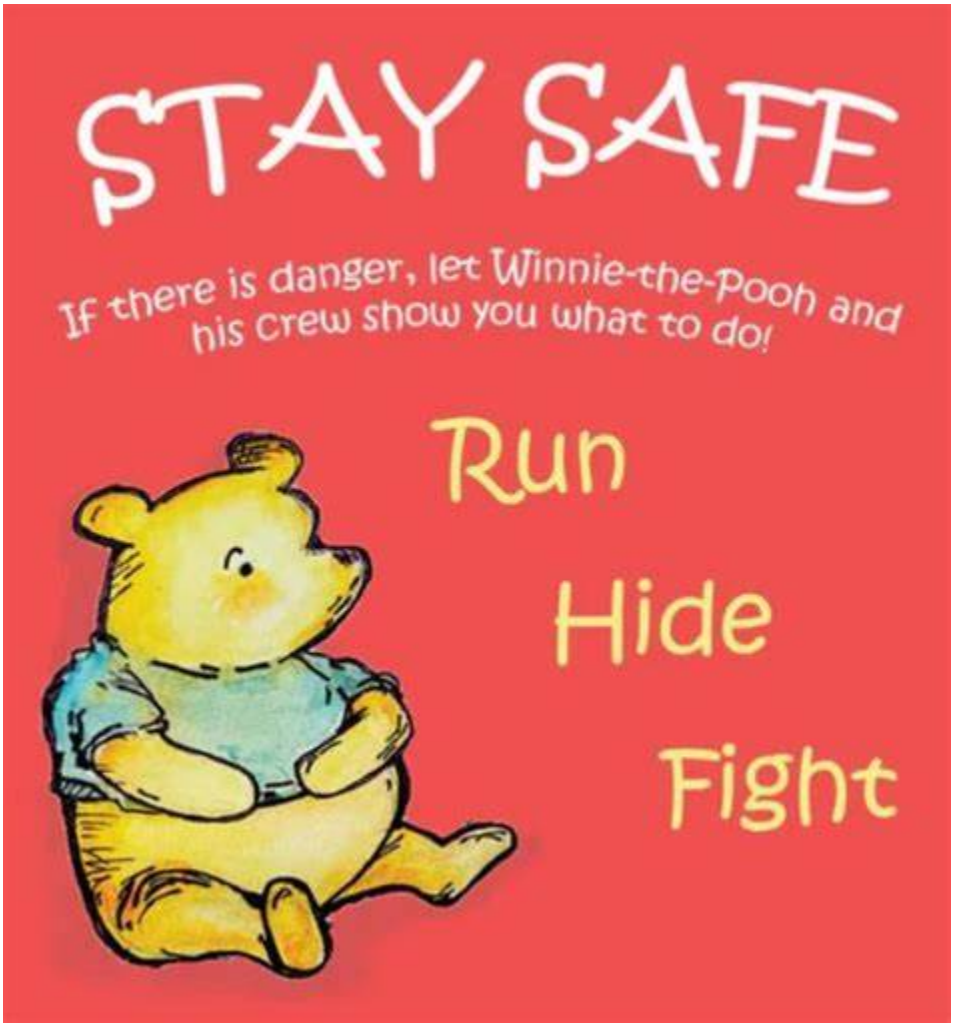
R-6: That school officials set a goal of meeting with each student's parent or guardian at least once during the year to discuss recognizing changes in students' behavior. (F-6)

RESPONSES

As per the California Penal Code § 933.05 (a) (b) (c), the following responses are required:

Kelseyville Unified School District	R-1, R-2, R-3, R-4, R-5	90 days
Konocti Unified School District	R-1, R-2, R-3, R-4, R-5	90 days
Lakeport Unified School District	R-1, R-2, R-3, R-4, R-5	90 days
Lucerne Unified School District	R-1, R-2, R-3, R-4, R-5	90 days
Middletown Unified School District	R-1, R-2, R-3, R-4, R-5	90 days
Upper Lake Unified School District	R-1, R-2, R-3, R-4, R-5	90 days
Clearlake Police Department	R-2, R-3	90 days
Lake County Sheriff	R-2, R-3	60 days
Lakeport Police Department	R-2, R-3	90 days

Even Winnie the Pooh Gives School Shooting Advice



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GROW YOUR OWN

Executive Summary

Law enforcement is in the middle of a recruitment and retention crisis. With low unemployment, the COVID crisis, the reaction to the George Floyd incident, and the current climate of defunding, police agencies are struggling to fill the ranks and keep good cops.

Unfortunately, according to a 2021 Work for Survey there was an 18% increase in resignations and a 45% increase in retirements over the past year. However, there are solutions. We believe that by Growing Our Own, Lake County will be able to reduce the amount of unfilled law enforcement open positions. Overtime, the program we are proposing will provide a ready pool of law enforcement talent.

Methodology

Documents

During our investigation, the Grand Jury reviewed and obtained factual data and other information from interviews, numerous documents and sources.

Please see Bibliography.

Interviews

The Lake County Civil Grand Jury interviewed the officers responsible for the continuation of the Lake County Sheriff's Explorer program, the captain responsible for coordination of the CalFire Cinder Girl program, and the officer and sergeant managing the LAPD Associate Community Officer program.

BACKGROUND

Recruiters for law enforcement personnel have been able to meet their hiring quotas, until the last five years.

"You've got a workforce that's being compressed on the front end, you've got a drop in people who want to be cops. And on the other end, you have a significant increase in people who are resigning and retiring. And we have a survey that we did (that found a) 44% increase in retirements, 18% increase in resignations (in police depart-ments)," according to Police Executive Research Forum President Chuck Wexler.

Many of these issues started before the COVID-19 pandemic and the protests of 2020.

Consider these results from a 2019 report published by the International Association of Chiefs of Police in which agencies from federal, state, local and tribal levels were surveyed:

- 78% of agencies reported having difficulty recruiting eligible candidates.
- 65% of agencies reported having too few candidates applying for positions.
- 75% of agencies reported that recruiting was more difficult than in the past.
- 50% of agencies reported having to change their policies to increase the number of qualified candidates.
- 25% of agencies reported having to reduce or eliminate services, units or positions due to staffing difficulties.

For decades, police officers have been "called to the profession," passionate about their jobs affecting their communities.

Today, many individuals whose inherent values, training, and character make them excellent candidates for the most challenging public service professions think, "Is policing a career I really want?" Even those who are a few short years

away from retirement are leaving departments despite having prime promotional opportunities. They sign up with new agencies for their last few years of work.

As a result, law enforcement departments across the country are wrestling with chronic challenges in police officers' retention, recruitment, and hiring. They continue to look for guidance, tips, smart ideas and solutions and how to fill the ranks, compete with other law enforcement departments for talent, and effectively rebuild the high morale and culture they once had. One short term solution, appearing over the past two years, are hiring/bonus programs.

For example, Phoenix, Arizona provides a $7500 bonus for new hires. Locally, Santa Rosa gives lateral position transfers a $25,000 bonus. Alameda is offering $75,000 for every entry level officer.

In comparison, Lake County provides a $20,000 hiring incentive limited to female correctional deputies with a sunset once a pre-determined number of females are hired. Currently, hiring incentives are $10,000 for deputy sheriff, deputy probation officer, and welfare fraud investigator, either academy graduates or laterals.

Lake County does not have a hiring incentive for deputy trainees, however they are working towards a hiring inventive for deputy trainees. Again, we believe that creating a philosophy of "Grow Your Own" will not only ensure a pipeline of potential candidates that 'know' Lake County. Moreover, they are cost justified via their reduced orientation and training time.

Through research we uncovered several tips and strategies to improve police officer attention recruitment and hiring. They were:

1. Develop a recruitment plan
2. Host pre-Academy programs for teens and college students
3. Ask officers to invest themselves in recruitment or their assigned department
4. Update the marketing materials and outreach strategy
5. Ensure that background checks and department requirements align with actual department needs
6. Sit down and speak to your officers
7. Encourage your officers to engage with the community
8. Stay competitive
9. Improve communications from the top down and bottom up
10. Prioritize training

Fortunately, prior to and after COVID, the potential feeders to law enforcement careers continued to exist, though constricted.

For example, the Lake County Sheriff's Office Explorer Post shut down during COVID, as did the CalFire Cinder Girls program. In June 2022, the Lake County Explorer Post program was restarted. The Lake County Sheriff's Office Explorer program had to overcome their initial post-pandemic low enrollment. Fortunately, they were granted an exception by the Boy Scouts of America (BSA) since they did not initially meet the minimum five enrollees. They project that their enrollment will exceed the BSA minimum in 2023.

The current criteria for the Lake County Sheriff's office Explorer program are:

- Be between the ages of 14 to 20 years old
- Maintain a 2.0 grade point average while attending school
- Be of good moral character
- Have a clear/clean criminal record
- Be able to attend bimonthly scheduled meetings
- Be willing to volunteer time to extend Explorer functions

- Be willing to commit to the Explorer code and exemplify the professional image of the Lake County Sheriff's office

Lake County has a Deputy Sheriff Trainee Program, with these qualifications: Successful applicants must meet the following criteria:

1. Current Permanent employee of the County of Lake in any capacity.
2. The equivalent of at least two (2) years of full-time, continuous County service from their most recent date of permanent hire.

OR

Three (3) years of work experience in a position requiring contact with the public is required.

OR

Graduation from a two-year college with an Associate's degree.

Unfortunately, once a Lake County high-school graduate desires to become a member of the Lake County Sheriff's Office Deputy Sheriff Trainee program, they must be able to support themselves while fulfilling the education and/or experience requirements.

However, there are solutions.

In March 1989, 48 medium-sized police departments within the state of California were surveyed in order to determine current trends in the use of police cadet programs. The most significant question of the survey in terms of the issue of recruitment was "What Percentage of Cadets Successfully Complete Probation as Sworn Officers?" **Ninety-five percent responded that their agencies were experiencing success rate of between 80 and 100 percent for cadets who went on to become sworn police officers.**

March 2022 data from the National Police Chiefs' Council reveal the average attrition rate is 9.1% with 2,567 leavers from 28,173 new recruits.

The City of Boston and the State of Massachusetts has created a paid full-time, benefited cadet program for those between the ages of 19 and 25. The annual salary is $40,000 a year.

At one time, the Los Angeles Police Department had a Student Worker program that provided college students between the ages of 18 through 21 a paid internship (no benefits) for 20 hours a week during the school year and 40 hours a week during the summer.

In 2017, replacing the LAPD's Student Worker program is the ACOP (Associate Community Officer Program). An Associate Community Officer is a civilian employee of the Police Department who performs a variety of law enforcement support duties under general supervision and performs related work as required. During the performance of job duties, Associate Community Officers may be rotated to varying assignments.

ACOP is a program to employ young adults (ages 17 1/2- 23 years old) who have proven to be outstanding participants in LAPD's youth programs and have expressed the desire and commitment to join LAPD as sworn officers.

The program was created to resemble a fellowship to provide future sworn officers with an enriching experience and connect them to the culture of the LAPD. This will provide participants with mental and physical education, mentorship, and a prestigious paid work opportunity. The program offers short- term employment (less than five years) to bridge the gap between young adults and the time when they are legally eligible to apply for the department.

The ACOP's Minimum Requirements are:

- Must be 18 Years of Age. You may apply at 17 as long as you turn 18 by the time of appointment.
- U.S. Citizen or must be a permanent resident.
- Be a participant from at least one of the following LAPD youth programs;

- Police Orientation and Preparation Program (POPP). Current participant or graduated within the last 12 months.
- Police Academy Magnet School Program. A graduate within the last 2 years.
- LAPD CADET Program. Current participant or past participant within 2 years;

OR

Current enrollment in a College/University;

OR

- Current participation in a Community Based Organization (public or private non-profit organization providing services to underserved communities within the Los Angeles area);

OR

- Six months experience as a volunteer or intern with the LAPD

and

- Must have a written invitation from the LAPD Personnel Division.

There are seven steps to becoming an LAPD ACO:

1. Application
2. Multiple Choice Test
3. Personal History Statement
4. Department Interview, Polygraph and PFQ (Physical Fitness Qualifier)
5. Medical Evaluation
6. Field Investigation

   Field Investigation includes checks of employment, police, financial, education, and military records and interviews with family members, neighbors, supervisors, co-workers, and friends. The applicant is evaluated on past behavior and the extent to which the behavior demonstrates positive traits that support candidacy for an LAPD Police Officer. The Field Investigation provides time and opportunity to get in shape for the Academy.

7. Psychological Evaluation

Augmenting the LAPD ACO program is the LAPD's Police Cadet Scholarship Foundation. The ACOP program is currently funded for 50 participants. There are 36 current ACOP's who work 20 hours a week. Recently, 8 transitioned into full-time officers. The retention rate of the Associate Community Officer Program is 90%. The Sergeant-in-charge has offered to provide further assistance and guidance.

A successful program in Lake County should provide an economic bridge between ages 18 to 21, allowing residents to receive valuable exposure to its multiple departments and processes. Thereby, successful participants would have their Deputy Sheriff Trainee time enhanced by the previous exposure they received and would have officer orientation time significantly reduced, resulting in significant financial savings.

FINDINGS

F-1: Our research has determined the following strategies to improve police officer attention recruitment and hiring.

1. Develop a recruitment plan reflecting the ethnicity and gender of the community
2. Host pre-Academy programs for teens and college students
3. Ask officers to invest themselves in recruitment or the department
4. Update the marketing materials and outreach strategy
5. Ensure that background checks and department requirements align with actual department needs
6. Prioritize training

F-2: The Massachusetts State Police Cadet Program exemplifies a successful full time officer cadet program.

F-3: The Los Angeles Police Department ACOP provides successful participants, between the ages of 18 through 23, a paid civilian job as they matriculate in order to become a uniformed LAPD officer.

RECOMMENDATIONS

R-1: That Lake County establish an Associate Community Officer program targeting defined prospects and college students, between the ages of 18 through 21 and provide a paid internship (no benefits) for 20 hours a week. (F-1 and F-3)

R-2: That Lake County fund a part-time, 20 hours per week Sheriff Cadet program for ten (10) cadets for fiscal year 2024. The projected cost is $208,000.00. (F-3)

Hourly Wage	**$20.00**
Hours per Week	**20**
Days of Work	**5**
# of Weeks	**52**
Per Person Cost	**$20,800.00**
Total Per Person	**$20,800.00**
# of Interns	10
Annual Total	**$208,000.00**

R-3: That the Lake County Sheriff cadet programs participants be a reflection of the community with regard to ethnicity and gender. (F-1)

RESPONSES

Pursuant to Penal Code § 933.05 (a)(b)(c), the following responses are required**:**

Board of Supervisors	R-2	90 days
Lake County Sheriff	R-1, R-3	60 days

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LAKE COUNTY JAIL AND ARMORY TOUR

SUMMARY

California Penal Code §919(b) states that the Grand Jury shall inquire into the condition and management of the public prisons within the county. The Grand Jury toured the jail and armory, both inside and outside, and discussed several issues with the Captain, including staffing levels and morale.

METHODOLOGY

In September 2022, members of the Lake County Civil Grand Jury toured the Hill Road facility and were also given the opportunity to tour the open Armory, which is slated for reconstruction to house both the Lake County Sheriff's Office and the Office of Emergency Services. The Jail Captain, Lieutenant, and Sergeant met with the group for a post-tour question-and-answer session. A second session with the Captain was held in May 2023 for updates and clarifications.

BACKGROUND

According to the Lake County Sheriff website:

> The Hill Road Correctional Facility, at 4913 Helbush Drive, Lakeport, CA, was opened in 1990 when the first phase of construction was completed. Construction continued until 1999, when the 68,193 square foot facility became fully operational.
>
> The facility is rated by the State to hold 297 inmates, and the Sheriff's Office is allocated 68 full-time employees, including 52 sworn positions to ensure the safety and security of the facility.
>
> The facility is almost completely self-contained by providing on-site medical care, food service, laundry, visitation, and educational opportunities.
>
> The facility is the central reception center for all persons arrested within Lake County.
>
> It serves:

- Lake County Sheriff's Office
- Clearlake Police Department
- Lakeport Police Department
- California Highway Patrol
- Other local, state, and federal law enforcement agencies.

> More than 4,000 people, on average, are brought into and booked at the facility annually.

One of the greater challenges facing staffing is the recruitment and retention of female correctional officers. Another issue is unscheduled overtime beyond the scheduled 12-hour shifts.

DISCUSSION

THE ARMORY

On April 26, 2022, Representative Mike Thompson requested $1,000,000 from the House of Representatives Committee on Appropriations, Subcommittee on Homeland Security for:

> **Lakeport Armory Facility Repurposing Project**
>
> I request $1,000,000 for Lake County, CA (255 North Forbes Street, Lakeport, CA 95453) to complete Pre-Design work, including Architectural Program Conceptual Planning and Site Analysis to rehabilitate and repurpose a decommissioned National Guard Armory facility to establish a permanent location to co-locate the Lake County Sheriff's Office (LCSO) and Lake County's Emergency Operations Center, which is part of LCSO. The Lakeport Armory Facility Repurposing Project is needed in order to provide a centralized emergency operations center for Lake County. With the increase prevalence of larger and more destructive natural disasters in Northern California, such as wildfires, a centralized and permanent emergency operations center will allow first responders to better coordinate and serve the people of Lake County.

On January 18, 2023, at the initial request by Congressperson Mike Thompson, a $988,600 check was shown to Lake County Officials for the Lakeport Armory Facility Repurposing Project. The Grand Jury was advised that the funds are under grant request review and still have not been received.

From the press release, "Within the first year, facility rehabilitation improvements may include energy efficiency upgrades (replacement of the HVAC system; roof replacement with solar; weatherization measures) and accessibility alterations. The planning tasks and initial improvements will assist in repurposing the Lakeport Armory for permanent use by most, if not all, Lake County Sheriff's Office Divisions and the Emergency Operations Center."

JAIL SITE FOLLOW-UP

At a recent follow-up meeting in May 2023, the Grand Jury asked for updated information from the September 2022 visit and inquired what specifically was needed.

Through the question-and-answer session we learned:

1. There were 210 inmates in September. As of this report, 235 inmates and all 8 inmate pods were in use.
2. The Wellpath Health Services contract was going well. As of this report, Wellpath (the contracted organization providing inmate health services) has upgraded staff from an onsite LVN to RN 24/7 and added a Discharge Planner.
3. The corrections jail staff positions were not being filled
    a. As of this report, 29 of the 44 budgeted/allocated positions are filled, with an additional 8 new hires. The Captain thought that the signing bonuses had a positive effect.
    b. As of this report, the correction Jail staff are still working 12-hour shifts, 4 days a week.
4. A staff snack shop will be built for employees who cannot leave the premises during their shift - As of this report, the shop is well under construction, with an intended completion date of June 2023.

In response to our query as to the needs of the Jail, the Grand Jury was told that the primary need remains for greater staff family support. The Captain was pleased to explain that the County's contribution for medical coverage had recently increased to $1,500/month for correctional officers with families. Still outstanding was an increase in salary for current correctional deputies and achieving a minimum staffing of 35 sworn personnel.

The Captain stated that providing an increase in salary and achieving a minimal correctional-deputy staff of 35 sworn personnel would result in:

- Enhanced employee morale
- Increased employee health
- Increased family life and family support
- Reduced staff 'burn-out'
- Ability to move towards 12-hour shifts for 3 versus 4 days
- Reduced overtime
- Increased staff retention

The Captain expects that these can be accomplished within the current Jail budget allocation if he is allowed greater flexibility in salary spending. Specifically, using the salary savings from unfilled budgeted correctional deputy positions to increase the salaries of the current correctional deputies would meet the Jail staffing needs.

According to the Lake County website, there was a 2.63% budgetary increase from 2021-22 Actual to 2022-23 Budget for the line items of Permanent and OT, Holiday, Stand-by.

Digging deeper, there was an 18.77% increase in Permanent (salaries) and a 58.72% decrease in OT, Holiday, Stand-by.

	2021-22 Budget	**2021-22 Actual**	**2022-23 Budget**	**Delta**
Permanent	$3,221,701.00	$3,087,987.00	$3,667,643.00	18.77%
OT, Holiday, Stand-by	$327,858.00	$812,223.00	$335,276.00	-58.72%
TOTAL	$3,549,559.00	**$3,900,210.00**	**$4,002,919.00**	**2.63%**

FINDINGS

F-1: There a shortage of female correctional officers.

F-2: The $988,600 funding for the Lakeport Armory Facility Repurposing Project has not yet been received.

F-3: The quality of services provided through the new Wellpath Heath Service contract is progressing well.

F-4: Continuing staff shortages result in infrequent 16-hour shifts, reduced morale, and persistent staff “burn-out.”

F-5: Current staffing levels have led to lowered morale, burn-out, and lower retention.

RECOMMENDATIONS

R-1: That the Lake County Sheriff’s Department continue the grant request process to ensure receipt of the $988,600 funding for the Lakeport Armory Facility Repurposing Project. (F-2)

R-2: That the Board of Supervisors give the Sheriff greater salary spending flexibility. (F-1, F-4, F-5)

RESPONSES

Pursuant to Penal Code § 933.05 (a)(b)(c), the following responses are required:

Lake County Sheriff	R-1	60 days
Board of Supervisors	R-2	90 days

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TEHAMA JUVENILE HALL TOUR

SUMMARY

Tehama County contracts with six Northern California counties - Lake, Glenn, Trinity, Siskiyou, Lassen, and Plumas County - to provide housing for their juvenile offenders. Combining services for juvenile offenders is more cost-effective than each county's operating its own facility.

The Grand Jury was very impressed with the staff and overall condition of the facility. The atmosphere was positive, and the juveniles appeared well taken care of and safe.

METHODOLOGY

The Lake County Grand Jury traveled to Tehama County for a tour of the Tehama Juvenile Hall in Red Bluff

BACKGROUND

On the day the Grand Jury visited, six youths from Lake County were in-residence at the Hall. Lake County is charged $150.00 per day for each juvenile in custody.

The Grand Jury was greeted by the County of Tehama Chief Probation Officer, the Deputy Chief Probation Officer, the County of Lake Chief Probation Officer, Senior Deputy Probation Officer, and the Lake County Juvenile Court Judge.

The juvenile detention center opened in 2003. The Hall is located at 1840 Walnut Street, Red Bluff, CA. It is a 64-bed facility with 3 pods. Each pod has 14 single-bed units. Although each pod has double units, the Hall only uses single bed units for safety reasons.

DISCUSSION

Many juveniles in custody have committed felonies on some level. The courts consider misdemeanor offenses on a case-by-case basis, avoiding detention for misdemeanor violations whenever appropriate. The safety of the youth and others is a major consideration.

The Hall currently has 23 staff members with seven positions open. The staff we had the opportunity to meet were pleasant and answered our questions without hesitation. They were professional and genuine in their commitment to the rehabilitation of the youth in their care. They were encouraging and respectful when speaking to the youths, and the rapport between staff and youth was

positive. The staff displayed unity when talking about their priority for the youths' successful transition back into society.

