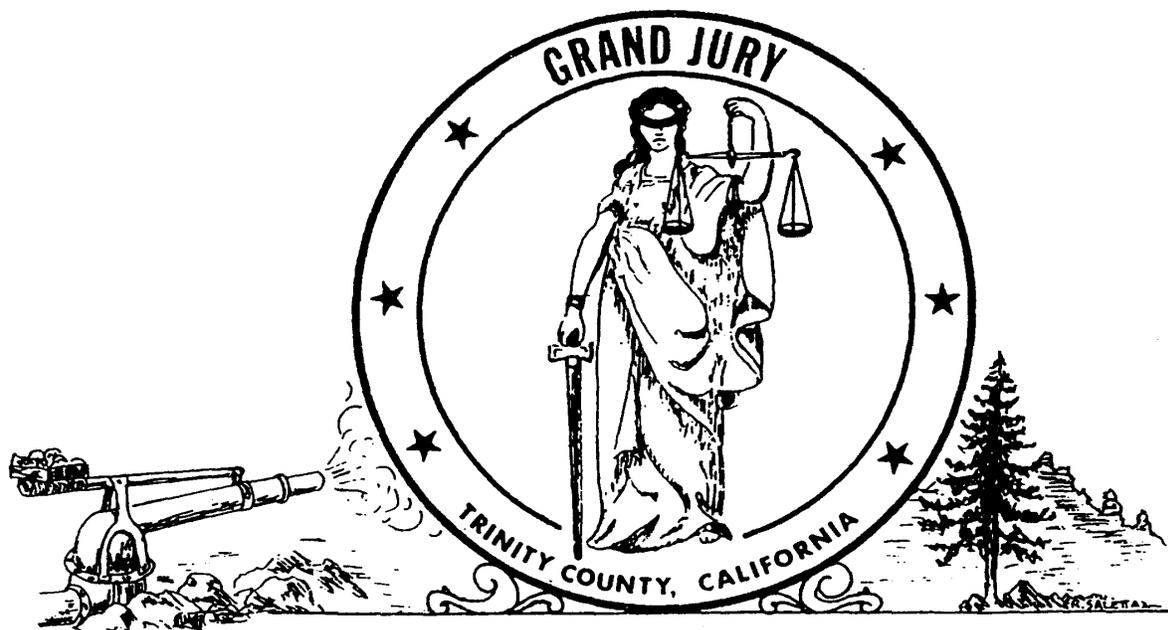


FINAL REPORT OF THE
TRINITY COUNTY
GRAND JURY

1998 - 1999



1998-99 TRINITY COUNTY GRAND JURY ROSTER

FRED ALLINGHAM
GERALD L. BOOSINGER
DAVID BORBA
ROGER CINNAMOND
ALLEN C. COX
JUDY DERRYBERRY
DONALD ECKELS
RUSS FRASIER
LYNN GUNK
JOHN B. LINDBERG
ERIK E. LONG
JUDITH MABEN
HOWARD McCALL
KEITH B. RADCLIFFE, JR.
JOHN RAPF
LYN PAUL RELPH
CLARA STEWART
DOROTHY V. TORRES
HOMER ZUGG

WEAVERVILLE
WEAVERVILLE
WEAVERVILLE
BURNT RANCH
LEWISTON
WEAVERVILLE
TRINITY CENTER
MAD RIVER
BIG BAR
TRINITY CENTER
HAYFORK
LEWISTON
LEWISTON
TRINITY CENTER
HYAMPOM
DOUGLAS CITY
WEAVERVILLE,
TRINITY CENTER
WEAVERVILLE,

FOREMAN: Gerald Boosinger
FOREMAN PRO TEM: Homer Zugg
SECRETARY: Lyn Relph
ASST. SECRETARY: Dorothy Torres

June 30, 1999

The Honorable John K. Letton
Presiding Judge of the Superior Court
P.O. Box 1258
Weaverville, CA 96093

Dear Judge Letton:

We the 1998-99 Trinity County Grand Jury are honored to present to you and the citizens of Trinity County the 1998-99 Grand Jury Final Report.