Administration and staff are sensitive to the reality that many of the youths in custody are a product of their environment and thus they are committed to breaking the cycle. Many of the juveniles come from broken homes, incarcerated parents, and/or unemployed parents using drugs and lacking parenting skills. This was apparent when we had the opportunity to visit and converse with the detainees. They shared with us their appreciation of the opportunity to earn privileges by following the rules. They expressed feeling safe and enjoying the structure lacking in their own homes. They have the opportunity and guidance to graduate early and are encouraged to pursue higher education. The youths appeared content.

The juveniles have access to medical and dental care, psychiatric evaluations, counseling, education, life-skills training, musical-instrument training, art programs, and plenty of books.

MENTORING

The facility has an outdoor garden. Surplus harvested produce is provided to senior citizens and the homeless. To utilize the commercial kitchen and supplement their income, they contract with organizations to prepare meals for seniors. There is a wood shop near the recreation area where juveniles assist with building above-ground vegetable containers and making repairs around the facility as needed.

FINDINGS

F-1: The Tehama Juvenile Detention Facility holds periodic Career Days to educate juvenile internees about their career opportunities.

F-2: The Tehama Juvenile Detention Facility has several mentoring programs coaching the youths and showing juvenile internees opportunities**.**

F-3: The Tehama Juvenile Detention Facility has several athletic programs that enable juveniles to develop teamwork and cooperation.

RECOMMENDATIONS

R-1: That the number of Career Days be increased at the Facility. (F-1)

R-2: That the Facility further develop mentor-style programs for the internees. (F-2)

R-3: That the Facility develops additional athletic programs. (F-3)

RESPONSES

Pursuant to Penal Code § 933.05 (a) (b) (c), the following responses are required:

County of Lake Probation Department	R-1, R-2, R-3	90 days

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KONOCTI CONSERVATION CAMP #27 TOUR

SUMMARY

The Konocti Conservation Camp #27 is jointly operated by the California Department of Corrections and Rehabilitation (CDCR) and the California Department of Forestry and Fire Protection (CAL FIRE). The primary mission of the camp is to provide incarcerated hand crews to support local, state, and federal agencies in response to emergencies such as wildfires or floods. Camp participants also complete community service and conservation projects year-round.

The Grand Jury was very impressed with the overall appearance of the facility, both inside and out and the dedication and commitment shown for the treatment, rehabilitation, and safety of the inmates.

METHODOLOGY

Members of the Grand Jury inspected Konocti Conservation Camp #27, as authorized by Sections 919 (a) and 919 (b) of the Penal Code.

BACKGROUND

The Grand Jury was greeted by a Cal Fire Division Chief, CDCR Lieutenant & Camp Commander and a Sergeant & Assistant Camp Commander.

Konocti Conservation Camp (CC-27) opened in April 1963. CDCR and CAL FIRE collaborate in the overall operation of the camp. The Camp also operates a Mobile Kitchen Unit (MKU) and Mobile Equipment Unit (MEU). These services are vital to fire suppression missions, and both resources are regularly dispatched to major fires. Konocti Conservation Camp also services all emergency fire vehicles in Lake County in one of the largest heavy equipment garages in the area.

Hand crews also perform conservation and community service projects. CAL FIRE determines which conservation projects to staff. The Camp provides local communities with thousands of crew hours through work projects and conservation efforts each year. These work projects include:

- Boggs Mountain DSF
- Sonoma County Roads
- Northshore Fire Protection
- Mt. Konocti Recreation Area
- Napa County Fair
- USFS Upper Lake
- Local and County Fire Stations

Konocti hand crews also work on shaded fuel breaks, hazardous tree removal, and vegetation removal along roads. They clear forest walking and ATV trails and maintain campgrounds.

In addition, inmates have the opportunity to receive advanced training and certification in multiple fields, including auto mechanics.

Currently there are 28 camps statewide, down from 43 in 2020, including the closing of the Susanville Training Camp. Konocti Camp currently has two 14-man crews with 10 Captains and a total population of 60 inmates. There are seven Correctional Officers, two Assistant Camp Commanders, and the Camp Commander. During fire season, half of the inmates engage in firefighting and the remainder are assigned to camp duties. CAL FIRE also trains the National Guard to assist with firefighting.

The Camp consists of 75 acres. The Grand Jury observed the grounds to be well maintained. Building interiors were organized and clean without unpleasant odors. The inmates have an active role in the Camp maintenance, along with specific duties depending on their interests, such as vehicle maintenance, cooking, laundry, janitorial, and landscaping.

The exterior of the buildings showed no sign of graffiti, peeling paint, or signs of deterioration. The inmate sleeping quarters were neat and clean, without unpleasant orders. The beds were made and had blankets and pillows. The lighting was adequate.

CC #27 has a MKU that is staffed by inmates providing meals to thousands of emergency firefighting personnel working major fires. CC #27 also staffs a MEU maintenance and repair shop. Inmates perform routine repairs and respond to emergency vehicle repairs. CDCR provides supervision over these activities.

In 2022, CC#27 inmates worked 141 days of labor on community projects and defensible fire clearance throughout the Wildland Urban Interface. They also responded to 53 emergency incidents and worked 58,042 hours providing emergency response to fires and floods.

The inmates prepared and served lunch to the Grand Jury. The daily allowance by the State is $4.21 for 3 daily meals. To offset the rising cost of eggs, the Camp is preparing to build a chicken coop to house chickens for their eggs.

Rehabilitation is a primary consideration for CDCR. Inmates participate in programs such as GED, DMV clearance, Employment Resume, Alcoholics Anonymous, and Narcotics Anonymous classes to obtain certification for future employment. Inmates have been hired by Cal Fire upon their release. One current inmate has a position available upon his release.

FINDINGS

F-1: The inmates of the Konocti Conservation Camp provide their time donation to designated Lake County community organizations**.**

F-2: The inmates of the Konocti Conservation Camp can receive training to achieve Advanced Mechanic Certifications.

RECOMMENDATIONS

R-1: That the inmates of the Konocti Conservation Camp increase/enhance their time donation to designated Lake County community organizations.

R-2: That the inmates of the Konocti Conservation Camp increase/enhance their vehicle maintenance program and ensure that all inmates working on vehicles complete Advanced Mechanic Certification that will help them obtain employment when released.

RESPONSES

Pursuant to Penal Code § 933.05 (a)(b)(c), the following responses are required:

CDCR Camp Commander	R-1, R-2	90 days

BIBILOGRAPHY

California Department of Corrections and Rehabilitation
Konocti Conservation Camp #27 - Lower Lake

REPRESENTATION OF INDIGENT DEFENDANTS IN LAKE COUNTY

SUMMARY

The Grand Jury received a complaint alleging that one of the County's contract Public Defenders – referred to as Lake Indigent Defense (LID) - was representing defendants in other counties, which then negatively impacted the time requirements for the Lake County Superior Court's calendar of cases to which the attorney was assigned.

During initial inquiries, the Grand Jury was not informed that in August 2021, County Administration had authorized an investigation into the County's representation of indigent defendants by the Sixth Amendment Center in Boston. Its report was released in February 2023 and recommended that the County alter the structure of the group of attorneys who provide defense services in order to create a single Public Defender overseeing and supervising the larger group of contract attorneys.

The County then hired a consultant, a retired Public Defender from Marin County, who is tasked with overseeing the proposed restructuring process. In the meanwhile, Lake Indigent Defense is in the process of extending its contract with the County for what they hope will be one year. LID hoped that the status quo will be maintained in the interim until the restructuring is completed.

METHODOLOGY

The Grand Jury reviewed California's statutory requirements for representation of indigent defendants and interviewed the complainant, County Counsel, the District Attorney, a former County administrative official, a Superior Court Judge, a community defense attorney, and LID attorneys.

DISCUSSION

California Models of Public Defense

All counties in California are required to have a public defender's office or an alternative method of providing legal representation to indigent clients, as mandated by the California Constitution and State law. Although there are some common elements and frameworks that provide a general understanding of how indigent legal representation is structured in California, the primary responsibility for providing indigent legal representation rests with individual counties. Each county is responsible for ensuring that individuals who cannot afford their own legal representation have access to legal counsel.

This means, the structure, staffing, and funding of public defender offices can vary from county to county. Some counties may have larger or more- well-funded offices than others, and some may rely on contract defenders or assigned counsel programs to provide legal representation to indigent clients. The common models are:

1. **Public Defender Offices**: Most California counties have public defender offices that provide legal representation to individuals who cannot afford an attorney. Public Defender (PD) offices are government agencies staffed with public defenders who are attorneys employed by the county. These offices handle criminal cases, including misdemeanors and felonies, where the defendant is indigent. Of note, Lake County once had had a formal PD office in the early 1980s, but it proved to be too costly to continue after a few years. The in-house attorneys had so many conflicts, outside counsel still had to be hired.

2. **Conflict Counsel**: In cases where the public defender's office has a conflict of interest, such as representing multiple defendants with conflicting interests in the same case, or if the public defender's office has a full caseload, some counties appoint conflict counsel. Conflict counsel are private attorneys who are contracted by the county to provide legal representation to indigent defendants in specific cases.

3. **Assigned Counsel**: In certain circumstances, if public defender offices and conflict counsel are unable to take a case, the court may assign private attorneys to provide indigent legal representation. These assigned counsel attorneys are compensated by the county for their services.

4. **Alternative Models**: While the public defender model is prevalent in many California counties, some rural counties, such as Lake County, have implemented alternative models for indigent defense that involve a combination of contract attorneys.

The funding for indigent legal representation in California counties comes from a combination of sources. County governments allocate funds in their budgets to support public defender offices and indigent defense programs. Additionally, California State funding, grants, and sometimes federal funding, may contribute to the financing of indigent legal representation.

Some larger counties may have more robust public defender offices and specialized units to handle different types of cases, such as juvenile defense or mental health defense. On the other hand, smaller counties may rely more on assigned counsel or contract attorneys due to resource limitations.

In some counties, the use of assigned counsel may be limited to certain types of cases, such as appeals or conflicts of interest. Additionally, some counties may use a combination of public defender offices, contract attorneys, and assigned counsel programs to provide legal representation to indigent clients.

The costs associated with providing indigent defense in California can vary depending on the county and the method of providing legal representation. Here are some of the factors that can increase the cost of indigent defense:

1. **Staffing**: The cost of staffing a public defender's office or other indigent defense programs can be a significant and can include the cost of hiring attorneys, investigators, and support staff.

2. **Training**: The cost of training and professional development for indigent defense attorneys can be expensive and can include continuing education, mentorship programs, and specialized training for working with vulnerable populations.

3. **Technology**: The cost of technology and software for managing case files and communication with clients can be significant for indigent defense programs.

4. **Expert witnesses**: The cost of hiring expert witnesses to testify on behalf of indigent clients can costly, particularly in cases that involve complex medical or scientific issues.

5. **Overhead**: The cost of maintaining a physical office space, utilities, and other overhead expenses can be a significant expense for indigent defense programs.

6. **Indirect costs**: The cost of providing other support services to indigent clients, such as mental health counseling or drug treatment, can add to the cost for indigent defense programs.

Worth noting is that the cost of providing indigent defense in California can and does vary significantly from county to county, depending on the specific needs of the community and the method of providing legal representation. In general, public defender offices tend to be more cost-effective than contract or assigned counsel programs, as they benefit from economies of scale and can provide more consistent and specialized legal representation. However, the cost of providing indigent defense is an important consideration for policymakers and advocates who are working to ensure that all Californians have access to high-quality legal representation.

Indigent Defense in Fresno County Also Challenged

Both the United States and California Supreme Courts have held that the right to counsel requires the State to provide counsel for those defendants who cannot afford to hire a lawyer to represent them. Gideon v. Wainwright, 372 U.S. 335 (1963); *Ex parte* Newbern, 53 Cal. 2d 786, 790 (1960). However, concerns have been raised in various jurisdictions regarding whether effective indigent defense assistance is being provided. A challenge by the American Civil Liberties Union (ACLU) in California, in which Fresno County and the State were sued in 2015, [Phillips v. State of California, et al.] suggests that the State could be held responsible for ensuring that effective indigent defense is being provided.

Specifically, the State and Fresno County recently settled this case, which alleged a failure to provide constitutionally-required indigent-defense service levels. Notably, the court ruled that the State could not say that it was not responsible for meeting its constitutional responsibilities just because the services are primarily provided by counties. It is unclear the extent to which other counties (and by extension the State) could face similar allegations in the future. Below, we discuss the recent Phillips legal challenge in more detail.

The ACLU alleged that Fresno County's indigent defense system failed to comply with minimal constitutional and statutory requirements to provide effective assistance of counsel to indigent defendants. The lawsuit listed nine ways—such as excessive caseloads and a lack of support staff—in which these requirements were allegedly violated [*vide infra*]. It also asserted that the State abdicated its responsibility to ensure that effective assistance of counsel for indigent defendants was being provided by the county.

Alleged Ways Fresno County Failed to Provide Effective Indigent Criminal Defense Service Levels

1. Excessive caseloads
2. Deprivation of conflict-free and independent representation
3. Lack of continuous representation
4. Inadequate attorney-client contact and confidential communication
5. Insufficient or no training for attorneys in the Fresno County Public Defender's Office
6. Inadequate factual investigation from loss of necessary investigator staffing
7. Deficient number of support staff in the Public Defender's Office
8. Lack of parity with prosecutorial counterparts
9. Failure to monitor and supervise Fresno County's public defense system to ensure compliance with minimal constitutional and statutory requirements

Prior to settlement in January 2020, the State filed a petition asking the court to dismiss some of the allegations against it. The court refused to do so and specifically found that the State, as noted above, could not say that it was not responsible for meeting its constitutional responsibilities just because the

responsibilities had been delegated to the counties. The State settled by agreeing to expand the mission of the Office of the State Public Defender (OSPD) so that it would be authorized to provide support for county indigent defense systems—including providing training and technical assistance, and identifying steps to improve the state's provision of indigent criminal defense. The State also agreed to seek funding through the annual budget process for such purposes. A total of $4 million from the General Fund was provided to Fresno County in 2020-21 ($3.5 million ongoing) for these purposes. As this case was settled, it is unclear whether other California counties are similarly situated—resulting in potential State liability in those cases, as well.

Of note, Fresno County also settled by agreeing to various requirements that it must comply with for four years. These requirements include:

(1) Providing a minimum amount of annual funding to the Fresno County Public Defender's Office.
(2) Specifying goals for employing a certain number of supervisorial staff.
(3) Regularly reviewing and reporting case files.
(4) Adopting certain policies (such as related to the use of non-attorney staff and to trial performance standards).
(5) The regular reporting of specified caseload and other data (such the number of cases opened and closed).

Increased State Involvement

Despite primarily being a county responsibility, the State has increased its involvement with the indigent defense system by providing funding and requiring certain assessments. As discussed above, the State expanded OSPD's mission to provide training and other assistance to trial-court indigent-defense counsel. Additionally, the 2020-21 budget included $10 million one-time General Fund for a pilot program to provide grants to eligible county public defender offices for indigent defense services. Additionally, the 2021-22 budget included $50 million annually for three years for indigent defense providers to address certain post-conviction proceedings. The budget also required counties to report on how the funding was used and that an independent evaluation be conducted to assess the impact of the provided funding by August 1, 2025. Finally, Chapter 583 of 2021 (AB 625, Arambula) directed OSPD—upon appropriation—to undertake a study to assess appropriate workloads for indigent defense attorneys and to submit a report with findings and recommendations to the Legislature by January 1, 2024. The 2022-23 budget subsequently provided $1 million for this purpose.

THE 6TH AMENDMENT CENTER REPORT ON LAKE COUNTY

Often “unprepared” lawyers who may not be “qualified or trained” are generally not providing “effective representation” in Lake County, violating the Fourteenth Amendment rights of indigent clients, according to a comprehensive, 109-page report released in January 2023 by the Sixth Amendment Center (6AC) a national nonpartisan nonprofit in Boston.

The report, “The Right to Counsel in Lake County, California: Evaluation of Trial-Level Indigent Representation Services,” was commissioned by Lake County to “focus on the constitutional requirement to provide effective assistance of counsel at all critical stages of a case to the indigent accused facing a potential loss of liberty in a criminal or delinquency proceeding.” The operational analysis of indigent defense services included observing 170 proceedings in Lake County Superior Court and interviewing stakeholders in the judiciary, indigent defense — including the contractors and subcontractors — as well as prosecutors and law enforcement.

Currently, the County provides indigent defense through a pool of private attorneys that the report found to be suspect. The report concluded that the County’s provision of public defender services and funding lacks accountability and oversight. The proposed fix provided was that Lake County needed to form and fund a $4.65 million public defender office – with the help of the State of California. The costs of an 18-person public defender office, consisting of at least eight lawyers, and 10 support staff, including investigators, social workers and paralegals, would be on par with the District Attorney Office, said the 6AC.

An ongoing theme of the evaluation suggested that the State of California shares much of the responsibility, implying that other underfunded counties may also be failing in their constitutional duties to indigent defendants. But Lake County, the report noted, need not feel that it must fund the multi-million-dollar Public Defender Office on its own:

Because the State of California has the Fourteenth Amendment obligation to ensure counties are the state’s Sixth Amendment right-to-counsel responsibilities delegated to county government, the California legislature should appropriate state funds to defray all or a portion of Lake County’s increased costs necessary to ensure effective assistance of counsel pursuant to the Sixth and Fourteenth amendments.

In fact, the 6AC evaluation was more than a little direct about the State's responsibility in Lake County, and in other counties, regarding the defense for indigent parties by, in essence, creating an unfunded mandate. As the Report authors noted, "It is difficult for Lake County officials (who initiated the 6AC study on their own) to improve indigent representation services in the trial court, because so many of the problems described throughout this report are inherently tied to decisions made by the state and over which the county has little control."

The authors continued, "For so long, though, as the State of California makes county officials and trial court judges responsible for ensuring the effective right-to-counsel for indigent defendants, the trial court judges and county officials in Lake County are responsible," adding what Lake County must do "until such time as California meets its Fourteenth Amendment obligations."

Currently, Lake County contracts with an informal partnership of private attorneys, Lake Indigent Defense LLP (LID), to "represent indigent people in all the types of cases that receive appointed counsel (other than juvenile dependency and family law proceedings), whenever they are appointed by the superior court to do so," said the report.

However, that system appears to be failing, according to not just the Report authors, but also to the "stakeholders," (LID attorneys and defendants) including one interviewee, who confided, "No one teaches anyone what to do" – there is no "professional development, nobody getting taught how to be a public defender."

The 6AC Report noted that some of the biggest critics of the indigent defense system now are prosecutors and judges, who told authors that "subcontractor attorneys often seem unprepared for their court appearances and have not communicated with their clients in advance of scheduled court proceedings (and) frequently confer with their clients for the first-time during court proceedings, causing confusion and frustration for indigent defendants."

"The anecdotal evidence, on top of the limited available caseload data, suggests that LID subcontractor attorneys have excessive workloads that affect their ability to provide effective assistance of counsel to each individual defendant," the evaluators said.

The study further reported that there also appeared to be "almost no oversight of either LID partner attorneys' performance [of their] obligations to administer and provide direct representation of indigent people or of the subcontractor attorneys' actual representation of indigent people."

"The LID partner attorneys say they do not conduct any type of performance evaluation of the LID subcontractor attorneys because 'there is no way to do a

performance evaluation without supervising the attorneys, which we are not allowed to do,'" the report reads.

6AC repeatedly emphasized the constitutional obligation of the State, adding, "The U.S. Constitution holds the State of California responsible for ensuring adequate funding for the right to counsel under the Sixth and Fourteenth Amendments. California has delegated to its counties all responsibility at the outset for funding trial-level indigent representation services, and up through March 2022, Lake County has never received funding from the state government for trial-level right-to-counsel indigent representation services."

But the Report once again emphasizes, "Lake County should not be responsible for solving these problems alone," calling out the State's "dereliction of its constitutional obligations to provide effective representation to indigent people."

6AC cited the recent class-action lawsuit settling in 2020 wherein the trial court found that California "cannot disclaim its constitutional responsibilities merely because it has delegated such responsibilities to its [counties]…If the State created an indigent defense system that is systematically flawed and underfunded…the State remains responsible, even if it delegated this responsibility to political subdivisions."

The report also criticized the use of subcontractor attorneys, who "are paid a flat monthly fee for their LID-appointed work but are not required to devote all of their working hours to their LID-appointed work (and) wind up taking other work to pay their bills, leaving fewer working hours for the subcontractor attorneys to devote to their appointed Lake County clients."

And, the 6AC report concludes, "Frequently, subcontractor attorneys are in a different county representing other clients when they are scheduled to be in court for their LID-appointed clients. This results in many continuances of Lake County cases, creating a backlog of cases for the courts…forcing indigent defendants to return again and again to court before their cases can be resolved."

One Lake County stakeholder told the authors, the subcontractor attorneys "have too many cases, and they're too busy, and should not be appointed new cases," wishing that "the attorneys would decline to take cases" because, with their excessive caseloads, "clients do not have their day in court."

The report concludes:

> Lake County has established an indigent representation system that is devoid of basic oversight. Neither the State of California, Lake County, nor the LID partner attorneys know whether each indigent defendant in the Lake County Superior Court who is entitled to public counsel is, in fact, represented by a qualified and trained attorney. The absence of systemic accountability has allowed deficiencies in the provision of direct services to indigent clients to become institutionalized, which the U.S. Supreme Court describes as the constructive denial of the right to counsel. And without oversight, Lake County lacks any mechanism to identify and rectify these systemic deficiencies.

The Sixth Amendment Center made three recommendations in its evaluation, "calling on the State of California to uphold its constitutional responsibilities," and two others the authors call "stopgap measures" until the State steps up.

First, Lake County policymakers should push for a state legislative/gubernatorial committee to "study and make recommendations about how best to fulfill the state's Sixth and Fourteenth Amendment responsibilities to ensure that each indigent defendant who faces the possible loss of liberty in a criminal or juvenile delinquency case receives effective assistance of counsel."

Second, the Lake County Board of Supervisors should establish "a non-partisan independent commission to oversee all aspects of indigent representation services and should fund the operations of the commission and the implementation of the methods and standards it adopts."

Third, the Lake County Board of Supervisors should "immediately establish an office of indigent representation services to carry out the day-to-day duties of the commission, headed by an executive director attorney selected by the commission."

In short, the 6AC report suggested that "As quickly as possible, Lake County should provide adequate long-term/regular staff to fulfill the commission's duties to ensure effective assistance of counsel to each indigent defendant."

Reactions to the 6AC Report

The Board of Supervisors has approved of the hiring of a Public Defender and the (re)creation of an "Oversight Commission." The Grand Jury learned that the 6AC-recommended Public Defender and a Public Defender Oversight Committee had each existed at one time and that the Oversight Committee's name was still listed on the County website. In fact, the Final Report of the 2010/2011 Grand Jury had recommended its re-creation. [Exhibit A]

There are two principal LID attorneys who contract with the County, who in turn subcontract with other attorneys to provide indigent defense services. One of the principal contractors refused to meet with the Grand Jury unless the contractor's attorney was present in the room. However, this attorney made public comments and was interviewed by LakeCoNews. The contractor emphasized that each individual attorney is an independent contractor who is permitted to accept assignments in other counties.

The second contractor, who was willing to be interviewed by the Grand Jury, noted that the LID attorneys, as their Lake County caseload grew, were unable to represent as many defendants elsewhere as they had been permitted to do. He stated that the flexibility of being an independent contractor, as audited by the Employment Development Department (EDD), was touted as a benefit of this model of indigent defense. The judges had become less accommodating and at times had sanctioned a LID attorney for missing a scheduled hearing.

Both principal contractors noted that the LID attorneys all must pay for their own office space, office supplies, bar dues, and malpractice insurance. Regardless, the LID subcontract attorney turnover rate has been quite low.

One LID contractor criticized the Report for not having included the actual outcomes for LID clients, who represent more than 95% of the criminal defendants in Lake County Superior Court, and emphasized that LID's attorneys have helped Lake County achieve a ranking of 13 highest among California's 58 counties for the number of case dismissals, while being in the bottom third for felony convictions. Their response is consistent with defendants who stated they were 'coached' to accept negotiated pleas.

This contractor noted that Lake County would have to pay a great deal more than the $1.8M it is currently paying for LID's services and estimated that a full Public Defender's office would cost more than $4 million per year.

Currently, the Felony subcontract attorneys start out with a flat monthly fee of $6,500 and, after longevity increases, top out at $8,750. Misdemeanors subcontract attorneys start out at $5,000, and, with increases for longevity, top out at $6,250. Realistically, the contractor opined, in today's market, recruiting attorneys even at that highest contract rate would be difficult, especially since these figures represented only about two-thirds of what surrounding counties pay their PD offices.

The Grand Jury credits Elizabeth Larson for her thorough reporting on this subject. https://www.lakeconews.com/news/74939-supervisors-discuss-indigent-services-report-direct-staff-on-next-steps

Public Defense Restructuring Process

In February and March 2023, the Board of Supervisors (BOS) discussed contracting with a former Chief Public Defender from Marin County to assess the costs, organization, transition plan, and resources that (re)creating a PD office would require. The BOS also extended the contract with LID through June 30, 2023, followed by a proposal from LID to extend it for one additional year. In April 2023, the BOS voted to create a Chief Public Defender position in Lake County. The consultant issued his ambitious preliminary appraisal and implementation plan in April - entitled "Public Defender and Competent Representation" – which was presented to the BOS and the public in May 2023.

An excerpt from the Executive Summary suggests program expansion beyond basic trial-court representation:

> While trial court work remains the primary function of public defenders as they protect an individual's constitutional rights assured under the federal and state constitutions, the movement toward holistic representation, which focuses on providing services to clients that help them reintegration [sic] back into the community, is taking hold in California and has received state gubernatorial and legislative support through resentencing options, divisionary [sic] relief, and mental health initiative (CARE Act) efforts…
>
> With the advent of holistic representation, a new paradigm of representation is emerging. This new paradigm calls for a collaborative approach in representation that utilizes resources provided by other public entities (health and human services, probation, sheriff, and community-based culturally competent organizations) to create sustainable, jail-day, and other cost saving solutions….

The Summary contains an outline for the creation of the program [attached as **Exhibit B**] that envisions its becoming fully operative as of July 1, 2024.

FINDINGS

F-1: The Board of Supervisors was evidently dissatisfied with LID's function and requested an evaluation of the program by the 6th Amendment Center in 2021.

F-2: The Sixth Amendment Center report was published at the end of January 2023 and was critical of LID's independent-contractor model that lacked oversight and supervision of the attorneys providing indigent defense services.

F-3: The Sixth Amendment Center report recommended that the County establish a formal Office of Public Defender and hire the necessary support staff.

F-4: The Board of Supervisors approved hiring a Public Defender overseer and is currently advertising for same.

F-5: The Sixth Amendment Center report urged reinstitution of a Public Defender Oversight Committee, which is in-process.

F-6: The Sixth Amendment Center report urged the County to reach out to the State for funding assistance, as the State has the ultimate obligation under the 6th and 14th Amendments to provide effective legal assistance for the indigent.

RECOMMENDATION

R-1: That the 2023-2024 Civil Grand Jury closely monitor progression of the planned improvements in the provision of indigent defense services and issue a follow-up report. (F-1, F-2, F-3, F-4, F-5, F-6)

RESPONSE

No response by any County agency is required.

Exhibit A

Public Defender Program Oversight Committee

Oversight of an Oversight

Summary:

The Public Defender Program Oversight Committee (PDPOC) oversees the Public Defender (PD) Program. How exactly does this work … or does it?

Background:

A private company contracted by the Board of Supervisors (BOS) has provided legal services for the Lake County indigent population since 2005.

In its minutes of November 2010, the PDPOC defined its responsibilities specifically to *"Receive and review reports regarding the effectiveness of the Public Defender Program. Provide recommendations to the Board of Supervisors per the above. Review the totality of the program."*

The Lake County Grand Jury recommended the establishment of an oversight committee in 2005 for the Public Defender Program. Quarterly meetings were to be held. The recommendation was implemented by the BOS within months. In 2010, the Grand Jury suggested revision of the PDPOC by-laws to provide all contractor's reports to be in writing. The

by-laws were not amended but routine written reports were initiated, replacing the rather informal and spotty documentation in previous years.

Procedure:

Grand Jury is the watch dog of the County per California Penal Code. The Government Services Committee attended an open meeting of the PDPOC and interviewed those members in attendance. The Grand Jury also reviewed the PDPOC minutes for the last twelve months and current PD reports, caseloads, and type of charges handled over the last year.

The PD contractor who provides PD services consented to speak with Government Service Committee members during this oversight.

Discussion and Facts:

In its April 2011 meeting, the PDPOC members present were one BOS member, a representative from Administrative Office who acted as secretary, two volunteer citizens, and the PD director; it is required to hold quarterly, open meetings.

1. There is a free and unblocked telephone number that Public Defender's incarcerated clients use to contact their attorneys.
    - The PD maintains no log of these calls or if/when the calls are returned.
    - A Sheriff's representative and the PDPOC could not assure the Grand Jury that the phone system is currently effective.
    - There is no telephone number listed for the PDPOC.
2. The PDPOC is not aware of the response rate of the PD to clients' telephone messages.
3. The Grand Jury was informed that the chairperson of the PDPOC speaks to the presiding judge once a year to discuss the Public Defender performance.
4. One PDPOC member visits inmates at the Hill Road Correctional Facility, reporting unconfirmed information received from the inmates.
5. PDPOC does not attend court to evaluate Public Defender performance.
6. PDPOC has neither investigated nor received any complaints from the Public Defender's clients in its capacity as an oversight committee.
7. Meetings of the PDPOC were held sporadically, Jan 28, Apr 22, Jul 8, and Nov 18, 2010.
8. The minutes of the PDPOC meetings are frequently poorly detailed and of inconsistent quality, making it difficult for the Grand Jury to determine what was actually addressed at meetings.
9. Notification of PDPOC meetings is posted only in the County Courthouse.

10. PD reported to the Grand Jury that the Public Defender Program realizes acquittal rates of 45 to 50%; even this does not reflect the actual success, which includes dismissals and negotiations.
11. The County Administrative office is responsible for PD contract compliance but the office delegates responsibility to the PDPOC to oversee the Public Defender Program.

Findings:

F 1. Clients of the PD have no means of contacting the PDPOC. There appears to be no avenue for complaints to be filed.

F 2. According to the PDPOC chairperson, input for evaluation of the Public Defender Program is limited to

- a talk with a judge,
- informal conversations reported back by a committee member during jail visits,
- and a report by the PD.

This constitutes the extent of the evaluation process by the oversight committee.

F 3. The Grand Jury does not understand how the PDPOC performs any meaningful or effective oversight with such a circular review.

F 4. The PDPOC monitors the Public Defender Program, yet has demonstrated no evaluation of the program other than what the PD reports.

F 5. It may be that the citizens of Lake County do not know that an oversight committee to monitor the PD exists. There is no listed telephone number for the committee. The meetings are not held regularly. The Grand Jury had difficulty contacting the committee to observe one of their open meetings.

Recommendations:

R1. Develop a visible avenue for contact with the oversight committee. (F1)

R2. Schedule meetings at regular intervals. (F5)

R3. Formal, professional-styled minutes be prepared and times of meetings be better published to satisfy the intent of the Brown Act. (F6)

R4. The Grand Jury's Government Services Committee conduct an annual oversight of the PDPOC.

Request for Responses:

Pursuant to Penal Code 933.05 (a) – (c), the Grand Jury requests responses as follows:

- County Administrative Officer via the Board of Supervisors (90 days)

- Public Defender Program Oversight Committee Chairperson via the Board of Supervisors (90 days)

Outline for the Creation of the Lake County Public Defender Program

I. Creating the Institutional Support for the Public Defender Program

A. Board of Supervisors
B. Chief Administrator's Program
C. Department Heads
D. Police Chiefs
E. Community-Based Organizations
F. Schools

II. Creating the Infrastructure Support for the Public Defender Program

A. Physical Work Site
B. Technology
C. Legal Reference Support (CEB, Jury Instructions, Practice Manuals)
D. Program Supplies

i. Letterhead and business cards
ii. Copy machines
iii. Scanning machines
iv. Telephones
v. Signage
vi. Social media

III. Creating the Staffing Support for the Public Defender Program

i. Executive Team

a. Mission and Vision
b. Policies and Procedures
c. County rules and regulations
d. Community Outreach
f. Supervision of overall day-to-day activities

ii. Attorney Team Functions

a. Felony
b. Misdemeanor
c. Juvenile
d. Mental Health
e. Holistic Representation
f. Immigration
g. Community Outreach

IV. Creating the Litigation/Employment/Human Resource Support for the Public Defender Program

i. County Administration
ii. County Counsel
iii. Human Resources

V. Creating the Recruitment and Payroll Support for the Public Defender Program

i. Human Resources
ii. Classifications
iv. Auditor-Controller/County Clerk

VI. Creating the Policy and Procedures Manual for the Public Defender Program

i. Lake County Policy and Procedures
ii. Conforming departmental policies to Lake County Policy and Procedures
iii. Review with Human Resources County Policy and Procedures
iv. Implementation of Policy and Procedures

VII. Creating the Governance Structure within the Public Defender Program

i. Public Defender
ii. Assistant Public Defender/ Senior Attorney
iv. Chief Trial Deputy/ Lead Attorney
v. Expectations of Executives and Supervisors

a. State required sexual harassment training
b. State Bar compliance (yearly updated bar cards/fingerprinting)
c. Fairness and Zero Tolerance Discrimination policy
d. Leadership training (CPDA Supervisor training)
e. Ensuring Competent Representation: Oversight and Evaluation
f. Ensuring reputation for excellence: Training and Legal Accomplishment

VIII. Creating the Supervision Structure within the Public Defender Program

i. Public Defender supervises all program and immediate reports

a. Immediate reports: Assistant Public Defender and Chief Trial Deputy
b. Review of Supervision of all staff

ii. Investigators are supervised by attorney if no Chief Investigator

iii. Clerical Support Staff supervised by Program Manager

iv. No evaluation of extra-hire/supervision for competency expected

IX. Creating the Internal and External Job Expectations for the Public Defender

i. Professional presence in state and national organizations
ii. Department Head responsibilities
iii. Community Outreach Lead and Coordinator

X. Creating the Retention Plan for the Public Defender and Public Defender staff

i. Competitive pay scale with contemporaneous counties
ii. Housing incentive
iii. Commute incentive
iv. FMLA
v. Remote work options
vi. Retention bonus

XI. Transition of Cases and Appointments on New Cases

i. Appointment on new cases (court or deputized to public defender)
ii. Conflict procedure (APD or Private Panel)
iii. Importing case information to case management system
iv. Business rules for chronological case file updates
v. Evaluation of appointment process
vi. Workload balance and overload
vii. Staff meetings
viii. Review of case resourcing
ix. Mentorship
x. Acknowledgement, encouragement, and improvement (AEI)

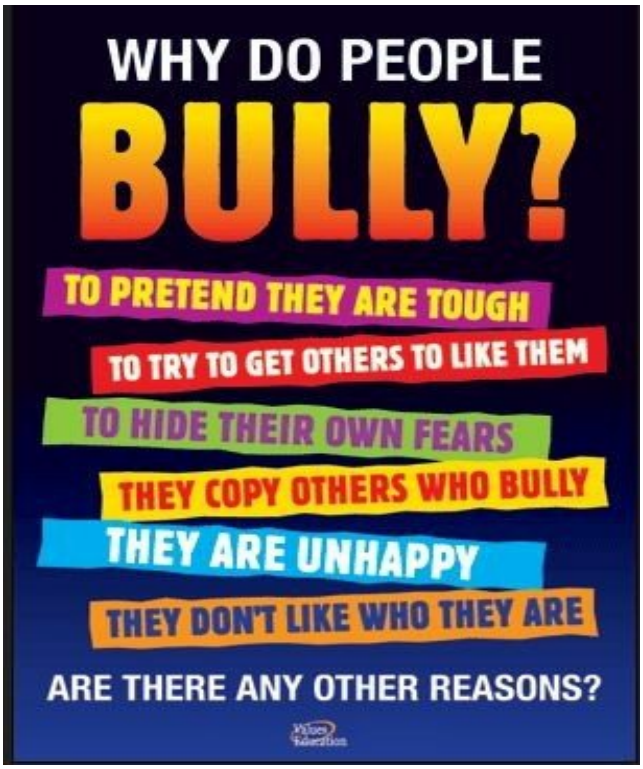
Bullying In Schools

SUMMARY

While bullying can occur at home, in the workplace, or in any social interaction, its occurrence in schools leaves lasting scars, with detrimental consequences including the extremes of suicide and mass shootings. School officials and parents often are not communicating productively about the causes of or solution to these widespread and disruptive incidents. Schools all have written policies that ban bullying, but discipline is often undermined by delayed consequences and disinclination to effect suspension or expulsion.

METHODOLOGY

The Grand Jury interviewed officials from the six school districts in Lake County and parents and students in four of the Districts. Further research was conducted into the reported incidence, causation, and management of school bullying nation- and statewide. California statutes addressing bullying were also reviewed.

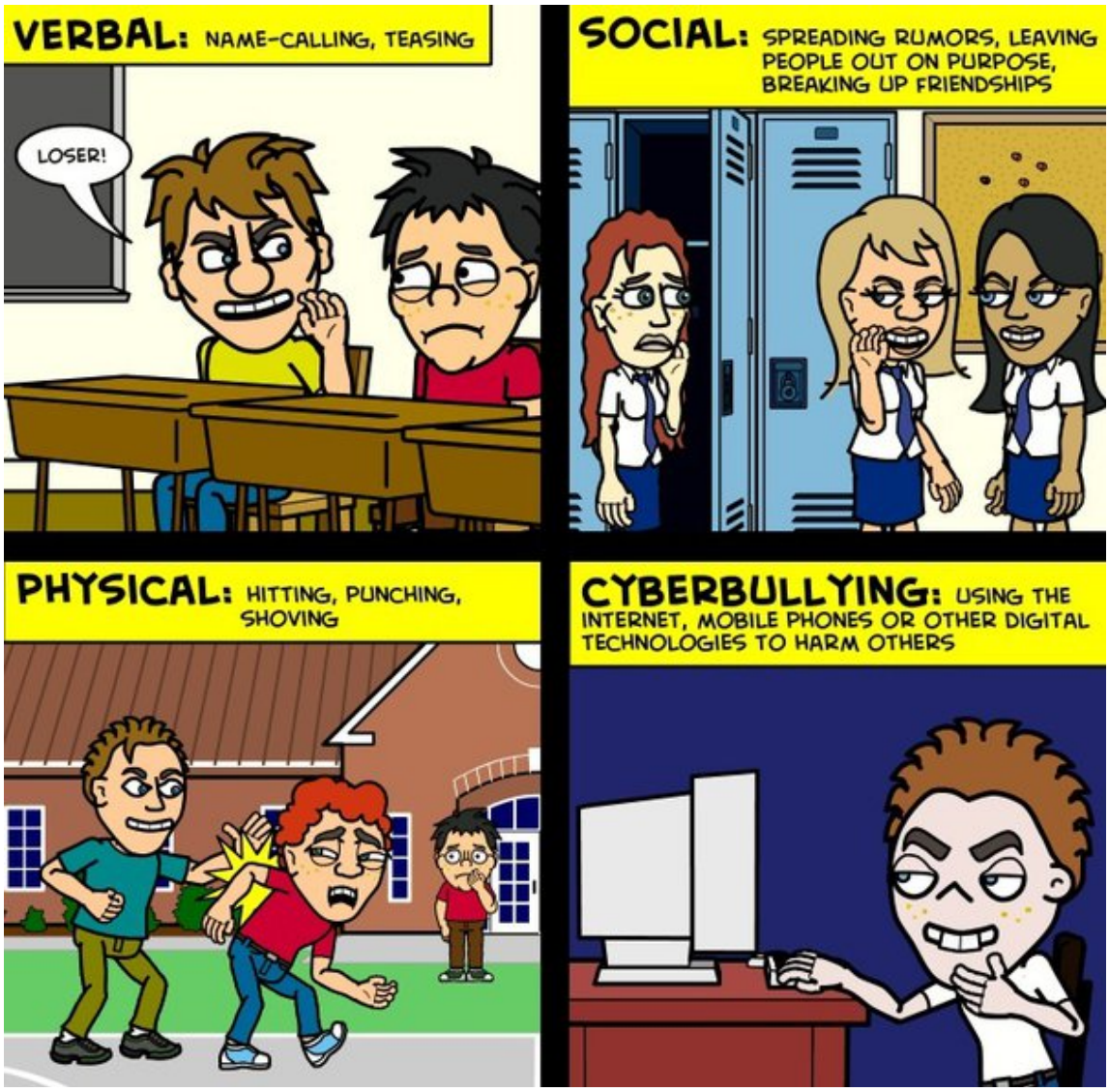


DISCUSSION

Bullying is defined as the systematic and chronic infliction of physical hurt and/or psychological distress of another and can be physical, verbal, social, or electronic (cyberbullying). Bullying is a learned behavior and starts at a very young age. Bottom-line, children are molded by the environment in which they are raised. The “learning” from the bullying behavior of adults can take two directions: either to replicate the bullying in order to dominate those around them or to submit to the bullying in order to stay safe in the face of overwhelming dominance.

TYPES OF BULLYING

Bullying may be Direct (a combination of both verbal and physical bullying) or Indirect (mainly verbal) or, a more recent development, Cyberbullying. Bullying involves a real or perceived power imbalance between those who bully and their targets.



Why is bullying so common in schools in the USA? – article from *Quora*

INCIDENCE

According to the Center for Disease Control (CDC), about **1 in 5 high school students** reported being bullied on school property. More than **1 in 6 high school students** reported being bullied electronically in the last year. While specific studies have revealed rates ranging from a low of 10 percent to a high of 75 percent of school-aged children who reported being bullied at least once during their school years, most studies indicate that approximately **15 percent to 20 percent of students** will experience bullying at some point from kindergarten through high school graduation

Based on one study's statistics, more than 160,000 students avoid going to school every day because of their fear of bullying. According to one exhaustive study cited by the California Department of Health and Human Services (DHHS), **29.3** percent of middle school students had experienced bullying in the classroom; **29** percent experienced it in hallways or lockers; **23.4** percent were bullied in the cafeteria; **19.5** percent were bullied during gym class; and **12.2** percent of bullied kids couldn't even escape the torture in the bathroom. The study also reported that **3** percent of girls, and **79** percent of boys report being bullied either in school or online.

EFFECTS

Bullying produces such negative effects as feelings of helplessness, frustration, and anger, leading to depression and anxiety. Poor attendance may result. The most stunning statistic was that **75** percent of school shootings have been linked to harassment and bullying against the shooter.

The percentage of students who kill themselves because of bullying cannot be accurately calculated. Our cultural narrative presumes that youths who are bullied are at greater risk for suicidal thoughts and behaviors, but research shows that bullies themselves are also at-risk. Suicide is the second leading cause of death between youths ages 10 to 14.

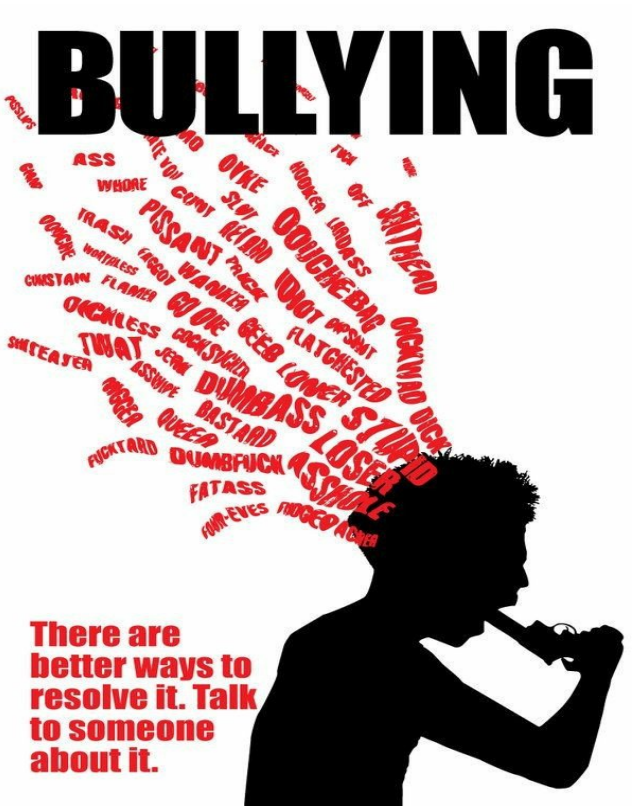
PARENTAL AWARENESS

Some signs that may point to a bullying problem are:

- Unexplainable injuries
- Lost or destroyed clothing, books, electronics, or jewelry
- Frequent headaches or stomach aches, feeling sick or faking illness
- Changes in eating habits, like suddenly skipping meals or binge eating
- Kids coming home from school hungry because they did not eat lunch
- Difficulty sleeping or frequent nightmares

- Declining grades, loss of interest in schoolwork, or not wanting to go to school
- Sudden loss of friends or avoidance of social situations
- Feelings of helplessness or decreased self-esteem
- Self-destructive behaviors such as running away from home, harming themselves, or talking about suicide

If parents notice any of these signs in a child or another student, they should discuss with the child and the teachers what is happening. One of the most important elements in preventing and solving bullying is the involvement of the parents in the lives of their children.



WHAT SCHOOLS DO AND CAN DO

In California, the law requires schools to have a policy on bullying and harassment that prohibits discrimination, harass -ment, intimidation, and bullying based on actual or perceived characteristics such as race, color, ancestry, national origin, ethnic group identification, age, religion, marital or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity or expression. The law also requires schools to investigate complaints of bullying and harassment and take ap-propriate action to address the negative behavior.