The primary function of the Grand Jury is to serve as a reporting entity. Our report is based upon those areas of county government identified by the Grand Jury to be investigated during the period of our tenure. Allegations, complaints and suggestions from citizens, together with investigations initiated by the Jury, culminated in the recommendations contained in this report.

The Jury was able to complete our final reports in time to review department responses while still impaneled. This is the third year for this process and allows the Jury to evaluate the response and make additional recommendations where necessary. We feel this effort has resulted in thoughtful, timely and complete replies from the respondents.

The 1998-99 Grand Jury is grateful for the time and patience of various county personnel and officials for the ongoing education and information resources graciously made available. We appreciate their hard work and dedication.

Of the nineteen jurors who authored this report, four also served on the 1997-98 Grand Jury. The jurors collectively reside in all areas of Trinity County and I offer my deep appreciation to each juror for his or her dedication, consistency, hours upon hours of devoted labor and for the achievements that make this report possible. We have attempted to fulfill our duties to the best of our abilities and want to thank you for the opportunity of being able to serve our county.

Respectfully submitted,
S/S
Gerald L. BOOSINGER, Foreperson
1998-99 Trinity County Grand Jury

**1998-99 TRINITY COUNTY GRAND JURY
COMMITTEE ROSTER**

JUDICIAL

Homer Zugg, Chr.
Russ Frazier
John Lindberg
Lyn Relph
Lynn Gunn

HEALTH & SOCIAL SERVICES

Howard McCall, Chr.
Fred Allingham
Allen Cox
Dorothy Torres
Clara Stewart
David Borba
Keith Radcliffe
Judy Derryberry
Secretary - Lyn Relph
Assistant Secretary - Dorothy Torres

FINANCE AND ADMINISTRATION

Fred Allingham, Chr.
Erik Lono
Don Eckels
Roger Cinnamond
John Rapf
Judith Maben

EDITORIAL

Lyn Relph
Dorothy Torres

TRINITY COUNTY GRAND JURY

1998-1999

FINAL REPORT

FINANCE AND ADMINISTRATION COMMITTEE

This report was approved
on December 10, 1998
Filed on March 11, 1999

**1998-99 TRINITY COUNTY GRAND JURY
FINANCE AND ADMINISTRATION
COMMITTEE FINAL REPORT
ADMINISTRATIVE STRUCTURE AND
DECISION-MAKING
BOARD OF SUPERVISORS AND ALL
DEPARTMENTS**

PURPOSE:

The 1997-98 Grand Jury recommended that the succeeding grand jury evaluate the administrative structure of Trinity County government and the processes by which decisions were being made. As part of this evaluation, the Grand Jury sought an answer to two questions:

Is the position of County Administrative Officer necessary in the County administrative structure and decision-making process?

How are decisions made at the administrative level?

BACKGROUND:

The administrative structure of Trinity County government is divided into two basic parts: the Board of Supervisors and its direct and real authority over the non-elected department heads and employees of the county; and the more independent elected department heads such as Auditor/Controller, County Clerk/Recorder/Assessor, District Attorney/Coroner, Marshal, Sheriff and Treasurer/Tax Collector over whom the supervisors have limited authority based primarily on budgeting decisions. In the formal structure (see attached Trinity County Organizational Chart) the appointed department heads report through the County Administrative Officer (CAO) who works directly for the Board of Supervisors and serves as the formal and direct source of information related to non-elected departments while, according to the chart, elected departments formally speak on their own behalf before the board. Informally, the appointed department heads have free and direct access to the board as well.

The question of whether a CAO is necessary to the structure and process of county government apparently is raised every couple of years. At least in part this question appears to be based on the desires for less government on the part of some citizens who believe the elected and appointed officials could share the tasks of a CAO.

METHOD OF INVESTIGATION:

The Grand Jury interviewed all current members of the

Board of Supervisors and most of the elected and appointed department heads. Each was asked questions related to the county administrative structure and decision-making process. In addition, we went one step further since there is not a public evaluation process of the CAO, and asked direct questions related to the role of the current CAO in that structure and process.

FINDING #1:

It is apparent that the role of the CAO now and in the past has been dependent, to a great measure, on both the make-up and temperament of the Board of Supervisors and the make-up and temperament of the individual in the CAO role.

With only two exceptions, those interviewed believed the role of CAO was essential to efficient and effective county decision-making. The position was seen as a funnel for the gathering of information to go to and from the Board of Supervisors.

A clear majority felt the current CAO was effectively performing the duties of the CAO and gave the current CAO credit for team-building among elected and appointed department heads and opening up the decision making process including access to the Board of Supervisors. There are regular meetings of the administrative staff to deal with issues in general and in setting the agenda for meetings of the Board of Supervisors. This, along with a more congenial Board of Supervisors, has generally made decision-making easier, more cooperative and effective.

Most acknowledged that the role of the CAO changes depending on who is wearing the hat and that continuance of the current decision-making environment is dependent on a CAO willing to share decision-making and a Board of Supervisors wishing to work together and with department heads in a collegial manner.

RECOMMENDATION #1:

Other than expressing appreciation for what most described as a positive and clear change in the decision-making process, we have no recommendations other than to continue on the same course.

FINDING #2:

The 1997-98 Grand Jury made recommendations related to evaluations of elected and appointed department heads. It appears that evaluation of the CAO is an informal, on-going process based on the individual observations and interactions of each supervisor with the CAO. While the CAO essentially serves at the pleasure of the board, and this informal evaluation may be comfortable for the parties involved, there are drawbacks. County residents are generally not aware of the roles the CAO plays in government nor how well those roles

are performed and thus do not have the necessary information to assess the value of the CAO position. The CAO's tenure requires pleasing five individual members rather than meeting the needs of the Board of Supervisors as a unit.

RECOMMENDATION #2:

On an annual basis the CAO should be outlining goals and objectives for the CAO office for the upcoming year. This should be done at a regular, public meeting of the board. In this way the supervisors, as well as citizens, will have a more concrete method of assessing what the CAO should be doing and how well the CAO is performing.

CONCLUSION:

The Grand Jury was pleasantly surprised at how well the county operates at the administrative level. Both elected and appointed officials and administrators showed a clear understanding of their roles in the administrative structure and decision-making process and presented a fairly positive outlook for continued good will and cooperation in the future.

30-DAY RESPONSE REQUESTED FROM: Board of Supervisors and CAO

Response of the County Administrative Officer

Date: March 23, 1999
To: Honorable John K. Letton,
Superior Court Judge
From: Jeannie Nix-Temple, County
Administrative Officer
RE: Response to 1998-99 Trinity County
Grand Jury Finance and Administration
Committee Final Report Administrative Structure and Decision Making

I appreciate the Grand Jury's investigation and recommendations relating to the County's administration and decision-making process. I am pleased that the Grand Jury received such positive responses from the Board of Supervisors and the department heads who were interviewed.

Recommendation #1

The method for County decision making has followed an evolutionary process, which is still being refined. I am grateful that County department managers bring such a wealth of knowledge to the table, and that County Supervisors regularly participate on committees. They

support and often require a team approach to decision making.

Recommendation #2

For the past several years at annual budget hearings, the CAO and department heads have provided the Board of Supervisors with their goals and objectives. Progress on these goals and objectives is evaluated at the mid-year budget review. The Board of Supervisors has an opportunity at that time to request modifications to the goals if it wishes, or to request that new goals be added. In addition, the Board of Supervisors regularly gives me direction and requires that I provide regular progress reports.

Despite these efforts, the public is not always aware of my duties or how well I carry out my responsibilities. I believe that the Board of Supervisors is aware of my accomplishments.

Response of the Board of Supervisors

June 1, 1999
Jerry Boosinger
Trinity County Grand Jury
P.O. Box 1258
Weaverville, CA 96093
RE: Finance and Administration Committee Final Report Administrative Structure and Decision-Making Board of Supervisors and all Departments

Dear Foreperson:

The Trinity County Board of Supervisors relishes the pleasant surprise that the Grand Jury expressed in its observation of Trinity County's administrative function.

Team building and efficiency have been, for the last number of years, the focus of the Board direction and efforts of our county administrative office and department heads. .

The Board concurs with the findings, recommendations and conclusion of the 1998-99 Finance and Administration Committees' Final Report on Trinity County's administrative structure and decision making.