School administrators are responsible for all discipline. Teachers can send referrals to the office, but the principal or assistant principal processes those referrals and assigns a consequence. To one degree or another, administrators have their hands tied in terms of what consequences they can assign for various infractions of the rules.

Schools receive funding based on the number of full-time students. In 2012 in California, the Legislature basically tied the hands of both administrators and teachers with **AB 1729** and, in 2019, with **AB 420**. Both pieces of legislation curtail the use of suspensions and expulsions. California's legislature, also in 2019,

passed **SB 419** which made it nearly impossible to suspend students for even the most egregious acts of defiance and disruption.

If a bully commits a physical assault, he may be suspended, although a number of factors will come into play. For example, in California, suspension rates factor into school rankings. Schools that suspend a lot of kids will be ranked as lower performing. Schools that do not suspend students, even for bullying, will be ranked higher. The administrator who handles a physical incident likely will be doing mental calculations as to whether or not he can afford to suspend the bully.

The ethnic make-up of the group of students being suspended is also considered. If the bullying is done by a member of a historically disadvantaged group, and that group is over-represented among suspended students, the administrator might think he simply cannot take consequential disciplinary action without complaints alleging racism.

School officials try to talk a good game on bullying. In speeches and on school websites they will say:

But if they think it might hurt the school's ranking or draw the ire of the district administration or parents, they may take the path of least resistance.

Nonetheless, there are several ways schools can try to prevent bullying:

- Teach kindness and empathy. When students are able to approach ideas and problems from multiple perspectives, they are less likely to bully others.
- Create opportunities for connection. When students feel connected to their school community, they are less likely to bully others.
- Identify "gateway behaviors." Behaviors such as teasing can lead to bullying if left unchecked. By identifying and addressing these behaviors early on, schools can prevent bullying from happening.

- Use the arts to create context. Art and music can be powerful tools for creating empathy and understanding among students. Writing poems or skits may also teach others how best to help.
- Minimize “concentric circles” and cliques in schools, which means creating a school culture where everyone feels included and valued.
- Participate in role-playing exercises. Simulations can help students understand the impact of their actions on others.

Gaggle

Gaggle is an AI-powered school-monitoring software that analyses students’ Google and Microsoft accounts for communication content. All of the schools in Lake County are using Gaggle or some similar program. Its main goal is to notify school officials as soon as possible if there is a perceived threat to students’ physical or mental health. Gaggle flags communications and material that may signal a school and/or student safety risk with the help of an in-house team of certified safety specialists. Members of the Gaggle team who monitor these areas have backgrounds in relevant specialized fields. Using a combination of in-house artificial intelligence and human content moderators, Gaggle polices schools’ student laptops for suspicious or harmful content and images, which is intended to help prevent gun violence and student suicides. (*See*, the report America is Bleeding, above, for a more detailed discussion.)

Positive Behavioral Interventions and Support (PBIS)

PBIS is a three-tiered framework schools use to integrate all of the data, systems, and practices that affect students’ daily performance, with the goal that all students will succeed socially (behaviorally) and academically. Schools teach the students about good-behavior expectations and strategies that focus on safety and harm prevention, not punishment, in and out of the classroom.

Some examples of PBIS include:

- Consistent School-Wide Routines
- Logical Consequences
- Positive Environment
- Tangible Rewards
- Clear Expectations
- Praise

School Resource Officers (SRO)

School resource officers (SROs) are sworn law enforcement officers who work in elementary, middle and high schools. They are employed by a local police agency and are responsible for working with school administrators and teachers on not only crime prevention, but also on developing comprehensive safety plans to ensure that schools are safe places for students to learn.

Some of their duties include:

Internal dispute mediation: SROs are one of the first lines of interaction in terms of breaking up fights and de-escalating aggression between students or between students and staff. Some officers are trained in dispute mediation and may be able to help parties talk through differences.

Detention and arrests: If a student is caught breaking the law - drinking or using drugs, bringing a weapon to school or making threats - part of a SRO's job description may be to detain or arrest the offender. Lesser infractions may be remanded to the principal or vice principal for punishment such as detention or suspension.

Personal and property searches: Any **SRO** who has reason to suspect a student is breaking the law may be involved in conducting a physical search of backpack, vehicle, or locker.

School patrols: Their job description also includes patrolling school grounds, ensuring safety, looking for broken fencing or unlocked doors or gates, viewing video and closed-circuit TV security monitors, and watching for strangers or suspicious activity in or around the school campus.

Advanced safety functions: SRO duties may include supervising metal detectors in schools, staffing special events where large crowds are anticipated, and even directing foot and auto traffic. When necessary, they may supervise the safe loading and unloading of school buses.

Law enforcement education: They may give assembly presentations on subjects including school safety, the dangers of drug abuse and bullying, and online safety tips. SRO duties may also include being called upon to educate teachers and staff about various safety precautions and dangers.

Also, in a SRO's job description is helping to protect against theft and property damage, assisting during medical emergencies, and reducing the incidence of 9-1-1 calls from schools to emergency responders.

There has been much recent debate of the appropriateness and effectiveness of assigning SROs to schools. Their success is affected by their special training, the racial makeup of the school, and the officer's individual personality. They must have a number of professional and personal traits that allow them to integrate successfully into a school environment, such as

- Even temper
- Patient attitude
- Ability to intercept and mediate arguments and fights
- Ability to interact well with children and adolescents

In addition to the services they provide, resource officers also model moral and ethical police behavior for students to help promote better relationships between the public and law enforcement officers. Ideally, they are also proactive, working in a counseling role, helping to avert a crisis before it gets out of control. They may meet with and counsel troubled students, refer students to outside social services as necessary, participate in parent conferences, and play a role in disciplinary action as necessary. SRO duties may include working as part of the school staff, as well as part of their police department, in a liaison capacity.

Lake County Schools

The Grand Jury interviewed and interacted with the superintendents of six school district in Lake County regarding the issue of bullying. The following chart is an overview of the services and procedures that are in place in each district.

	Kelseyville	Konocti	Lakeport	Lucerne	Middletown	Upper Lake
PBIS	Yes	Yes	Yes	Yes	Yes	Yes
SRO	Yes	No	Yes	Yes	No	Yes
Counselor	Yes	Yes	Yes	Yes	No	Yes
Gaggle	Yes	Yes	Yes	No	Yes	Yes
Nurse	Yes	Yes	Yes	No	Yes	No
Staff Training	Yes	Yes	Yes	Yes	Yes	Yes
Assemblies	Yes	Yes	Yes	Yes	Yes	Yes
Parental Groups	Yes	Yes	Yes	No	Yes	Yes
Complaint forms	Yes	Yes	Yes	Yes	Yes	Yes
Notification of parents	Yes	Yes	Yes	Yes	Yes	Yes
Student education	Yes	Yes	Yes	Yes	Yes	Yes

Clear guidelines code of conduct	Yes	Yes	Yes	Yes	Yes	Yes
Weapons policy	Yes	Yes	Yes	Yes	Yes	Yes
Food program	Yes	Yes	Yes	Yes	Yes	Yes
Laundry service	Yes	Yes	Yes	Yes	No	Yes
Clothes closet	Yes	Yes	Yes	Yes	Yes	Yes
Metal detector	No	No	No	No	No	No

Additional Information

1. **Kelseyville**

   - Schools monitor student behavior for incidents on campus from one hour before and until one hour after school

2. **Lakeport**

   - Breaking Down the Walls (Ignite to Unite) – 170 students are in each group. This is a student training program that helps them appreciate differences.
   - For homeless students, gas cards are available for travel

3. **Upper Lake**

   - Every student is required to participate in an after-school activity

FINDINGS

F-1: Students do not feel safe at school.

F-2: Teachers do not have sufficient authority and responsibility for dealing with bullying incidents.

F-3: There are not enough trained school resource officers in use.

F-4: Students need more education regarding bullying.

F-5: Improved communication is needed between schools and families.

F-6: There are no metal detectors in the Lake County schools.

F-7: Students benefit from after-school programs including the arts and sports programs.

RECOMMENDATIONS

R-1: That the School Districts develop clear and effective policies regarding student safety, including bullying. (F-1)

R-2: That the School Districts develop clear lines of authority and responsibility for immediate response to bullying incidents. (F-2)

R-3: That the School Districts expand their use of well-trained school resource officers. (F-3)

R-4: That the School Districts develop and implement additional educational programs for students regarding bullying. (F-4)

R-5: That the School Districts expedite communication and follow-through with parents regarding bullying, emphasizing consequences, prevention, and resolution. (F-5)

R-6: That the School Districts install metal detectors in the schools. (F-6)

R-7: That the School Districts provide after-school programs that build skills and enhance growth. (F-7)

REQUESTS FOR RESPONSES

Pursuant to Penal Code § 933.05 (a)(b)(c), the following responses are required**:**

Kelseyville Unified School District	
(R-1, R-2, R-3, R-4, R-5, R-6, R-7)	60 days
Konocti Unified School District	
(R-1, R-2, R-3, R-4, R-5, R-6, R-7)	90 days
Lakeport Unified School District	
(R-1, R-2, R-3, R-4, R-5, R-6, R-7)	90 days
Lucerne Unified School District	
(R-1, R-2, R-3, R-4, R-5, R-6, R-7)	90 days
Middletown Unified School District	
(R-1, R-2, R-3, R-4, R-5, R-6, R-7)	90 days
Upper Lake Unified School District	
(R-1, R-2, R-3, R-4, R-5, R-6, R-7)	90 days

"WISTFUL"

Flooding In Upper Lake and the Hitch

SUMMARY

Efforts to control flooding in Upper Lake date from the early part of the 20th Century. Now two projects, the Middle Creek Flood Control Project and the Middle Creek Flood Damage and Ecosystem Restoration Project, have been created to address them.

This report will also focus on the change of water quality in Clear Lake, the lack of flow to facilitate spawning of the hitch, and the drastic decline in the numbers of hitch. As early as 2014, the Clear Lake hitch were designated as a threatened species under the California Endangered Species Act. In February 2023, the Board of Supervisors of Lake County proclaimed the potential endangerment of the hitch. The hitch is a sub-species of a minnow (*Lavinia exilicauda chi)* which is endemic to Clear Lake. In May 2023, the U.S. Fish and Wildlife Service declined to emergency list the hitch as an endangered species. Currently, it is against the law to catch, hold, or endanger the hitch in any way.

METHODOLOGY

An initial complaint regarding the lack of maintenance of the levees, resulting in continuous flooding, was filed by a long-time resident of Upper Lake. Information on flooding and photos was also supplied by a former member of the board of the Western Region Town Hall and also an inspector for the state water board.

Two administrators of the Department of Water Resources in Lakeport were interviewed, as well as a retired biology teacher from a local college; and an activist very familiar with the hitch who is also a retired attorney and a farmer. A resident of Upper Lake was also interviewed who sued the county for damages to their property, business, and equipment after flooding occurred in February of 2019. In addition, the Northshore Fire Chief and a staff member from Office of Emergency Services (OES) were interviewed

The Grand Jury made several trips to the levees, which provided first-hand knowledge of the conditions of the levees. The Grand Jury also attended monthly meetings of the Western Region Town Hall in Upper Lake and the Board of Supervisors meetings in Lakeport, particularly those meetings that focused on the status of the hitch.

BACKGROUND

Levees to reclaim the lakebed for agricultural use date back to the 1920's in the area commonly known as the Reclamation Area. Efforts to protect the community of Upper Lake from flooding began in 1954 with Congress authorizing a federal flood control project known as the Middle Creek Flood Control Project.

Some causes of the hitch decline include prolonged drought in the past several years, an overtaxed water distribution system, pesticides, runoff from vineyards and marijuana grows, and predatory non-native game fish.

DISCUSSION

RECENT HISTORY OF UPPER LAKE FLOODING

The poor condition of the levees in Upper Lake and the risk of flooding prompted a special workshop on September 28, 2022 at the Habematolel Community Center. The workshop was intended to call attention to the deteriorating condition of the levees, which no longer held the water flow back during stormy seasons, thus leading to flooding. There are 348 properties in Upper Lake that have a greater than 26% chance of being severely affected by flood over the next 30 years. These properties represent 84% of all the properties in Upper Lake.

Efforts to control flooding in the Upper Lake area, dates from the early 1900s. Levees to reclaim lakebed for agricultural use date from around the 1920s in the area commonly called the Reclamation Area. Efforts to protect the community of Upper Lake began in 1954 with Congress authorizing a federal flood control project, known as the Middle Creek Flood Control Project. The U.S. Army Corps of Engineers constructed the project in 1958. The levees upstream of the Middle-Scotts Creek confluence were constructed between 1959 and 1961, in substantial accordance with the design plans.

After several failures in the construction of the levees in the Reclamation Area and application of some emergency measures during construction, the project was completed in 1966. The completed levees were not in accordance with normally accepted engineering standards at the time. The State however conditionally accepted the levees in the Reclamation Area into the project.

In 1960, the Lake County Flood Control and Water Conservation District and the State Reclamation Board entered into an agreement to provide routine maintenance, flood fighting, and levee patrolling. Maintenance of the Clover Creek channel was performed by the State until 1996. In April of 1996, California Department of Water Resources informed the District that they would no longer maintain the channel improvements and Clover Creek in accordance with the 1960 agreement.

Since 1966, the operation and maintenance of the Upper Basin (Clover Creek and Middle Creek area) have been maintained by the district with funding collected from the property tax which is placed in the District Zone 8 budget. The Reclamation Area is also known as the Lower Basin. The Lower Basin Benefit Assessment tax did not pass, and operation and maintenance were relinquished to the State.

The maintenance of the Lower Basin area is now performed in State Maintenance Area number 17 (MA-17). The levees and channels in the Upper Basin are maintained by the District. Operation and maintenance activities were to include:

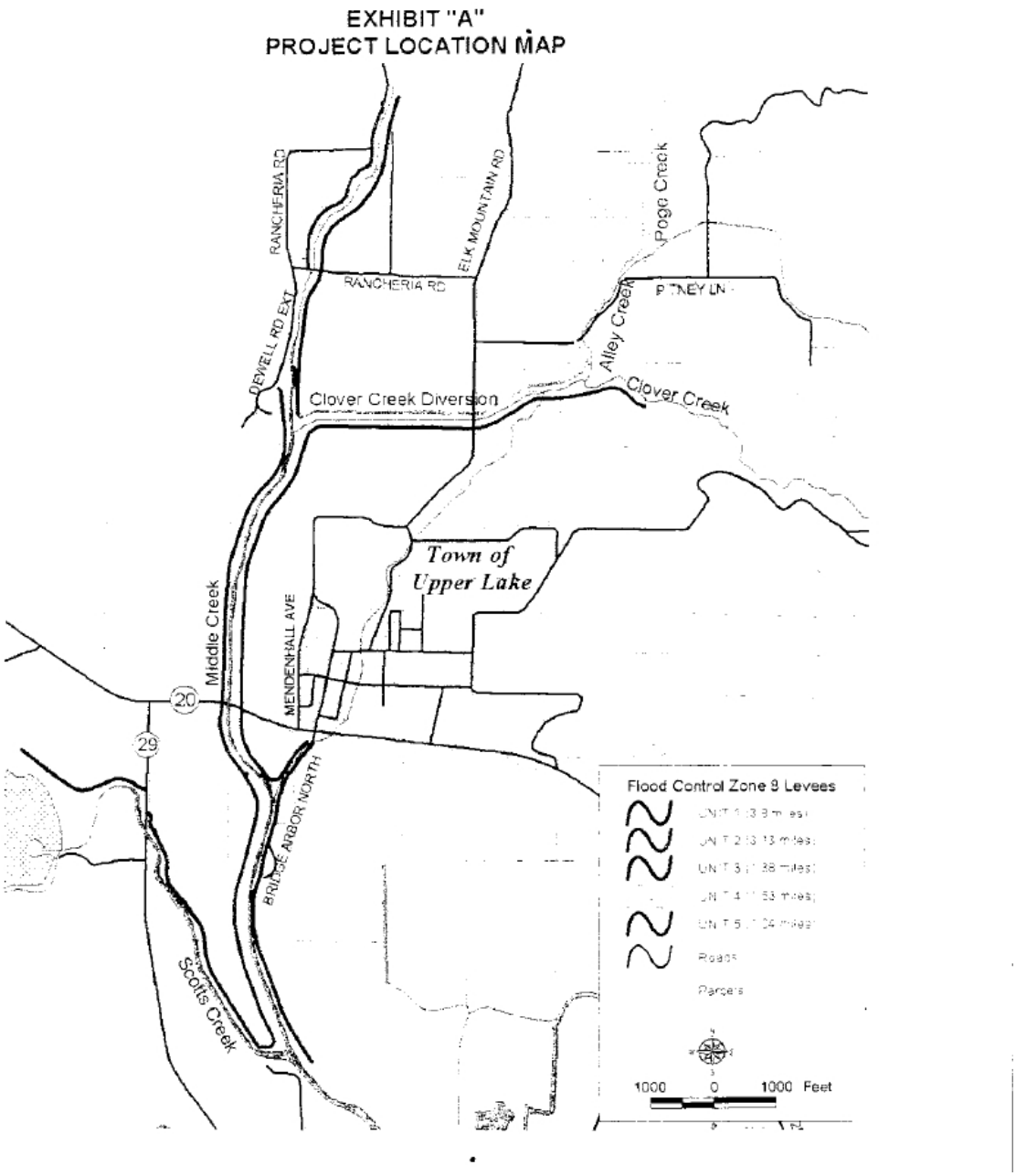
- Levee patrolling, especially during and after high water events
- Emergency flood lights as needed
- Mowing of grass
- Control of weeds with herbicides
- Removal of excess woody growth (trees and bushes) within the levee easements
- Maintenance of levee roads
- Removal and trimming of trees and brush within the creek's active channel area
- Periodic removal of sediment deposits

The Lake County Watershed Protection District, formerly known as the Lake County Flood Control and Water Conservation District, operates and maintains the Middle Creek Flood Control Project in Upper Lake. The project consists of 14.4 miles of levees, a pump station, and a diversion channel to divert Clover Creek overflow around the town of Upper Lake. The upper portion of the project protects the community of Upper Lake from flooding by Middle Creek and Clover Creek. The lower portion of the system protects farmland and some residences from inundation by Clear Lake.

The area of concern continues to be the Middle Creek and Clover Creek diversion levees. If a 100-year flood event occurred, the levees would fail and approximately 1100 residents would be at risk.

RECENT EVENTS

On October 24, 2022, an atmospheric river event occurred. According to one of the land owners in Upper Lake, they received nine inches of rain in nine hours. Flooding in Upper Lake, specifically at Maddox Court where the waters from Middle Creek and Clover Creek merge, not only inundated the courtyard but also flooded Main Street down to and including parts of Highway 20.



This year, by the middle of April, there had been three atmospheric events. In order to prevent recurrent flooding, three alternatives were suggested. The first alternative calls for raising the 2.7 miles of the Middle Creek and Clover Creek Diversion and improving them to withstand a 100-year flood event. This alternative addresses the freeboard (the distance between the normal water level and the top of the levee rising out to the water) deficiency and extends Clover Creek's left bank by 1000 feet.

The second alternative requires sediment management and vegetation clearing, plus all the measures in Alternative one. The third alternative includes also raising the freeboard to be above the 100-year plan, and includes additional emergency evacuation plans. Because nothing has been done in several years regarding the levees, they are now overgrown with vegetation, trees, and sediment. As of the writing of this report, no decision has been made regarding these alternatives and no action has been taken.

Before 2023, it appears that nothing had been done to prepare for a number of flooding events happening one right after another. However, the Middle Creek Flood Damage and Ecosystem Restoration Project is proceeding as planned, and the Reclamation Area (MA-17) is proposed to be restored as a functional part of Clear Lake when completed.

This project would cover 1650 acres south of Upper Lake to Rodman Slough, and also a part of the Nice/Lucerne Cutoff. The objective of this project is mainly to develop a wetland which would alleviate the problems of flooding to Upper Lake. The project would re-direct the waters of Middle Creek to the wetlands and also provide additional spawning grounds for the hitch. Other parts of the wetlands could also be used for recreational purposes.

In order to create the wetlands, there are 22 properties that need to be purchased from 18 owners with monies from several sources. That includes $15 million dollars from the California Department of Water Resources, in addition to 12 million dollars already donated to this project. Our assemblywoman was instrumental in securing the additional $ 15 million dollars from the department. Also, another $650,000 was offered by our congressman, in the form of a grant.

At this time, there are only four more properties that need to be obtained from reluctant sellers. The Lake County Department of Water Resources is hopeful that they will not need to use eminent domain to acquire the remaining properties. Currently, there are several members of the community working with these sellers to convince them that this project is very necessary and will benefit the entire community, not only the people in Upper Lake.

Even with the millions of dollars secured already, more money is needed. One of the reasons is that the sponsor of the project, the Department of Water Resources in Lakeport, is required to pay 35% of the cost of future phases of the project. However, Water Resources does not have that amount of money in its budget, and it is likely they will have to reach out to potential partners for the remaining money. Current and potential partners include:

- U.S. Army Corps of Engineers
- Central Valley Flood Protection Board

- CA Dept. of Fish and Game/Wildlife
- Conservation Board
- CA State Water Control Board
- Central Valley Regional Water Quality Control Board
- CA Bay-Delta Authority
- CA Dept. of Water Resources
- Local Native American Tribes
- Resource Conservation District
- Lake County Special Districts
- Lake County Watershed Groups
- Non-profit Organizations

To many people, the project to create the wetlands, prevent flooding to Upper Lake, and also save the Hitch is taking a long time. A project of this size has many requirements that must be met. For example, it takes eight months to get an appraisal on a single property. Any changes to the project have to be coordinated with several agencies such as the Department of Fish and Wildlife, the California Water Resource Agency based in Sacramento, and the U.S. Corps of Engineers. A soil sample of each property has to be tested; this requires time and permits, that can cost as much as $5,000.

In the meantime, levees must be maintained, including mowing, maintenance of the flood gates, and gravel and silt removal. The funding for the maintenance of these levies was to come from the monies added to the taxes levied on the residents of Upper Lake. However, the $90,000 appropriated for this purpose was insufficient to perform these ongoing tasks.

With all these changes, the Deputy Director of Lake County Water Resources is still optimistic that the four remaining properties will be purchased, the money will be raised to cover the cost of development, and the work will be completed in the next year or so. Until this happens, the levees in Upper Lake will be needed, the residents will have to purchase sandbags to prevent flooding of their homes, and the hitch will not have additional places to spawn and multiply.

EFFECT ON THE HITCH

Over the last six years, the number of hitch has declined significantly, and now many local agencies consider it to be an endangered species. Recently, an emergency was declared by the Board of Supervisors regarding the status of the hitch. Part of the reason for the decline of the hitch is the pollution of the waters of Clear Lake from chemicals such as cyanotoxins. These chemicals, commonly referred to as blue/green algae, are particularly harmful to adults, children, animals and fish. Runoffs from agricultural properties and cannabis farms contain insecticides and fertilizers. These are meant to control insects, but affect the health of crops, the hitch, and the lake.

SOLUTIONS FOR THE HITCH

The CA Dept. of Fish and Wildlife (CDFW) has committed to ongoing coordination with Clear Lake Tribes; state, local and federal resource agencies; landowners and others to help facilitate projects to protect and increase stream flow during Clear Lake hitch migration and spawning. In addition, CDFW has also committed $2 million to implement barrier-removal projects over the next three years. Working with Tribes and Lake County Land Stewards, CDFW will accept proposals in the next 90 days to remove barriers to hitch migration. The coalition that was created includes Big Valley Band of Pomo Indians, Robinson Rancheria Pomo Indians of California, Habematolel Pomo of Upper Lake, Scotts Valley Band of Pomo Indians, Middletown Rancheria band of Pomo Indians California, Elem Indian Colony, Lake County Farm Bureau, Lake County agricultural community, Lake County Land Trust, Lake County, CA Fish and Game Commission, State and Regional Water Boards, CA Dept. of Water Resources, Blue Ribbon Committee on the Rehabilitation of Clear Lake, the CA Natural Resources Agency, and U.S. Fish and Wildlife Service.

FINDINGS

F-1: The town of Upper Lake continues to flood regularly.

F-2: Restoring the wetlands will alleviate flooding in Upper Lake.

F-3: The Hitch have declined significantly, and additional spawning grounds are needed for them to increase their numbers.

RECOMMENDATIONS

R-1: That the Department of Water Resources and the Board of Supervisors secure the funds to complete the process for the restoration of the wetlands. (F-1, F-2)

R-2: That the Department of Water Resources and the Board of Supervisors determine a reasonable completion date for the wetlands project which will include development of additional spawning grounds for the hitch. (F-3)

RESPONSES

According to Penal Code Section § 933.05 (a)(b)(c), the following responses are required:

Department of Water Resources	(R-1), (R-2)	90 Days
Board of Supervisors	(R-1), (R-2)	90 Days

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Voting in Lake County

SUMMARY

The Grand Jury investigated the planning for and the execution of the November 8, 2022 election in Lake County. The Grand Jury was impressed with the professionalism and security with which the election was conducted. Recommendations for future elections will be made in this report.

METHODOLOGY

Prior to Election Day, interviews were conducted with the current Registrar of Voters and former polling place workers to learn of previous experiences and the expectations for November 8th.All 22 polling locations in Lake County were visited on Election Day. Polling place closing practices were observed, and an attempt was made to observe Election Evening procedures at the Registrar's Office in Lakeport. The legally mandated one percent recount was witnessed, and follow-up interviews were conducted with the Registrar and Election Day workers in the weeks following the election.

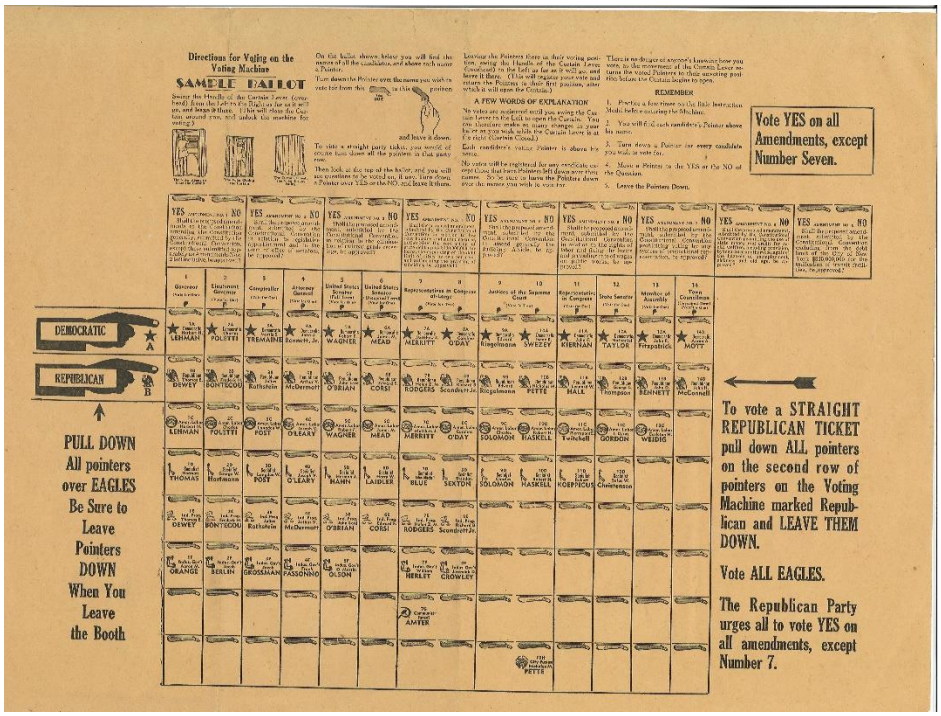
DISCUSSION

PREPARING VOTERS FOR ELECTION DAY

Approximately six weeks prior to Election Day, all registered voters received a “sample ballot” in the mail. Sample ballots had the registered voters’ names, addresses, and identification of their specific polling places. A week or so after receiving their sample ballots, voters received a rather lengthy “voter information” booklet that included all statewide races, statements from candidates, and arguments in favor of, or opposed to, various propositions appearing on their ballots. Finally, about a month before Election Day, all registered voters received their ballots, with each ballot having a unique tracking number, a postage-paid envelope, and instructions on how to vote legally - including the essential step of where to sign their mail-in ballot envelopes. Even voters who choose to return their mail-in ballots at polling places on Election Day must use the envelope that came with their mail-in ballot and must sign the envelope.

PREPARING FOR ELECTION DAY

Lake County currently has 80 precincts and 22 polling places staffed by 34 boards. Each board consists of two Clerks, one Judge, one Inspector, one Vote-by-Mail clerk, and, if needed, one voter machine technician per polling site. The technician role is sometimes covered by a Judge or Inspector. Each of these roles requires a one-to-two-hour training prior to Election Day conducted by the Registrar of Voters. Each training focuses only on one specific role.



Official Ballot from the 1940's

ELECTION DAY PROCEDURES

Each board member works a minimum of fifteen hours on Election Day. Inspectors collect all materials needed for their assigned polling place. Judges conduct regular checks of the security of their polling place and hand out ballots. Clerks confirm that persons requesting ballots are registered.

On Election Day November 2022, there were 37,165 registered voters in Lake County. Of these, 20,362 (54.8%) chose to vote. The voter details are listed in **Exhibit A** below. The least active polling place had 39 voters and the most active had 191. In contrast, during the November 2020 election, 3,839 voters chose to use their polling place. Some voters expressed that they do not trust the Post Office to deliver their ballots in a timely manner. Many voters did not understand that they had the option to choose to be notified by the Registrar once their ballots are received and when they are counted. If voters decided that they preferred to turn their ballot in at polling places on Election Day, they were required to bring with them both their ballot and the encrypted envelop. Also, voters are required to sign the provided envelop before submitting their ballot to polling place officials.

In the event that voters did not bring in any of their official ballot materials, they were issued a *provisional* ballot subject to later verification by the Registrar's Office to prevent people from voting twice. Persons who had not registered prior to Election Day could vote if they provided State-issued identification at their polling place on Election Day. These ballots were also considered *provisional.* As long as ballots were postmarked by Election Day and received within seven days, these votes were counted.

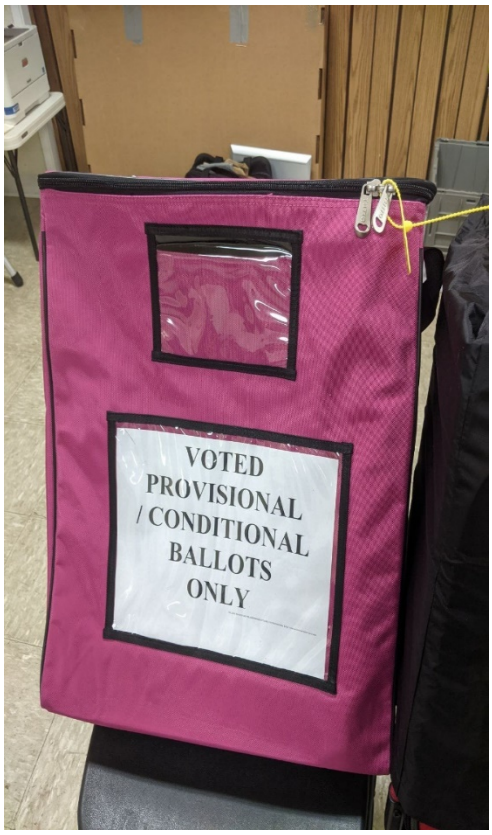
Additionally, six Drop-off Boxes were maintained in various locations around the County for a month prior to the election for voter convenience. For the November 2022 Election, 2,479 voters returned their ballots via drop boxes and 4,542 returned their ballots in person at polling places.

Exhibit A

Location	Total Visitors	VBM Dropoffs	In Person	Provisional Voters	CVR Voters	Days Open
Registrar of Voters Office	892	856	NA	22	14	E-28
Middletown Lions Club	119	225	86	31	2	E-0
HVL Fire Station	90	325	76	10	4	E-0
HVC Services Dist Office	165	245	20	134	11	E-0
Lower Lake Methodist Ch.	81	308	52	23	6	E-0
First Baptist Church	120	107	97	18	5	E-0
Clearlake City Hall	144	166	119	21	4	E-0
Highlands Senior	152	218	117	26	9	E-0
Community Baptist Church	85	174	8	73	4	E-0
Lutheran Church Hall	122	146	53	63	6	E-0
Orchard Shores Clubhouse	149	238	40	102	7	E-0
LDS Church	101	163	21	78	2	E-0
Lakeport Senior Center	44	65	41	2	1	E-0
Lake County Offi. of Ed	67	79	31	35	1	E-0
ScottsValley 'Clubhouse	62	82	14	47	1	E-0
Seventh-Day Adventist	112	0	92	19	1	E-0
Big Valley Grange	100	89	20	78	2	E-0
Buckingham Homeowner's	86	143	26	58	2	E-0
Kels Presbyterian Hall	191	233	164	22	5	E-0
Galilee Lutheran Church	39	46	12	27	o	E-O
Clearlake Riviera Association	106	232	21	80	5	E-0
Little Red Schoolhouse	151	248	124	21	6	E-O
ROV Office & Polling Place Total	3,284	4,542	1,290	1,038	100	
Location	Drop Box					Days Open
Drop Box - County Courthouse	1,038					E-28
Drop Box - Lakeport Library	444					E-28
Drop Box - Upper Lake Library	200					E-28
Drop Box - Clearlake Library	467					E-28
Drop Box - Middletown Library	206					E-28
Drop Box - Child Support Services	124					E-28
Drop Box Total	2,479					

Please note: “E-0” is Election Day. Total visitors to Registrar’s office is a 28 day total

OBSERVING ELECTION DAY



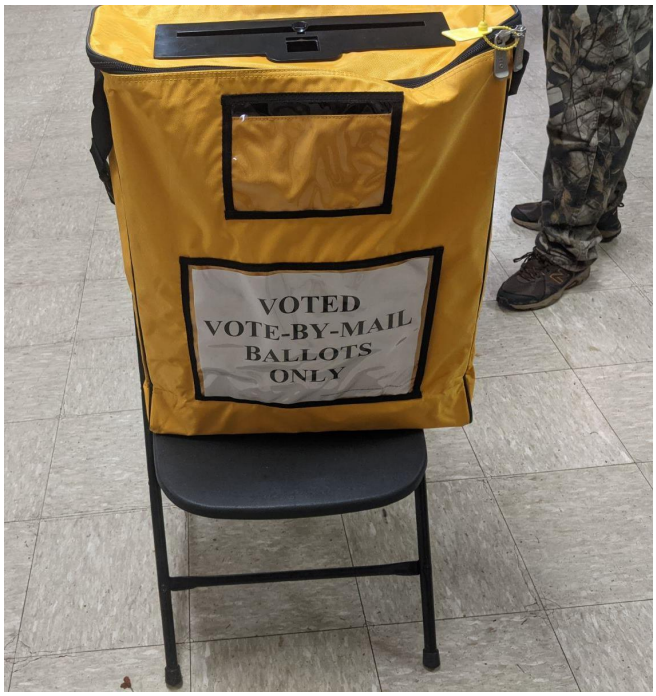
Any citizen can choose to be an Election Day Observer, subject to a brief training with credentials being issued by the Registrar. Additionally, there are two roving inspectors randomly visiting polling places and reporting to the Registrar's Office. As questions arise during Election Day, poll workers use Registrar-issued cell phones to call in with any questions. However, some polling places expressed frustration at not being able to get connected with the Registrar.

Our observers noticed quite a difference between polling places in terms of voter activity. Some locations, such as Clearlake Oaks, Cobb, and the Seventh Day Adventist Church in Lakeport seemed to be steadily busy, while others, such as Galilee Lutheran Church, the Scott's Valley Women's Center, and the LDS Church in Lakeport were less active.

For unclear reasons, some workers, especially along the North Shore, had difficulty reaching the Registrar's Office with the County-issued cellphones, but they were able to get through on their personal cellphones.

The Registrar's office provides Election Day Observers with written guidelines, some of which seem self-evident, and some of which require further explanation. Observers are asked to follow established County observation rules/policies without any explanation as to what those are. Observers are told that they may observe election-related activities at the central counting site on Election Day and view vote-by-mail and provisional ballot processing, however, due to a communication error, neither of these were allowed on November 8, 2022. Next year's panel will be permitted to observe all procedures at the Courthouse office.

Election Day workers are subject to various checks and balances throughout Election Day to ensure election security and public access to who is voting. After polls close, all workers participate in spoiling unused ballots, sealing ballots in designated bags with uniquely numbered seal ties, and collecting all polling place materials. Once everything is in order, two poll workers must travel together directly to the Registrar's office to surrender all these materials. Grand Jurors were not permitted to observe return procedures.



FINDINGS

F-1: Some Election Day workers do not fully understand all aspects of polling place practices and procedures because they only attend role-specific trainings.

F-2: Not all polling places were equally active on Election Day.

F-3: All registered voters receive an encrypted, postage-paid envelope along with their official ballots by mail about a month prior to Election Day.

F-4: All envelops must be signed by the registered voter for verification by the Registrar's Office.

F-5: Many voters prefer to drop off their completed ballots at their polling places on Election Day.

F-6: Election Day workers on the north side of the County expressed frustration at not being able to get through to the Registrar's office on the cellphones they were issued. No such frustrations were reported on the south side of the County.

F-7: Public Observer and Grand Jury Observer training and orientation procedures require clarification.

RECOMMENDATIONS

R-1: That the Registrar of Voters develop a training video for all poll workers that includes all aspects of polling place practices and procedures. (F-1)

R-2: That the Registrar of Voters emphasize repeatedly in its print materials the proper use of vote-by-mail ballots, including highlighting the location of the signature block on the envelop and reiterating the necessity of bringing both the envelope and ballot when voting in person. (F-3, F-4, F-5)

R-3: That the Registrar of Voters assess the reliable connectivity of County-issued cellphones given to poll workers. (F-6)

R-4: That the Registrar of Voters recognize the difference between Registrar-trained Election Day observers who are members of the public and Grand Jury observers. (F-7)

RESPONSES

According to Penal Code § 933.05 (a) (b) (c), the following responses are required:

Registrar of Voters	R-1, R-2, R-3, R-4	60 days.

TAX COLLECTIONS AND PROPERTY ASSESSMENT IN LAKE COUNTY

SUMMARY

Both the Treasurer-Tax Collector and the Assessor-Recorder in Lake County are elected officers. The Assessor/Recorder has held this position for eight years. The Treasurer-Tax Collector, though elected in June of 2022, did not assume office until January of 2023. Property owners in Lake County often experience long delays in getting an assessment or a property tax bill. Even if Fiscal Year Tax Statements are on time, taxpayers might find themselves waiting for months for their checks to be cashed. Both officers admitted that their office phones had been turned off, so getting a clerk on the phone who can help taxpayers understand delays in payment processing is often frustrating. Both officers are aware of challenges in their departments and are working toward solutions.

METHODOLOGY

The Grand Jury interviewed both the current Treasurer-Tax Collector and the Assessor-Recorder to understand the reasons for backlogs and staffing problems and plans for improving services. The Grand Jury monitored several Lake County social media sites expressing concerns regarding these issues. The Grand Jury also spoke with various property owners.

DISCUSSION

Assessing properties is a meticulous process during the best, most stable of times. Due to a preexisting backlog, coupled with the breadth of devastation experienced by Lake County property owners during various natural disasters, the backlog of assessments for property owners to receive property tax bills has grown exponentially.

When first elected, the current Assessor-Recorder declared that it would take ten years to clear the backlog. It can take up to two years for an individual assessment. The Assessor-Recorder stated that his office is on track to meet the ten-year goal.

The value of personal watercraft is determined by reference to the Kelly Blue Book. The market for watercraft grew substantially during the Covid years because supply never met demand, so assessed values increased. With the easing of the pandemic, the assessed values of boats are expected to normalize.

Over 62,000 tax bills are sent out to property owners in mid-September. Lake County currently uses an outdated system for processing payments, resulting in only a few thousand bills being processed during a normal work week. Some taxpayers may not see their checks cashed for many weeks or even months. A check sent by a property owner in early November may not be processed until late winter or early spring. Frustrated taxpayers call or visit the Treasurer-Tax Collector's office inquiring about the delay. Often, phones go unanswered in both the Assessor-Recorder's and the Treasurer-Tax Collector's offices. Taxpayers who choose to pay by credit cards are charged a 2.3% fee, which is the amount of the fee charged to the County.

The new Treasurer-Tax Collector inherited an inefficient process. The software in use had not been updated for years. The system used for processing checks was also inefficient and time consuming. Checks were batched and transported to another processing center weekly via Brinks.

Any small payment error found in a taxpayer's paperwork causes the process to be interrupted, to be dealt with at a later time. Both the Assessor-Recorder's office and the Treasurer-Tax Collector's office are understaffed by 20 to 30%. This low-staff level contributes to additional delays in the process. A taxpayer could even be charged late fees because of this delay, although these fees can be reversed..

Major changes are in process at the Treasurer-Tax Collector's office. Software upgrades have been ordered, checks will soon be electronically transferred, and an outside agency may soon help expedite processing in the Treasurer/Tax Collector's office. Staffs in both the Treasurer-Tax Assessor and Tax Collector-Recorder's offices are being cross-trained to perform several kinds of tasks based upon the type of work deemed most urgent. These changes are expected to reduce processing times to one to two weeks.

FINDINGS

F-1: The modernization of software and processing systems in the Treasurer-Tax Collector's office is long overdue.

F-2: When phones are turned off, calls from the public go unanswered in both offices, with no option to leave a message.

F-3: Any payment errors found in the taxpayer's paperwork may cause further delays in the process.

F-4: Electronic transfer of checks, estimated to begin in Fall 2023, will greatly expedite processing times.

F-5: The Treasurer-Tax Assessor expects the backlog to be resolved by the end of 2024.

F-6: Taxpayers are charged a fee of 2.3 % to pay their bills with a credit card.

RECOMMENDATIONS

R-1: That the Treasurer-Tax Collector and Assessor-Recorder's offices answer taxpayers' calls promptly or have an option for taxpayers to leave a message. (F-2)

R-2: That the Treasurer-Tax Collector, upon detecting an error in the tax payments, contact taxpayers immediately to resolve the problem. (F-3)

R-3: That the Treasurer-Tax Collector absorb the credit-card payment fee. (F-6)

RESPONSES

According to Penal Code § 933.05 (a) (b) (c) the following responses are required:

Treasurer-Tax Collector	R-1, R-2, R-3	60 days
Assessor-Recorder	R-1	60 days

Lakeport

ELIJAH HOUSE: HERE TODAY, GONE TOMORROW

SUMMARY

In July 2020, the Board of Supervisors approved the agreement with Oroville-based Elijah House Foundation to operate temporarily a COVID-19 homeless shelter in a portion of the former Juvenile Hall outside Lakeport. The shelter offered housing "navigation," case management, employment development, and addiction counseling.

After operating for two years until August 2022, it quite suddenly gave notice to the residents and the County that it would be closing, allegedly because the State cancelled its non-profit status. In retrospect, had Behavioral Health Services vetted the organization, it would have found that it was out of compliance with California Attorney General's Office nonprofit filing requirements. Several financial and management irregularities subsequently came to light prior to and during the Grand Jury's as-yet incomplete investigation.

METHODOLOGY

The Grand Jury interviewed Behavioral Health senior personnel, a former Elijah House manager, several former residents of Elijah House, and specialists in the management of the homeless. They also perused hundreds of emails between Elijah House staff and County officials and the contracts between Lake County and Elijah House Foundation.

DISCUSSION

In the Spring of 2020, the County had only one homeless shelter – Hope Harbor in Lakeport, in the former Record-Bee offices, the fiscal sponsor of which was the Kelseyville United Methodist Church. After four months, Hope Harbor was due to close. The County then issued a Request for Proposals (RFP) in June for another organization to take over COVID-19 sheltering for the homeless. As part of a COVID-related "reopening variance," the County was required by the State to provide housing for the homeless. Elijah House was the sole respondent to the RFP.

At the time, Elijah House operated a sober-living environment in Butte County and also provided substance-abuse and mental-health services in Contra Costa, Monterey, Sacramento, Shasta, and Tehama counties. A representative acknowledged that the Foundation had been working to build relationships within Lake County as it had "long-term goals outside of the grant proposal and saw the shelter operation as an opportunity to come in and meet that need." Elijah House opened

on July 31, 2020 and transitioned the people who had been living at Hope Harbor when it closed. The plan was – with a budget of $234,550 - to operate until September 30, 2020 and then move the inhabitants to Hope Center, a transitional housing facility in Clearlake associated with Adventist Health due to open in the Fall. One wing of the shelter remained with the Probation Department, which prevented Elijah House from accommodating families. Most of their grant monies came through the Lake County Continuum of Care, a HUD-designated organization with the goal of ending homelessness.

In retrospect, had Elijah House been more thoroughly vetted, its non-profit status would have been found to be questioned by the State.

2021-2022 Civil Grand Jury Oversight

In the Spring of 2021, members of the then-Grand Jury met with the Elijah House Site Manager and the Director of Non-Profits with Elijah House Foundation from Oroville. At that time, the Foundation was operating four sober-living facilities and a 15-bed residential center in Tehama County. Lake County donated the juvenile hall facility, and the Foundation was paying the utilities. Of 36 beds maximum capacity, 32-33 were filled as of February 2021 (of which ten were women). 17 to 21 of these were homeless. Thirty-three persons had been “detoxed” since the opening. The average length of stay was 35 days.

The then-Grand Jury members visited the facility in March, 2021. That week, the Board of Supervisors had approved the extension of the contract through June 30, 2022. The Foundation had also received grant funding to take over the old visitor’s center next to the Lakeview Market in Lucerne. The plan was for the top floor would serve four-to-eight persons needing rapid rehousing for 3-24 months, and the bottom floor would have offices for administrators.

There were two male dorms and one female dorm. The facility was locked, and the property’s four acres were fenced. Six clients were currently working. One staff member taught employment readiness courses. Narcotics Anonymous came twice weekly. There were two computer rooms and one game room, a fenced basketball court and weight-lifting area, and a smoking area. By then, 40 clients had been “detoxed.” Free medical care was provided. Food and drink were available at all times. Enough food was donated by Grocery Outlet, Wal-Mart, the Gleaners, and Adventist Health such that Elijah House had to spend only about $100/week on food.

The Grand Jury spent several hours interacting with the staff and clients and detected no tensions or irregularities. It also “met” the 60-pound Sulcata tortoise who resides there.

Rapid Departure

In August 2022, Elijah House communicated that it would be leaving Lakeport as of September 4, 2022. Its formal notice remains on its Facebook page and is attached as Exhibit A. By the end of August, however, its doors were closed. At least three or four clients were not immediately rehoused prior to its closure.

As early as September, the BOS discussed retention of an outside auditor to review and assess Elijah House's contract and funding compliance, appropriations, and expenditures. The Grand Jury was informed that an "internal" audit was decided upon that is not yet completed.

In October 2022, the Grand Jury received a complaint from a Lucerne resident, alleging that the organization's non-profit status was out-of-compliance at the time of its application. As well, the complainant alleged that the Sober Living Environment (SLE) facility in Lucerne was not zoned for residential use. Within a month, that facility also closed. In the Spring of 2023, the complainant noted that the Director of Behavioral Health Services moved to Hawaii to accept employment there without responding publicly to the Elijah House investigation.

The Grand Jury has been informed by a Behavioral Health official that Elijah House likely will need to repay the County "five figures."

Interview Claims

During interviews with former staff and residents, the following allegations were made:

- They assert that Elijah House was run more like a prison than a homeless shelter. Residents were not allowed to come and go and they pleased.
- They were often asked to use their EBT cards to pay for Elijah House groceries.
- A former manager claims that in early July of 2022, the manager was aware of more than $130,000 in available funds for Elijah House operations. When the manager then discovered and mentioned that the funds were missing, the manager was fired.
- They were recruited to work as roadside trash collectors for CalTrans, with most of the work being done in Mendocino County. They were paid $200/day, but Elijah House in addition was paid $800 per person/per day.
- Residents claim that they were required to pay 1/3 of their income, including from Social Security, to Elijah House as "rent."
- A $20,000 donation was received from the United Methodist Church of Kelseyville towards the purchase of a van to be used at Elijah House. The Grand Jury does not know the disposition of that van.

FINDINGS

F-1: Elijah House‘s non-profit status was being questioned by the State when they applied to Lake County to provide services for the homeless population, and they did not disclose that information, nor did Behavioral Health officials vet the organization thoroughly to learn of this red flag.

F-2: The allegations of former staff and clients, if true, raise potentially actionable legal issues.

F-3: An internal audit of Elijah House finances during their operations in Lake County is said to be unfinished and is unavailable for Grand Jury review.

RECOMMENDATIONS

R-1: That the Board of Supervisors order an independent forensic financial audit of Elijah House during their time in Lake County. (F-2, F-3)

R-2: That the 2023/2024 Civil Grand Jury continue this inquiry into the financial procedures of Elijah House during their time in Lake County.

RESPONSES

As per California Penal Code § 933.05 (a)(b)(c), the following response is required:

Board of Supervisors	R-1	90 days

WELCOME
to
REDBUD
PARK

Request for Investigation Report

Summary

During the 2022-23 term, the Lake County Civil Grand Jury received 16 Requests for Investigation, and there were six carryovers from the previous grand jury. Of the 22 requests, we were able to resolve/answer/withdraw nine requests. As of this report, there will be four carryovers. Unfortunately, two submitted requests could not be addressed as there was no contact information or the complainant listed could not be reached. (Two additional Complaints were received at the end-of-term that will be carried over to the new Grand Jury panel. They are unlisted below.)

In addition, because of complaint requests, a new category was created, Keep Your Eyes Open. There are six requests that have been moved into this category. The purpose of this category is to advise the incoming grand jury of ongoing concerns that may need to be re-addressed.

Filing Complaints

The Lake County Grand Jury may investigate complaints by any person. Items the Grand Jury may investigate are:

- Mistreatment by officials or employees of the County of Lake, the cities of Clearlake or Lakeport, and special districts (school districts, water districts, etc.) within Lake County.
- Misconduct or wrongdoing in their official capacities by officials or employees of the County of Lake, cities, or special districts within Lake County.
- Government waste or inefficiencies by the County of Lake or a city or special district within the County of Lake.
- Failure of the County of Lake or a city or special district to provide essential public services.

How to Submit a Complaint

The Grand Jury Complaint Form

(www.lakecountyca.gov/DocumentCenter/View/4562/Grand-Jury-Complaint-Form-PDF?bidId=) can be filled out interactively. Save the completed form as a PDF and email the attachment to the Grand Jury. (grand.jury@lakecountyca.gov)

Additional pages or supporting documentation may be scanned as a separate PDF file and attached with the e-mail complaint submission.

The completed form and any additional/supporting information may be sent by U.S. mail to:

Grand Jury
P.O. Box 1078
Kelseyville, CA 95451

During the 2022-23 Lake County Civil Grand Jury term, the following complaints/Request for Investigation were addressed:

Grand Jury Investigation Requests - CARRYOVER		
Date Complaint Received	**Subject**	**STATUS**
10/6/2022	Elijah House Foundation	**CARRY OVER**
12/14/2022	LID Supervisor Chronically Absent	**CARRY OVER**
12/17/2022	Request to investigate competency of LC Health Service Director	**CARRY OVER**
6/5/2023	Review Welfare Check action of LCSO and Behavioral Health	**CARRY OVER**

Grand Jury Investigation Requests - KEEP YOUR EYES OPEN		
Date Complaint Received	**Subject**	**STATUS**
2021	County Administrative Office's mismanagement of county assets, personnel & emergencies.	**KEEP YOUR EYES OPEN**
2022	Kelseyville Presbyterian Church - Code Violation caused by homeless	**KEEP YOUR EYES OPEN**
6/10/2022	Illegal business being run on adjacent property	**KEEP YOUR EYES OPEN**
1/30/2023	Clear Dead Trees on Property - Fire Hazard	**KEEP YOUR EYES OPEN**
1/30/2023	Utilization of animal welfare donation	**KEEP YOUR EYES OPEN**
2023	Complaint Revised - LC Managers do NOT work collaboratively.	**KEEP YOUR EYES OPEN**

Grand Jury Investigation Requests - Unable to Contact Requestor		
Date Complaint Received	**Subject**	**STATUS**
12/23/2022	Jail inmate - personal contact requested	**NO CONTACT INFORMATION PROVIDED**
3/13/2023	Jail inmate - request return of thumb drive and poor LID defense	**UNABLE TO REACH**

Grand Jury Investigation Requests - Resolved/Withdrawn		
Date Complaint Received	**Subject**	**STATUS**
3/28/2022	LATH - Brown Act violation	**RESOLVED**
2022	Public record act request - Upper Lake levees	**RESOLVED**
5/1/2022	Upper Lake system not being maintained by County	**TO BE ADDRESS THROUGH GRAND JURY WATER COMMITTEE**
8/20/2022	No notification of Dillard Avenue in Soda Bay	**WITHDRAWN**
8/24/2022	Asbestos pipes on property line	**RESOLVED**
11/16/2022	Non-enforcement of restraining order	**RESOLVED**
11/18/2022	Jail inmate - verbal assault from officer	**NO FURTHER ACTION**
2023	Unable to obtain public records - Planning Dept will not return calls.	**RESOLVED**
4/21/2023	LC Health Services job descriptions are not acceptable.	**WITHDRAWN**
5/2/2023	Jail inmate - did not receive fair representation from defending attorney	**RESOLVED**

ACCOLADES FROM THE GRAND JURY

Throughout the year – via interviews, direct observations, and kindnesses shown to us, the Grand Jury encounters people all around the County whom we feel deserve special recognition for their accomplishments and/or selfless and exemplary contributions to the greater good.

ACCOLADE: SHOP WITH A COP

The program began decades ago when police officers pooled their own money together in other locales in order to provide disadvantaged children with presents for Christmas.

Sgt. John Drewery of the Lake County Sheriff's Office, starting with a $10,000 donation following the Valley Fire in 2015 that destroyed or damaged the homes of many children, approached other officers and school officials about helping needy children. A list of 50 children ages 6-12 was generated that year that expanded to 200 children by 2022, with a budget of $50,000.

The children are taken shopping, one at a time, at Wal-Mart for 45 minutes by their "own" uniformed officer. They are required to select a pair of shoes, pants, and a warm jacket but otherwise can pick out whatever they want. Not uncommonly, the officers may spend their own money to be certain that the children buy what they need. The school districts not only help identify the neediest children, they may also provide transportation. Wal-Mart, in turn, supplies a 10% discount to cover taxes and also extra staff to assist the student-officer pairs.

Not only does this program demonstrate a valuable law enforcement-community collaboration, but it also helps vulnerable youths establish a more positive relationship with police officers.

ACCOLADE: Dr. GIOVANNI ANNOUS

Dr. Annous has been Superintendent of the Upper Lake Unified School District for six years. The District has four schools with 950 students. He comes from a family of educators and has worked in schools for 30 years, 26 of which have been in leadership roles. The Grand Jury was impressed by his perceptivity, candor, keen intuition, and visionary leadership. He is recognized as consistently collaborating with teachers and families and working tirelessly in the District and the community to engage with students and to improve their lives. He inspires those with whom he works. His excellence has resulted in two Superintendent-of-the-Year awards.

Dr. Annous sees building relationships with students as essential for their advancement. He believes that the antidote to bullying is being kind, welcoming, respectful, and making students feel safe. Kindness is a key element in the school's method of positive behavioral interventions and support, or PBIS.

During the COVID-19 pandemic, he was able to keep the District's schools open to in-person instruction that utilized a hybrid of in-person and distance learning. He opened a Health & Fitness Wellness Center for the students and families to provide food, clothes, showers, laundry, and health checks. Each student receives a laptop and internet connectivity that includes Gaggle, a program that monitors in real time student communications and flags such concerning terms as bully, hurt, die, sad, and the like. Free counseling is also provided for troubled youth. He cites two instances in which he was contacted by a Gaggle monitor about content that was interpreted as suicidal thoughts, and he was able to immediately contact the Sheriff's Office, and deputies responded to the students' homes and aroused the parents. Both children were referred for treatment.

He instituted a Healthy Start program for homeless youth. He also founded the non-profit Northshore Youth Club, which provides after-school academic, artistic, and athletic programs. Initially, only about 80 children were involved, but now 725 children participate, assisted by many volunteers from the community. All of the students have to "belong" to something. Community is based on a sense of belonging and trust, which builds grit and resilience. He recognizes that youth face an ever-changing world, which requires building their character.

ACCOLADE: EVERY 15 MINUTES

The Grand Jury would like to recognize the coordination and commitment of several individuals responsible for implementing the Every Fifteen Minutes (EFM) presentation at Upper Lake High School on March 29 and 30, 2023.

California Highway Patrol (CHP): Officers Efrain (Geno) Cortez, Ryan Johnson, Joseph Wind

Lake County Sheriff's Office: Deputy Cynthia Radoumis,

Chaplain Rick Barnes

Upper Lake High School: Principal Annie Petrie

Lake County Probation Department: Kevin Luis

Sutter Lakeside Hospital: Najia Sadiz

The name "Every Fifteen Minutes" is derived from the fact that in the 1990s, a U.S. resident died every 15 minutes in a collision caused by an alcohol-impaired driver. This proactive two-day program was started by the Chico Police Department in 1995. The statewide program was operated by the California Department of Alcoholic Beverage Control until October 2000 when the Office of Traffic Safety awarded the grant and program responsibilities to the California Highway Patrol (CHP).

PROGRAM DESCRIPTION

"Grim Reaper" and the staged crash.

During the first day events, the "Grim Reaper" calls students who have been selected from a cross-section of the entire student body out of class. One student is removed from class ***every 15 minutes***. A police officer immediately enters the classroom to read an obituary that has been written by the "dead" student's parent(s) - explaining the circumstances of their classmate's demise and the contributions the student has made to the school and the community. A few minutes later, the student returns to class as the "living dead," complete with white face make-up, a coroner's tag, and a black Every 15 Minutes T-shirt. From that point on, "victims" will not speak or interact with other students for the remainder of the school day. Simultaneously, uniformed officers [and a chaplain] make mock death notifications to the parents of these children at their home, place of employment, or business.

After lunch, a simulated traffic collision is viewable on the school grounds. Rescue workers treat the injured student participants. These students experience first-hand the sensations of being involved in a tragic, alcohol-related or texting-while-driving collision. The coroner handle fatalities on the scene, while the injured students are extricated by the jaws-of-life manned by Firefighters and Paramedics. The REACH helicopter lands at the scene. Police Officers investigate, arrest, and book the student "drunk driver." Student participants continue their experience by an actual trip to the morgue, the hospital emergency room, and to the Lake County Jail for the purpose of being booked for "drunk driving."

Retreat

At the end of the day, those students who participated in the staged accident, as well as those who were made-up as the "living dead," are transported to a local hotel for an overnight student retreat. The retreat simulates the separation from friends and family. A support staff of counselors and law enforcement facilitate the retreat.

During the most powerful program of the retreat, the students are taken through an audio-visualization of their own death. Then each student writes a letter to his or her parents, starting out with . . .

> ***"Dear Mom and Dad, every fifteen minutes someone in the United States dies from an alcohol related traffic collision, and today I died. I never had the chance to tell you....."***

Parents are also be asked to write similar letters to their children. These letters are shared the following day when students and parents are reunited at a school assembly.

The students engage in challenging interactive exercises. Impaired simulator goggles are used to allow students to experience first-hand the potentially fatal consequences of alcohol and drug impairment. The goggles allow students the opportunity to understand the dangers of impaired driving without taking a drop of alcohol or using drugs of any type. Research shows that those who learn from hands-on experience retain two to four times more than those who learn from just listening, or from listening and seeing.

The assembly is hosted by an Officer (Project Coordinator), who guides the audience through the devastating effects of losing a loved one due to a bad choice. Speakers include students who read letters to their parents, police officers, and hospital personnel who shared their emotional trauma of dealing with kids killed in traffic crashes. Parents share their personal reflections of their involvement in this program. There is also a powerful speaker who actually lost a child to a drunk driver or as the result of driving while under the influence or texting while driving.

The goal of EFM is to reduce the number of teens involved in traffic-related vehicle collisions by dramatically personalizing the emotional trauma caused families, friends, and communities by drunk or distracted driving. EFM reminds all involved that crashes caused by intentional drinking and driving are not “accidents.”

ACCOLADE: DAVEY ABLES

The Grand Jury would like to recognize a special member of our Behavioral Health Services community - Davey Ables – whose reliable weekly outreach to the unhoused in Lake County is notable. Through the Big Oak Peer Support Center in Clearlake Oaks, he travels two days per week to Northshore and south shore parks in a van containing food, water, Narcan, mosquito bracelets, personal-hygiene items, and other articles for distribution to the more than 100 individuals awaiting his arrival.

Once homeless himself, Davey is compassionate and self-effacing and works behind the scenes, with the full support of his supervisor, Carrie Manning, Mental Health Services Act Team Leader. On Wednesday and Thursday mornings, volunteers at the Center make 75 sandwiches in a small kitchen. Davey than fills additional plastic bins with such items as hand-warmers, gloves, socks, underwear, toiletries, blankets, and ponchos. In colder months, he provides tents, sleeping bags, and rain gear.

The idea of such a van originated with Davey and his supervisor, and the grant money for its purchase was obtained by the former Health Services Director and Ms. Manning, The van hit the streets in July 2022. Plans for a “Care-A-Van,” consisting of three vans traveling together and intended to connect the unhoused with wraparound housing, therapy, and addiction-treatment services are under discussion with Adventist Health and Catholic Charities.

Behavioral Health operates five peer support centers in Lake County, each serving a specific population:

Big Oak Peer Support Center – Clearlake Oaks - Homeless

La Voz de la Esparanza - Latino Wellness Center – Clearlake - Latinos

The Circle of Native Minds – Lakeport - Natives

The Harbor on Main - Youth Resource Center – Lakeport - Teens

Family Support Center – Clearlake - Families

Response to Final Reports 2022-2023

MT. KONOCTI FIRE TOWER – LOOKING OUT FOR YOU

FINDINGS

F-1: There remains an important role for the human intelligence and visual acuity of fire tower lookouts in detecting wildland fires at an early stage.

Board of Supervisors responses 933.05 (A) 2.
The respondent disagrees wholly or partially with the finding.

F-2: The FFLA strives to raise awareness and support for lookout towers, and the California Central Western Region has gone to great lengths to try to stimulate support for Mt. Konocti.

Board of Supervisors responses 933.05 (A) 2.
The respondent disagrees wholly or partially with the finding.

F-3: The Konocti Fire Tower has been granted historic designation at both the Federal and State levels.

Board of Supervisors responses 933.05 (A) 2.
The respondent disagrees wholly or partially with the finding.

F-4: Repairs to the Konocti Fire Tower remain in limbo as no preliminary engineering survey has occurred, and the Tower appears to have been deemed obsolete by its operating agency, CalFire.

Board of Supervisors responses 933.05 (A) 2.
The respondent disagrees wholly or partially with the finding.

RECOMMENDATIONS

R-1: That the Board of Supervisors consider re-leasing the Tower from CalFire or acquiring the Tower, if the State declines to repair it and declares it "surplus property," to add to the County Park as a tourist attraction and hiking destination and as homage to its historic significance. (F-1, F-2, F-3, F-4)

Board of Supervisors responses 933.05 (B) 4.
The recommendation will not be implemented because it is not warranted or is not reasonable

LAKEPORT FIRE PROTECTION DISTRICT - GOVERNING MISSTEPS

FINDINGS

F-1: The Board members are unpaid and are appointed - by the City of Lakeport (two members) and the Lake County BOS (three members) - not elected by District residents.

Lakeport Fire Protection District response 933.05. (A) 1.
The respondent agrees with the finding.

Lakeport City Council response 933.05 (A) no response

F-2: The Board has no process to rotate automatically the office of Chairman, and the current Chairman has held that position for many years straight.

Lakeport Fire Protection District response 933.05. (A) 2.
The respondent disagrees wholly or partially with the finding.

F-3: The Board has not voted to accept a proposed Policies and Procedures Manual.

Lakeport Fire Protection District response 933.05. (A) 1.
The respondent agrees with the finding.

F-4: The Measure M parcel tax legal requirements for a separate account and annual public accounting have not been met.

Lakeport Fire Protection District response 933.05. (A) 2.
The respondent disagrees wholly or partially with the finding.

F-5: Adherence to Brown Act requirements has been lacking in regard to entrances being unlocked to the public during Board Meetings.

Lakeport Fire Protection District response 933.05. (A) 2.
The respondent disagrees wholly or partially with the finding.

F-6: Adherence to Brown Act requirements has been lacking in regard to the provision of agendas to the public that include attached documents.

Lakeport Fire Protection District response 933.05. (A) 1.
The respondent agrees with the finding.

F-7: Adherence to Brown Act requirements has been lacking in regard to the Board meeting location's lack of wheelchair (disabled) access.

Lakeport Fire Protection District response 933.05. (A) 2.
The respondent disagrees wholly or partially with the finding.

F-8: Adherence to Brown Act requirements has been intermittent in regard to publicly reporting actions, if any, along with the vote, occurring during a closed session.

Lakeport Fire Protection District response 933.05. (A) 2.
The respondent disagrees wholly or partially with the finding.

F-9: Major financial decisions are pending regarding the two LFPD Stations in Lakeport, the Finley station, and the vacant property.

Lakeport Fire Protection District response 933.05. (A) 1.
The respondent agrees with the finding.

F-10: No Fee Schedule has been created and adopted for the requisite annual inspections of business and residential facilities, and, to fulfill this requirement, staffing may also need to be increased.

Lakeport Fire Protection District response 933.05. (A) 1.
The respondent agrees with the finding.

F-11: Physical exams and cancer screenings for paid and volunteer firefighters were not provided annually for several years. None of this year's exams included cancer screenings.

Lakeport Fire Protection District response 933.05. (A) 1.
The respondent agrees with the finding.

F-12: The LFPD has no Safety Officer, Battalion Chief, or Fire Marshall as backup for the interim Chief.

Lakeport Fire Protection District response 933.05. (A) 1.
The respondent agrees with the finding.

F-13: There is no designated on-call Chaplain or mental-health specialist to help the staff process traumatic events.

Lakeport Fire Protection District response 933.05. (A) 1.
The respondent agrees with the finding.

F-14: The firefighter who is filling the role of Fleet Mechanic uses his personal equipment.

Lakeport Fire Protection District response 933.05. (A) 2.
The respondent disagrees wholly or partially with the finding.

F-15: Stations 50 and 52 lack vehicle exhaust systems.

Lakeport Fire Protection District response 933.05. (A) 1.
The respondent agrees with the finding.

F-16: Stations 50 and 52 are not earthquake-proof.

Lakeport Fire Protection District response 933.05. (A) 1.
The respondent agrees with the finding.

F-17: Station 50 contains asbestos, has non-Code electrical connectivity (with power cords running from the attic through the ceiling), and has roof leaks.

Lakeport Fire Protection District response 933.05. (A) 1.
The respondent agrees with the finding.

F-18: The District was and is losing revenue due to inadequate ambulance billing coding and collection practices.

Lakeport Fire Protection District response 933.05. (A) 2.
The respondent disagrees wholly or partially with the finding.

F-19: For a period of years, the Board did not provide sufficient oversight on correcting budgetary deficits.

Lakeport Fire Protection District response 933.05. (A) 1.
The respondent agrees with the finding.

F-20: Firefighter layoffs were demoralizing to staff and community.

Lakeport Fire Protection District response 933.05. (A) 1.
The respondent agrees with the finding.

F-21: The staff (paid and volunteer) and the Board lack effective communication, a sense of collaboration while facing serious ongoing issues, and mutual understanding.

Lakeport Fire Protection District response 933.05. (A) 1.
The respondent agrees with the finding.

RECOMMENDATIONS

R-1: That a full forensic audit be conducted of the LFPD, specifically regarding Measure M revenue and expenditures. (F-4)

Lakeport Fire Protection District response 933.05 (B) 3.
The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a timeframe.

R-2: That the LFPD comply with all of the provisions of the Brown Act. through F-8)

Lakeport Fire Protection District response 933.05 (B) 1.
The recommendation has been implemented, with a summary regarding the implemented action.

R-3: That the Board decide and vote whether to sell, upgrade, or further develop its various properties – Station 50, Larrecou property, Finley station, and Station 52. (F-9, F-15 - F-17)

Lakeport Fire Protection District response 933.05 (B) 3.
The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a timeframe.

R-4: That the acting Fleet Mechanic be given a clear and regular maintenance schedule and be provided district equipment and property. (F-14)

Lakeport Fire Protection District response 933.05 (B) 3.
The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a timeframe.

That physical exams and cancer screenings be conducted locally on all paid and volunteer firefighters annually. (F-11)

Lakeport Fire Protection District response 933.05 (B) 3.
The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a timeframe.

R-5: That the next Chief have operational backup in the form of a Safety Officer, Battalion Chief, and/or Fire Marshall. (F-12)

Lakeport Fire Protection District response 933.05 (B) 3.
The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a timeframe.

R-6: That a Board Ordinance be established and implemented that allow the department to charge and collect appropriate fees for annual inspections of business and residential facilities. (F-10)

Lakeport Fire Protection District response 933.05 (B) 3.
The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a timeframe.

R-7: That the LFPD make a formal arrangement with a Chaplain or mental health specialist in-County to be on-call to assist the firefighters in processing traumatic events. (F-13)

Lakeport Fire Protection District response 933.05 (B) 3.
The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a timeframe.

That the LFPD Board vote to convert to implementing district-wide election, rather than City or County appointment, of its five members. (F-1)

Lakeport Fire Protection District response 933.05 (B) 3.
The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a timeframe.

Lakeport City Council response 933.05 (B)

R-8: That the Board approve and adopt organizational and operational Policies and Procedures that include specifying periodic rotation of the role of Chairman. (F-2, F-3)

Lakeport Fire Protection District response 933.05 (B) 3.
The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a timeframe.

R-9: That the Board make a consistent effort to interact informally/socially with the firefighters in order to improve morale and trust. (F-11, F-14, F-15, F-20, F-21)

Lakeport Fire Protection District response 933.05 (B) 3.
The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a timeframe.

R-10: That the 2022-2023 Civil Grand Jury continue this investigation to follow-up on the above Recommendations and report on further developments, including the hiring of a new Chief. (F-1 through F-21)

Lakeport Fire Protection District response 933.05 (B) 3.
The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a timeframe.

COMMUNITY CAT MANAGEMENT

FINDINGS

F-1: Shelter professionals concur that TNRM (Trap, Neuter, Return, and Monitor) is the most effective management strategy for community cats.

Board of Supervisors response 933.05 (A) 2.
The respondent disagrees wholly or partially with the finding

Lake County Animal Care & Control response 933.05 (A) 1.
The respondent agrees with the finding.

F-2: Restrictions, due to the pandemic, greatly reduced the two shelters' provision of low-cost or free spay/neuter surgeries for community cats in Lake County.

Board of Supervisors response 933.05 (A) 2.
The respondent disagrees wholly or partially with the finding

F-3: The veterinary clinics in the County, including Lake County Animal Care & Control and Clearlake Animal Control, are shorthanded and overstretched, and providing low-cost sterilizations for community cats is not a priority.

Board of Supervisors response 933.05 (A) 2.
The respondent disagrees wholly or partially with the finding

F-4: The undermanned veterinary clinics are unable to purchase and staff a mobile vet clinic.

Board of Supervisors response 933.05 (A) 2.
The respondent disagrees wholly or partially with the finding

F-5: Lake County Animal Care & Control's long-term veterinarian recently died; thus, the facility's Community Cat Program is on-hold.

Board of Supervisors response 933.05 (B) 1.
The respondent agrees with the finding.

F-6: The Advisory Committee for Lake County Animal Care & Control has not met for almost two years.

Lake County Animal Care & Control response 933.05 (B) 1.
The respondent agrees with the finding.

RECOMMENDATIONS

R-1: That the Board of Supervisors fast-track its recruitment for a replacement veterinarian. (F-1, F-5)

Board of Supervisors response 933.05 (B) 1.
The recommendation has been implemented, with a summary regarding the implemented action.

R-2: That the Board of Supervisors commit a portion of its cannabis income to underwrite a voucher system for low-income residents to assist with community cat management. (F-1, F-2, F-3)

Board of Supervisors response 933.05 (B) 4.
The recommendation has been implemented, with a summary regarding the implemented action.

R-3: That the Board of Supervisors designate reserve funds over a period of three years to purchase a mobile van to be used by Animal Care & Control staff and trained volunteers to provide vaccinations and sterilization procedures to underserved County residents. (F-1, F-4)

Board of Supervisors response 933.05 (B) 4.
The recommendation has been implemented, with a summary regarding the implemented action.

R-4: That the Director of Lake County Animal Care & Control reconvene the Department's Advisory Committee. (F-1, F-6)

Lake County Animal Care & Control response 933.05 (B) 1.
The recommendation has been implemented, with a summary regarding the implemented action.

COVID INCONSISTENCY
Inconsistencies and Solutions for Future Pandemics

FINDINGS

F-1: Each Lake County School District followed CDPH pandemic protocols and procedures because the March 2020 Lake County Declaration of Health Emergency, from the Lake County PHO, did not provide sufficient direction to the School Districts. This resulted in inconsistencies between and, sometimes within, the School Districts. The CDPH never definitively defined pandemic protocols and procedures until the CDPH March 12, 2022, guidance. The CDPH guideline was issued 2 years after the March 2020 Lake County Declaration of Health Emergency.

Lake County Public Health Officer response 933.05. (A) 2.
The respondent disagrees wholly or partially with the finding.

F-2: The Lake County Superintendent of Schools held weekly meetings with the PHO or his representative attempting to facilitate consistent Lake County COVID-19 School District protocols and procedures. The Lake County Superintendent of Schools does not have the authority to mandate or direct each School District to follow a centralized procedure, program, or plan.

Lake County Superintendent of Schools response 933.05. (A) 2.
The respondent disagrees wholly or partially with the finding.

Lake County Board of Supervisors response 933.05. (A) 2.
The respondent disagrees wholly or partially with the finding.

F-3: Impacted parents experienced inconsistent COVID-19 protocols from district to district and from school to school within their district.

Lake County Public Health Officer while requested to respond in the RESPONSES of the 2021-2022 final report the agency was not included in the language R-1

RECOMMENDATIONS

R-1: That the PHO anticipate the impact on Lake County School Districts' parents and students prior to any Declaration of Local Health Emergency. [F1]

Lake County Public Health Officer response 933.05 (B) 2.
The recommendation has not yet been implemented, but will be implemented in the future, with a timeframe for implementation.

Lake County Superintendent of Schools while requested to respond in the RESPONSES of the 2021-2022 final report the agency was not included in the language R-1

Lake County Board of Supervisors response 933.05 (B) 1.
The recommendation has been implemented, with a summary regarding the implemented action.

R-2: That the Lake County Superintendent of Schools be authorized to manage and direct consistent School District protocols and procedurals in response to a Declaration of Local Health Emergency. [F2]

Lake County Superintendent of Schools response 933.05 (B) 4.
The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor.

Lake County Board of Supervisors response 933.05 (B) 4.
The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor.

R-3: That the Lake County Superintendent of Schools Office be staffed and receive appropriate allocations to insure consistent countywide responses for affected parents, students, and School District Staff. [F3]

Lake County Superintendent of Schools response 933.05 (B) 1.
The recommendation has been implemented, with a summary regarding the implemented action.

Lake County Board of Supervisors while requested to respond in the RESPONSES of the 2021-2022 final report the agency was not included in the language R-1. Nor do they authority to act on this recommendation.

Hurt People Hurt People
Domestic Violence in Lake County

FINDINGS

F-1: Probation requirements, such as attendance and completion of anger management classes, are not tracked completely and consistently.

Department of Probation response 933.05 (A) 2.
The respondent disagrees wholly or partially with the finding.

F-2: There is inadequate communication among agencies (DA's office, probation, counselors, victim witness) after individuals have been convicted.

Lake County Sheriff response 933.05. (A) 1.
The respondent disagrees wholly or partially with the finding.

Department of Probation response 933.05 (A) 2.
The respondent disagrees wholly or partially with the finding.

District Attorney response 933.05 (A) 2.
The respondent disagrees wholly or partially with the finding

Victim Witness response 933.05 (A) no response

F-3: There is no sex offender treatment program in Lake County. Offenders are referred to Sonoma County for treatment.

Department of Probation response 933.05 (A) 2.
The respondent disagrees wholly or partially with the finding.

F-4: There is no juvenile treatment center in Lake County. Offenders are referred to Tehama County for treatment.

Board of Supervisors responses 933.05. (A) 1.
The respondent agrees with the finding.

F-5: A very limited number of domestic violence programs and counselors are available and active in Lake County.

Behavioral Health response 933.05 (A) 2. The respondent disagrees wholly or partially with the finding.

F-6: There is no Victim Witness Service Coordinator to provide coordination between the offender and the victim and county agencies.

. **Lake County Sheriff response 933.05 (A) 2.**
The respondent disagrees wholly or partially with the finding.

District Attorney response 933.05 (A) 2.
The respondent disagrees wholly or partially with the finding.

F-7: There are many interrelated issues affecting domestic violence within the indigenous community.

Grand Jury 2022 – 2023responce 933.05 (A) 1.
The respondent agrees with the finding.

RE**COMMENDATIONS**

R-1: A comprehensive system needs to be developed and utilized that will track domestic violence offenses, the requirements of the defendants' probation, the level of fulfillment of those requirements, and any success attributed to those programs. This tracking system needs to be accessible to all relevant agencies. (F-1)

Department of Probation response 933.05 (B) 1.
The recommendation has been implemented, with a summary regarding the implemented action.

R-2: Systematic communication, including a quarterly meeting with department representatives, needs to be developed and utilized on an ongoing basis. Discussions will include individuals on probation, with an emphasis on how county agencies can work together to produce individual change and to reduce recidivism. (F-2)

Board of Supervisors response 933.05 (B) 1.
The recommendation has been implemented, with a summary regarding the implemented action.

Lake County Sheriff response 933.05 (B) 1.
The recommendation has been implemented, with a summary regarding the implemented action.

Behavioral Health response 933.05 (B) 2.
The recommendation has not yet been implemented, but will be implemented in the future, with a timeframe for implementation.

Department of Probation response 933.05 (B) 1.
The recommendation has been implemented, with a summary regarding the implemented action.

District Attorney response 933.05 (B) 3.
The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a timeframe.

Victim Witness response 933.05 (B) no response

R-3: Behavioral Health and Probation need to coordinate and develop a sex offender program that is available within the Lake County. (F-3)

Department of Probation response 933.05 (B) 4.
The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor.

District Attorney while requested to respond in the RESPONSES of the 2021-2022 final report the agency was not included in the language R-1. Nor do they authority to act on this recommendation.

R-4: More domestic violence programs need to be developed and additional counselors need to be available within Lake County. (F-5)

Lake County Board of Supervisors while requested to respond in the RESPONSES of the 2021-2022 final report the agency was not included in the language R-1. Nor do they authority to act on this recommendation.

Behavioral Health response 933.05 (B) 4.
The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor.

R-5: A Victim Witness Coordinator needs to be funded, hired, and trained to work with offenders, victims, and allied agencies. (F-6)

Lake County Sheriff response 933.05 (B) 4.
The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor

District Attorney Response 933.05 (B) 4.
The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor

Victim Witness response 933.05 (B) no response

R-6: The Grand Jury recommends that the next Grand Jury (2022-2023) complete a thorough study of domestic violence and substance abuse in the indigenous community and the tribes' interaction with relevant agencies in Lake County. (F-7)

Grand Jury 2022-2023 response 933.05 (B) 3.
The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a timeframe.

PERSISTENT BLIGHT ON THE LANDSCAPE: ABANDONED VEHICLES IN LAKE COUNTY

FINDINGS

F-1: The natural beauty of the lands in Lake County is tarnished by the presence of unsightly, trashed, abandoned vehicles.

Lake County Community Department 933.05 (A) 1.
The respondent agrees with the finding

City of Clearlake Police Department response 933.05. (A) 1.
The respondent agrees with the finding

F-2: Abating abandoned vehicles is a costly, labor intensive, and time-consuming undertaking.

Lake County Community Department 933.05 (A) 1.
The respondent agrees with the finding

City of Clearlake Police Department response 933.05. (A) 1.
The respondent agrees with the finding

F-3: The vehicle registration fees collected within Lake County are insufficient to fund abatement of all, or even most, of the abandoned vehicles on public and private properties.

Lake County Community Department 933.05 (A) 1.
The respondent agrees with the finding

City of Clearlake Police Department response 933.05. (A) 1.
The respondent agrees with the finding

F-4: All three Code Enforcement agencies have limited staff and multiple other, often more pressing, investigative and enforcement responsibilities beyond vehicle abatement.

Lake County Community Department 933.05 (A) 1.
The respondent agrees with the finding

City of Clearlake Police Department response 933.05. (A) 1.
The respondent agrees with the finding

F-5: The Code Enforcement officers report insufficient dialogue with the County AVA Authority in setting priorities for Code Enforcement.

Lake County Community Department 933.05 (A) 1.
The respondent agrees with the finding

F-6: At the time of interviews in 2022, the County Code Enforcement officers had no dedicated computer for their abatement work.

Lake County Community Department 933.05 (A) 1.
The respondent agrees with the finding

F-7: At the time of interviews in 2022, the County Code Enforcement officers had no uniform making them readily identifiable to the public.

Lake County Community Department 933.05 (A) 1.
The respondent agrees with the finding

F-8: The County AVA Commission has been found to be out-of-compliance with budget and annual-report requirements and was suspended from receiving DMV registration fees for one year.

Lake County Community Department 933.05 (A) 1.
The respondent agrees with the finding

RECOMMENDATIONS

R-1: That the County Community Development Department dedicate two Code Enforcement Officers full-time to the abatement of abandoned vehicles. (F1 – F4)

Lake County Community Department 933.05 (B) 3.
The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a timeframe.

R-2: That the Clearlake Police Department dedicate one Code Enforcement Officer full-time to the abatement of abandoned vehicles. (F1 – F4)

Lake County Community Department 933.05 (B) 3.
The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a timeframe.

City of Clearlake Police Department response 933.05. (B) 4.
The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor.

R-3: That the County Community Development Department provide its vehicle abatement officers with computers and uniforms. (F6 - F7)

Lake County Community Department response 933.05 (B) 2.
The recommendation has not yet been implemented, but will be implemented in the future, with a timeframe for implementation.

R-4: That the County AVA Authority interact regularly with the officers in the three jurisdictions who are striving to abate nuisance vehicles. (F5)

Lake County Community Department response 933.05 (B) 1.

The recommendation has been implemented, with a summary regarding the implemented action.

MEASURE A: KELSEYVILLE FIRE PROTECTION DISTRICT'S ATTEMPT AT DIRECT DEMOCRACY

FINDINGS

F-1: "Benefit unit" parcel taxes are perhaps the most complex forms of parcel taxation because rates vary significantly and are highly specific to a property.

Kelseyville Fire Protection District Board of Directors response 933.05 (A) no response

F-2: The disparate tax rates for large property owners, on top of a 2% annual increase, were not well received.

Kelseyville Fire Protection District Board of Directors response 933.05 (A) no response

F-3: An "us-vs-them" mindset developed between the less affluent and agricultural areas and the more affluent Rivieras and Buckingham.

Kelseyville Fire Protection District Board of Directors response 933.05 (A) no response

F-4: Many voters disputed whether all District residents would benefit from either an increased response time or lower property insurance rates.

Kelseyville Fire Protection District Board of Directors response 933.05 (A) no response

F-5: Not all voters in the District are media-savvy and could appreciate the plethora of ballot information available online.

Kelseyville Fire Protection District Board of Directors response 933.05 (A) no response

F-6: Both consulting firms, including the one that conducted the election in lieu of Lake County, were from Southern California, and resistance was expressed to "out-of-towners" telling the community what was best for them.

Kelseyville Fire Protection District Board of Directors response 933.05 (A) no response

F-7: The COVID pandemic restricted in-person interaction with District voters.

Kelseyville Fire Protection District Board of Directors response 933.05 (A) no response

F-8: Contrary to the perception of some of the voters, a sunset clause of, at latest, 2057/58 for the bond was included in the Resolution adopted on 9/22/21.

Kelseyville Fire Protection District Board of Directors response 933.05 (A) no response

F-9: Conducting an all-mail-ballot special election, as was done with Measure A, put the Measure before voters in an election that typically has the lowest turnout. **no response**

Kelseyville Fire Protection District Board of Directors response 933.05 (A) no response

F-10: The District could not have a specific location identified for the new firehouse, or construction plans and costs available prior to the election.

Kelseyville Fire Protection District Board of Directors response 933.05 (A) no response

RECOMMENDATIONS

R-1: That KFPD schedule its next parcel-tax measure to coincide with either a primary or general election in order to attract a higher voter turnout. (F-9)

Kelseyville Fire Protection District Board of Directors response 933.05 (A) no response

R-2: That if KFPD again retains outside consultants that it consider whether more- regional companies could provide the desired services. (F-6) **no response**

Kelseyville Fire Protection District Board of Directors response 933.05 (A) no response

R-3: That KFPD personnel solicit volunteers from all areas of the District to emphasize unity of purpose and beneficial effects of a parcel tax. F-3, F-4) **no response**

Kelseyville Fire Protection District Board of Directors response 933.05 (A) no response

R-4: That KFPD staff and volunteers plan more door-to-door canvassing and in-person informational meetings or even kiosks at County fairs and farmers' markets (F-5, F-7) **no response**

Kelseyville Fire Protection District Board of Directors response 933.05 (A) no response

R-5: That a reduction in property insurance costs not be emphasized in any printed material. (R-4). **no response**

Kelseyville Fire Protection District Board of Directors response 933.05 (A) no response

R-6: That KFPD consider a less confusing tax rate that is more equitable for large landowners. (F-2) **no response**

Kelseyville Fire Protection District Board of Directors response 933.05 (A) no response

R-7: That KPFD employ the services of the Lake County Registrar of Voters for its second parcel-tax election. (F-6)

Kelseyville Fire Protection District Board of Directors response 933.05 (A) no response

R-8: That if KFPD again includes a request for a new station, as well as for equipment and increased staffing, that it explain more clearly to voters that a specific location, specific plans, and a breakdown of estimated specific costs cannot be known until a property is purchased after the election. (F-10)

Kelseyville Fire Protection District Board of Directors response 933.05 (A) no response

IN CASE OF EMERGENCY…
A REPORT ON THE OFFICE OF EMERGENCY SERVICES

FINDINGS

F-1: OES provides critical services intended to improve the health and safety of Lake County residents.

Sheriff/Coroner response 933.05 (A) 2.
The respondent disagrees wholly or partially with the finding

Board of Supervisors response 933.05 (A) 2.
The respondent disagrees wholly or partially with the finding

F-2: The Manager of Emergency Services position was vacant from October, 2021 until January, 2022 and the OES Specialist remains unfilled at the time of this report.

Sheriff/Coroner response 933.05 (A). In the letter dated July 19, 2022, the Sheriff/Coroner to Judge Lunas did not respond to F-2. Since compliance to the law is outside the purview of the Grand Jury, we leave this note to history.

F-3: Community involvement in the Disaster Council is lacking.

Sheriff/Coroner response 933.05 (A) 2.
The respondent disagrees wholly or partially with the finding

Board of Supervisors response 933.05 (A) 2.
The respondent disagrees wholly or partially with the finding

F-4: The Disaster Council, currently led by a Supervisor, is not making any formal recommendations to the Board of Supervisors according to the posted meeting minutes.

Sheriff/Coroner response 933.05 (A) 2.
The respondent disagrees wholly or partially with the finding

Board of Supervisors response 933.05 (A) 2.
The respondent disagrees wholly or partially with the finding

F-5: The Disaster Council only meets once every three months.

Sheriff/Coroner response 933.05 (A) 1.
The respondent agrees with the finding.

Board of Supervisors response 933.05 (A) 2.
The respondent disagrees wholly or partially with the finding

RECOMMENDATIONS

R-1: The Disaster Council to be reorganized to include community organizations such as both of the Lake County Fire Safe Councils, Firewise Communities, North Coast Opportunities, Clear Lake Environmental Research Center and homeowners' associations as members. (F3)

Sheriff/Coroner response 933.05 (B) 4.
The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor.

Board of Supervisors response 933.05 (B) 4.
The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor.

R-2: The Disaster Council leadership to be delegated to either the Director of Emergency Services or the Emergency Services Manager in order to function more effectively as an advisory body to the Board of Supervisors. (F3, F4)

Sheriff/Coroner response 933.05 (B) 4.
The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor.

Board of Supervisors response 933.05 (B) 4.

The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor.

R-3: Vacant positions within the OES system need to be filled on an urgent basis due to the critical nature of these responsibilities and the likelihood of future disasters. (F2)

Sheriff/Coroner response 933.05 (B). In the letter dated July 19, 2022 the Sheriff/Coroner to Judge Lunas they did not respond to R-3. Since compliance to the law is outside the purview of the Grand Jury, we leave this note to history.

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R-4: The Disaster Council to report regularly to the Board of Supervisors with written recommendations and updates. (F1, F4, F5)

Sheriff/Coroner response 933.05 (B) 1.
The recommendation has been implemented, with a summary regarding the implemented action.

Board of Supervisors response 933.05 (B) 1.
The recommendation has been implemented, with a summary regarding the implemented action.

R-5: The Disaster Council to meet monthly, especially during declared disasters. (F5)

Sheriff/Coroner response 933.05 (B) 3.
The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a timeframe.

Board of Supervisors response 933.05 (B) 4.
The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor

INSPECTION OF DETENTION FACILITIES

No Agency sited

TEHAMA COUNTY JUVENILE DETENTION FACILITY CRIMINAL JUSTICE COMMITTEE

FINDING

F1 - The Juvenile Justice Center is a well-run program that provides individualized programming to assist the wards with educational and rehabilitation needs. It is operating well below the maximum capacity of 64 due to COVID-19 constraints.

RECOMMENDATION

R1. Continue current practices that support the needs of Tehama County youth and the needs of youth in surrounding counties.

REQUIRED RESPONSE: None

CONFINEMENT DURING A PANDEMIC
A REPORT ON INMATE HEALTH

FINDINGS

F-1: CFMG is providing adequate medical care for inmates at the LCCF under the applicable California statutes of California Code of Regulations, Title 15, Articles 8 through 10, California Welfare and Institutions Code §5150 et seq., and 5600.4, and California Penal Code §4011.6.

Director of Public Health response 933.05. (A) 1.
The respondent agrees with the finding.

Director of Behavioral Health response 933.05. (A) 1.
The respondent agrees with the finding.

Sheriff/Coroner response 933.05. (A) 1.
The respondent agrees with the finding.

F-2: Mental health services are inadequate as provided by CFMG, as an inmate with mental health issues is less likely to benefit from counseling sessions provided via a video screen instead of live interactions and observations.

Director of Public Health response 933.05. (A) 2.
The respondent disagrees wholly or partially with the finding.

Director of Behavioral Health response 933.05. (A) 2.
The respondent disagrees wholly or partially with the finding.

Sheriff/Coroner response 933.05. (A) 2.
The respondent disagrees wholly or partially with the finding

F-3: Intensive care coordination and discharge planning is critical for inmates with identified mental health issues to prevent recidivism. However, care coordination with County agencies is inconsistent.

Director of Public Health response 933.05. (A) 2.
The respondent disagrees wholly or partially with the finding.

Director of Behavioral Health response 933.05. (A) 1.
The respondent agrees with the finding.

Sheriff/Coroner response 933.05. (A) 1.
The respondent agrees with the finding.

F-4: Despite a decrease in the number of prisoners, over the past decade the percentage of State prisoners with mental illness has increased by 77 percent. (Stanford Justice Advocacy Project) (See Exhibit A attached)

Director of Public Health response 933.05. (A) 2.
The respondent disagrees wholly or partially with the finding.

Director of Behavioral Health response 933.05. (A) 1.
The respondent agrees with the finding.

Sheriff/Coroner response 933.05. (A) 1.
The respondent agrees with the finding.

F-5: The total change in the percent of LCCF population with an active mental health case between 2009 and 2019 went from less than 10 percent to almost 50 percent. (California Health Policy Strategies calhps.com, utilizing data from the Board of State and Community Corrections jail profile surveys)

Director of Public Health response 933.05. (A) 2.
The respondent disagrees wholly or partially with the finding.

Director of Behavioral Health response 933.05. (A) 1.
The respondent agrees with the finding.

Sheriff/Coroner response 933.05. (A) 1.
The respondent agrees with the finding.

RECOMMENDATIONS

R-1: That Public Health, Behavioral Health and the Sheriff/Coroner future agreements for inmate health contractors continue to comply with all state requirements. (F-1)

Director of Public Health response 933.05 (B) 1.
The recommendation has been implemented, with a summary regarding the implemented action

Director of Behavioral Health response 933.05 (B) 2.
The recommendation has not yet been implemented, but will be implemented in the future, with a timeframe for implementation.

Sheriff/Coroner response 933.05 (B) 1.
The recommendation has been implemented, with a summary regarding the implemented action.

R-2: That all future agreements for inmate mental health services be required to conduct interviews and counseling sessions in-person. (F-2)

Director of Public Health response 933.05 (B) 4.
The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor.

Director of Behavioral Health response 933.05 (B) 4.
The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor.

Sheriff/Coroner response 933.05 (B) 4.

The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor.

R-3: That Lake County Behavioral Health works in coordination with CFMG or subsequent contractors to ensure recommended follow-up care so that appropriate resources are provided when inmates with mental health issues are paroled from LCCF. (F-3, F-4, F-5)

Director of Public Health response 933.05 (B) 4.
The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor.

Director of Behavioral Health response 933.05 (B) 2.
The recommendation has not yet been implemented, but will be implemented in the future, with a timeframe for implementation

Sheriff/Coroner response 933.05 (B) 2.
The recommendation has not yet been implemented, but will be implemented in the future, with a timeframe for implementation.

R-4: That the Director of Lake County Public Health be charged with the oversight of the LCCF agreement for inmate health services in order to assure compliance with its terms. (F-2, F-3, F-5)

Director of Public Health response 933.05 (B) 4.
The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor.

Director of Behavioral Health response 933.05 (B) 2.
The recommendation has not yet been implemented, but will be implemented in the future, with a timeframe for implementation.
Sheriff/Coroner response 933.05(B)1. has been implemented,

LAKE COUNTY SHERIFF - CORONER / AUTOPSY REPORT

FINDINGS

F-1: The Lake County Sheriff–Coroner's office does not have a formal chain-of-custody procedure for release of a body to the mortuary.

Lake County Board of Supervisors response 933.05. (A) 1.
The respondent agrees with the finding.

Lake County Sheriff–Coroner response 933.05. (A) 1.
The respondent agrees with the finding.

F-2: The Agreement for Mortuary Services line item 6 states, "The mortuary shall respond, when dispatched, within 30 to 45 minutes but in no event shall mortuaries' response time exceed 60 minutes."

Lake County Board of Supervisors response 933.05. (A) 1.
The respondent agrees with the finding.

Lake County Sheriff–Coroner response 933.05. (A) 2.
The respondent disagrees wholly or partially with the finding.

F-3: The Forensic Pathologist has been performing Lake County autopsies since December 2017. In the past, the contract has been automatically renewed.

Lake County Board of Supervisors response 933.05. (A) 1.
The respondent agrees with the finding.

Lake County Sheriff–Coroner response 933.05. (A) 1.
The respondent agrees with the finding.

RECOMMENDATIONS

R-1: That the Lake County Sheriff-Coroner's office implement a chain-of-custody process for the movement of remains that includes a signature, printed name, date, and time. (F-1)

Lake County Board of Supervisors response 933.05 (B) 1.
The recommendation has been implemented, with a summary regarding the implemented action.

Lake County Sheriff–Coroner response 933.05 (B) 1.
The recommendation has been implemented, with a summary regarding the implemented action.

R-2: That the response-time requirement in the mortuary contract be enforced. (F-2)

Lake County Board of Supervisors response 933.05 (B) 1.
The recommendation has been implemented, with a summary regarding the implemented action.

Lake County Sheriff–Coroner response 933.05 (B) 4.
The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor.

R-3: That the Sheriff-Coroner review the contract and RFP (request for proposal) every five years. (F-3)

Lake County Board of Supervisors response 933.05 (B) 1.
The recommendation has been implemented, with a summary regarding the implemented action.

Lake County Sheriff–Coroner response 933.05 (B) 2.
The recommendation has not yet been implemented, but will be implemented in the future, with a timeframe for implementation

THE DOCTOR IS OUT: MISSED OPPORTUNITIES HIRING THE LAKE COUNTY PUBLIC HEALTH OFFICER AND RELATED HUMAN RESOURCE PROCESSING ISSUES

FINDINGS

F-1: Periodic meetings and updates were provided by the contracted search firm; however, they were routine status updates. The critical need for a Lake County PHO demanded that the contracted search firm aggressively seek appropriate candidates. A contracted search firm's frequent communication will minimize the duration of time it takes to fill critical Lake County positions.

Lake County Board of Supervisors response 933.05. (A) 1.
The respondent agrees with the finding.

Lake County CAO response 933.05 (A) 1.
The respondent agrees with the finding.

Lake County HR Director response 933.05 (A) 1.
The respondent agrees with the finding.

F-2: Search firm incentives or disincentives were not offered. The critical need to fill the Lake County PHO demanded that the Lake County HR Department create incentives or disincentives for the contracted search firm.

Lake County Board of Supervisors response 933.05. (A) 2.
The respondent disagrees wholly or partially with the finding.

Lake County CAO response 933.05 (A) 2.
The respondent disagrees wholly or partially with the finding.

Lake County HR Director response 933.05 (A) 2.
The respondent disagrees wholly or partially with the finding.

F-3: Lake County does not have a dedicated human resource staff member with appropriate skills to ensure complete coordination and follow-up.

Lake County Board of Supervisors response 933.05. (A) 1.
The respondent agrees with the finding.

Lake County CAO response 933.05 (A) 1.
The respondent agrees with the finding.

Lake County HR Director response 933.05 (A) 1.
The respondent agrees with the finding.

F-4: Lake County does not have a dedicated resource staff member to ensure responsible, interdepartmental coordination and follow-up to address the need. Instead, Lake County HR are developing a position of Generalist.

Lake County Board of Supervisors response 933.05. (A) 1.
The respondent agrees with the finding.

Lake County CAO response 933.05 (A) 1.
The respondent agrees with the finding.

Lake County HR Director response 933.05 (A) 1.
The respondent agrees with the finding.

F-5: Lake County does not have a dedicated staff member designated to facilitate any departmental collaborative training to enhance interdepartmental cooperation.

Lake County Board of Supervisors response 933.05. (A) 2.
The respondent disagrees wholly or partially with the finding.

Lake County CAO response 933.05 (A) 2.
The respondent disagrees wholly or partially with the finding.

Lake County HR Director response 933.05 (A) 2.
The respondent disagrees wholly or partially with the finding.

F-6: Lake County does not conduct Exit Interviews, in order to understand and minimize future turnover.

Lake County Board of Supervisors response 933.05. (A) 2.
The respondent disagrees wholly or partially with the finding.

Lake County CAO response 933.05 (A) 2.
The respondent disagrees wholly or partially with the finding.

Lake County HR Director response 933.05 (A) 2.
The respondent disagrees wholly or partially with the finding.

F-7: Lake County does not have any defined succession programs, in order to minimize delays in filling critical positions.

Lake County Board of Supervisors response 933.05. (A) 1.
The respondent agrees with the finding.

Lake County CAO response 933.05 (A) 1.
The respondent agrees with the finding.

Lake County HR Director response 933.05 (A) 1.
The respondent agrees with the finding.

F-8: Lake County does not have any new employee transitional housing that will encourage recruitment and retention of Critical Positions.

Lake County Board of Supervisors response 933.05. (A) 2.
The respondent disagrees wholly or partially with the finding,

Lake County CAO response 933.05 (A) 2.
The respondent disagrees wholly or partially with the finding.

Lake County HR Director response 933.05 (A) 2.
The respondent disagrees wholly or partially with the finding.

F-9: Lake County does not have or use HR Metrics nor a HRIS system that allows for the storage and production of HR Metrics in order to ensure effective management.

Lake County Board of Supervisors response 933.05. (A) 2.
The respondent disagrees wholly or partially with the finding,

Lake County CAO response 933.05 (A) 2.
The respondent disagrees wholly or partially with the finding.

Lake County HR Director response 933.05 (A) 2.
The respondent disagrees wholly or partially with the finding.

F-10: Lake County does not negotiate 30 to 60-day Transition Periods to ease the relocation of the newly hired incumbent and family.

Lake County Board of Supervisors response 933.05. (A) 2.
The respondent disagrees wholly or partially with the finding,

Lake County CAO response 933.05 (A) 2.
The respondent disagrees wholly or partially with the finding.

Lake County HR Director response 933.05 (A) 2.
The respondent disagrees wholly or partially with the finding.

F-11: The PHO is not listed as a Critical Position.

Lake County Board of Supervisors response 933.05. (A) 1.
The respondent agrees with the finding.

Lake County CAO response 933.05 (A) 1.
The respondent agrees with the finding.

Lake County HR Director response 933.05 (A) 1.
The respondent agrees with the finding.

RECOMMENDATIONS

R-1: That the Lake County Board of Supervisors (BOS), CAO and HR Director (HRD) require contracted search firms to provide weekly updates to the recruitment status of the assigned search position. [F1]

Lake County Board of Supervisors response 933.05 (B) 1.
The recommendation has been implemented, with a summary regarding the implemented action.

Lake County CAO response 933.05 (B) 1.
The recommendation has been implemented, with a summary regarding the implemented action.

Lake County HR Director response 933.05 (B) 1.
The recommendation has been implemented, with a summary regarding the implemented action.

R-2: That the Lake County BOS, CAO and HRD negotiate incentives and/or disincentives with contracted search firms. [F2]

Lake County Board of Supervisors response 933.05 (B) 4.
The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor.

Lake County CAO response 933.05 (B) 4.
The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor.

Lake County HR Director response 933.05 (B) 4.
The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor.

R-3: That the Lake County BOS, CAO and HRD establish a dedicated Recruiter. [F-3, F-4]

Lake County Board of Supervisors response 933.05 (B) 3.
The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a timeframe.

Lake County CAO response 933.05 (B) 3.
The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a timeframe

Lake County HR Director response 933.05 (B) 3.
The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a timeframe

R-4: That the Lake County BOS, CAO and HRD establish full-service Generalists (Recruitment and Employee Relations) in the HR department. [F-3, F-4]

Lake County Board of Supervisors response 933.05 (B) 1.
The recommendation has been implemented, with a summary regarding the implemented action.

Lake County CAO response 933.05 (B) 1.
The recommendation has been implemented, with a summary regarding the implemented action.

Lake County HR Director response 933.05 (B) 1.
The recommendation has been implemented, with a summary regarding the implemented action.

R-5: That the Lake County HR Department coordinate interdepartmental training to ensure and enhance collaboration between departments, reduce errors and enhance the quality of services rendered to the public. [F-5]

Lake County Board of Supervisors response 933.05 (B) 4.
The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor.

Lake County CAO response 933.05 (B) 4.
The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor.

Lake County HR Director response 933.05 (B) 4.
The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor.

R-6: That the Lake County HR Department conduct exit interviews of appropriate terminating employees. [F6]

Lake County Board of Supervisors response 933.05 (B) 4.
The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor.

Lake County CAO response 933.05 (B) 4.
The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor.

Lake County HR Director response 933.05 (B) 4.
The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor.

R-7: That the Lake County HR Department develop a succession program for all key management positions. [F7]

Lake County Board of Supervisors response 933.05 (B) 3.
The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a timeframe.

Lake County CAO response 933.05 (B) 3.
The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a timeframe.

Lake County HR Director response 933.05 (B) 3.
The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a timeframe.

R-8: That the Lake County BOS, CAO and HRD provide short-term transitional housing for new hires in identified positions. [F8]

Lake County Board of Supervisors response 933.05 (B) 4.
The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor.

Lake County CAO response 933.05 (B) 4.
The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor.

Lake County HR Director response 933.05 (B) 4.
The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor.

R-9: That Lake County HR provide appropriate and applicable quarterly HR Metrics through the installation of a HR-friendly HRIS (Human Resource Information System) program to the Lake County BOS, CAO, and Lake County Department heads. [F9]

Lake County Board of Supervisors response 933.05 (B) 4.

The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor.

Lake County CAO response 933.05 (B) 4.
The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor.

Lake County HR Director response 933.05 (B) 4.
The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor.

R-10: That Lake County HR negotiate a minimum 30 to 60-day Transition Period, inclusive of the normal 2-week notification, for Senior Lake County Executive positions at the time of hire. [F10]

Lake County Board of Supervisors response 933.05 (B) 4.
The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor.

Lake County CAO response 933.05 (B) 4.
The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor.

Lake County HR Director response 933.05 (B) 4.
The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor.

R-11: That the PHO position be listed as a Critical Position. [F11]

Lake County Board of Supervisors response 933.05 (B) 1.
The recommendation has been implemented, with a summary regarding the implemented action.

Lake County CAO response 933.05 (B) 1.
The recommendation has been implemented, with a summary regarding the implemented action.

Lake County HR Director response 933.05 (B) 1.
The recommendation has been implemented, with a summary regarding the implemented action.

Not Your Grandpa's Dump

FINDINGS

F-1: Eastlake Sanitary Landfill meets EPA standards for methane gas.

Clearlake City Council response 933.05 (A) 1.
The respondent agrees with the finding.

F-2: SB 1383 mandates recycling as separate waste for all food scraps and food products.

Clearlake City Council response 933.05 (A) 1.
The respondent agrees with the finding.

F-3: Eastlake Sanitary Landfill operates on a net-zero self-sustaining budget.

Clearlake City Council response 933.05 (A) 1.
The respondent agrees with the finding.

F-4: Phase 2 of the expansion plan will begin next year (2023). The proposed landfill expansion project will take place in phases with modules constructed every 4 to 9 years.

Clearlake City Council response 933.05 (A) 1.
The respondent agrees with the finding.

F-5: The Eastlake Sanitary Landfill is well run and meets all regulatory requirements

Clearlake City Council response 933.05 (A) 1.
The respondent agrees with the finding.

F-6: SB 1383 mandates the separate recycling of all food scraps into animal feed, industrial fluids, soil amendments, and the recovery of edible food products for distribution to the needy.

Clearlake City Council response 933.05 (A) 1.

The respondent agrees with the finding.

F-7: On May 2nd the Board of Supervisors considered an ordinance establishing Chapter 31 of the Lake County Code for an edible food recovery program. The Board is examining the requirements and associated cost of meeting the State mandates of SB 1383.

Clearlake City Council response 933.05 (A) 1.
The respondent agrees with the finding.

Lake County Board of Supervisors response 933.05 (A) 2.
The respondent disagrees wholly or partially with the finding.

F-8: Clearlake has confirmed to the Grand Jury that it will participate in the edible food program and are determining how the program can be instituted.

Clearlake City Council response 933.05 (A) 2.
The respondent disagrees wholly or partially with the finding.

F-9: Lakeport has indicated to the Grand Jury that they will introduce an ordinance to augment the Municipal Code to establish regulations regarding the edible food recovery program.

Clearlake City Council response 933.05 (A) 1.
The respondent agrees with the finding.

Lakeport City Council response 933.05 (A) no response

F-10: The only two cans/bottles/plastics recycling centers in Lake County are Diamond Recycling in the Burns Valley Shopping Center in Clearlake and Robinson Rancheria in Nice.

Lake County Board of Supervisors response 933.05 (A) 2.
The respondent disagrees wholly or partially with the finding.

Clearlake City Council response 933.05 (A) 2.
The respondent disagrees wholly or partially with the finding.

F-11: The two recycling centers redeem cans/bottles/plastics by weight rather than per-item resulting in decreased economic incentive.

Lake County Board of Supervisors response 933.05 (A) 2.
The respondent disagrees wholly or partially with the finding.

Clearlake City Council response 933.05 (A) 2.
The respondent disagrees wholly or partially with the finding.

F-12: As a result of the economic disincentive to recycle, the State collects and holds the unrefunded deposits is a sum totaling more than a half a billion dollars.

Lake County Board of Supervisors response 933.05 (A) 2.
The respondent disagrees wholly or partially with the finding.

Clearlake City Council response 933.05 (A) 2.
The respondent disagrees wholly or partially with the finding.

F-13: Single use plastics continue to pollute our environment, are toxic to humans and animals, and negatively impact landfill capacity.

Lake County Board of Supervisors response 933.05 (A) 2.
The respondent disagrees wholly or partially with the finding.

Clearlake City Council response 933.05 (A) 1.
The respondent agrees with the finding.

F-14: Reverse Vending Machine are being used increasingly to recycle bottles and cans because of ease of use.

Lake County Board of Supervisors response 933.05 (A) 2.
The respondent disagrees wholly or partially with the finding.

Clearlake City Council response 933.05 (A) 2.
The respondent disagrees wholly or partially with the finding.

F-15: The Recycling Handbook created by the Department of Public Services was thorough and informative.

Clearlake City Council response 933.05 (A) 1.
The respondent agrees with the finding.

RECOMMENDATIONS

R-1: That the Lake County Board of Supervisor formulate ordinances requiring any retail businesses that sell plastic bottles also to redeem them, including possibly using reverse vending machines, as a condition of their County license.
(F7, F10, F11, F12, F13, F14)

Lake County Board of Supervisors response 933.05 (B) 4.
The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor.

R-2: That the Lakeport City Council formulate ordinances requiring any retail businesses that sell plastic bottles also to redeem them, including possibly using reverse vending machines, as a condition of their business license. (F9, F10, F11, F12, F13, F14)

Lakeport City Council response 933.05 (A) no response

R-3: That the Clearlake City Council formulate ordinances requiring any retail businesses that sell plastic bottles also to redeem them, including possibly using reverse vending machines, as a condition of their business license. (F8, F10, F11, F12, F1, F14)

Clearlake City Council response 933.05 (B) 4.
The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor.

WILDFIRE RISK MITIGATION IN LAKE COUNTY: ANSWERING THE CALL

FINDINGS

F-1: The CWPP is in the process of being updated from its 2009 edition and a preliminary draft has been created. Regulations require its update every five years.

Board of Supervisors response 933.05. (A) 1.
The respondent agrees with the finding.

F-2: The County is planning to hire a Climate Resilience Officer to interact with wildfire mitigation stakeholders to prioritize tasks and share resources.

Board of Supervisors response 933.05. (A) 2.
The respondent disagrees wholly or partially with the finding.

F-3: Reduction of State prison inmate fire crews substantially impacted CAL FIRE's fuel reduction mitigation and also fire suppression, as "troops on the ground" do the heaviest work in each area.

F-4: Lake County's Code Enforcement Division is understaffed and under-resourced and cannot prioritize wildfire mitigation or enforcement/collection of fines.

Board of Supervisors response 933.05. (A) 2.
The respondent disagrees wholly or partially with the finding.

F-5: The Northshore Fire Protection District has developed a fuel-reduction crew that will be available for projects across Lake County.

F-6: The indigenous community historically has had special expertise in forest management that is being recognized, belatedly, by government and community groups active in mitigation efforts through support of prescribed burns.

F-7: The Board of Supervisors has declared a local bark-beetle tree-mortality emergency, which is expected to make additional mitigation funding available, including possibly to private property owners for whom tree removal is cost-prohibitive.

Board of Supervisors response 933.05. (A) 2.
The respondent disagrees wholly or partially with the finding.

Lake County Community Development Department no response

F-8: CAL FIRE has arranged for an "air curtain incinerator" to be available on Cobb for one year to burn brush and trees.

F-9: The Lake County Fire Safe Council is not independent of the Board of Supervisors, whereas the South Lake County Fire Safe Council is a 501(c)(3) with strong community support.

F-10: The total amount of Kelseyville Riviera mitigation assessment funds raised in 2018 were not expended as planned, and the amount and location of the balance is unknown to the public.

Board of Supervisors response 933.05. (A) 1.
The respondent agrees with the finding.

RECOMMENDATIONS

R-1: That the Board of Supervisors take responsibility for making the updated CWPP widely available to the public for comment. (F-1)

Board of Supervisors response 933.05 (B) 1.
The recommendation has been implemented, with a summary regarding the implemented action.

R-2: That the Board of Supervisors finalize the hiring of a Climate Resiliency Officer. (F-2)

Board of Supervisors response 933.05 (B) 4.
The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor.

R-3: That additional County Code Enforcement Officers be hired who can focus on vegetation management violations. (F-4)

Board of Supervisors response 933.05 (B) 4
The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor.

R-4: That Code Enforcement be permitted to use the private firm Data Ticket to assist in enforcing regulation violations and collecting fines. (F-4)

Board of Supervisors response 933.05 (B) 4.
The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor.

R-5: That the Board of Supervisors provide details to the public regarding expected benefits from the declaration of a local tree-mortality emergency, including sources of funding to private landowners for removal of dead conifers. (F-7)

Board of Supervisors response 933.05 (B) 2.
The recommendation has not yet been implemented, but will be implemented in the future, with a timeframe for implementation

R-6: That CAL FIRE inform the public about the requirements/ restrictions (volume/size of brush/trees) to access the air curtain incinerator, as well as its availability. (F-8)

R-7: That consideration be given to creating a single County-wide Fire Safe Council to offer consistent messaging and provide more widespread wildfire risk mitigation information. (F-9)

Board of Supervisors response 933.05 (B) 4.
The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor.

Lake County Community Development Department no response

R-8: That the Board of Supervisors publicly account for the remaining Riviera mitigation assessment funds that targeted properties with high fire risk in 2018-2019. (F-10)

Board of Supervisors response 933.05 (B) 1.
The recommendation has been implemented, with a summary regarding the implemented action.

Jafet Negrete of the Lake County Fire Protection District