Sincerely,
TRINITY COUNTY BOARD OF SUPERVISORS
ROBERT REISS, Chairman

This report was approved on
April 8, 1999
Filed on May 3, 1999

**1998-99 TRINITY COUNTY GRAND JURY
FINANCE AND ADMINISTRATION
COMMITTEE FINAL REPORT
COMPLAINT ON HAYFORK FIRE PROTECTION DISTRICT**

PURPOSE:

The Grand Jury received a two-fold complaint from the Hayfork Fire Protection District (HFPD) alleging mistreatment arising out of their interest to expand their District and their inability to receive necessary budget information in a reasonable and understandable format.

BACKGROUND:

The HFPD contacted the Trinity County Local Agency Formation Commission (LAFCO) in 1994 expressing their interest in expanding their current district by annexing the area beyond the district boundaries known as their "Sphere of Influence." HFPD had already been serving this area voluntarily in cooperation with the California Department of Forestry (CDF). HFPD believed that by expanding their district to include their Sphere of Influence", they would receive a commensurate revenue increase.

Subsequently, they submitted a check for \$500.00 to LAFCO as the prescribed fee for processing the annexation application.

In August of 1995 the Executive Officer of LAFCO sent a detailed letter outlining the procedures for annexation. This included LAFCO's assessment, based on discussions with the State and with another fire district, that no additional revenue would accrue to the district for the area annexed.

When the HFPD realized that there would be no revenue increases, they put their annexation request on hold while they tried to clarify the reasons for this. They contacted two members of the County Board of Supervisors, the County Auditor and others trying to determine why there would be no revenue increases. They also requested a refund of the \$500.00 annexation fee. Neither LAFCO, the Auditor's Office, nor the Planning Department were able to explain to the HFPD's satisfaction why an increased geographic area of service would not result in an increase in revenues.

METHOD OF INVESTIGATION:

The Grand Jury interviewed officials of the HFPD, LAFCO, the County Auditor and officials of a different Special District. Written materials submitted by the various parties were reviewed as well.

FINDING #1:

The Grand Jury compliments the Auditor's office for their willingness to provide timely help and assistance to the Special Districts of Trinity County. However, budget information provided to the Special Districts by the Auditor's office is not always clear and easily understood by people not familiar with accounting language.

RECOMMENDATION #1:

The Grand Jury recommends that the Auditor's office prepare a manual for all the Special Districts that outlines the process and sources of funding to the Special Districts. This manual should include definitions of terms and a timeline of the annual budgetary process. The Grand Jury requests that a draft of the manual be prepared as soon as possible and submitted to the Grand Jury for review and comments. A final manual would then be forwarded by the Auditor to all Special Districts in Trinity County.

FINDING #2:

The Grand Jury finds that the process the Special Districts must use to expand their districts can be complicated, lengthy and not easily understood. However, the Grand Jury finds that the Auditor's office, Planning Department and LAFCO all did the best they could to explain the process and help the HFPD determine whether or not they should go ahead with annexation. The amount of money refunded to the HFPD from the annexation fee appears to be proper due to the amount of time expended by LAFCO on the annexation process.

Because of the current method of distributing General Fund revenue, there is no method by which Special Districts can increase their share of the General Fund revenue through annexation. The only way for the HFPD to obtain a reliable, consistent and permanent increase in revenue at this time would be to hold an election in the affected areas to gain voter approval for a special tax district.

RECOMMENDATION #2:

We recommend that if the Hayfork Fire Protection District still wishes to serve their "Sphere of Influence", but requires additional revenue to do so, the district go directly to the affected voters to seek approval for a special tax to pay for those services.

30 DAY RESPONSE REQUESTED FROM: County Auditor and LAFCO.

Response of the County Auditor-Controller

To: Trinity County Board of Supervisors

From: Brian Muir, Auditor - Controller
Date: May 14, 1999
Subject: 1988/99 Grand Jury Finance & Administration
Committee Final Report -Complaint on Hayfork
Fire Protection District

The Grand Jury found that information provided to the Special Districts by the Auditor's office is not always clear and easily understood by people not familiar with accounting language and recommended that the Auditor's office prepare a manual describing the process and sources of funding for Special Districts.

Unfortunately, property tax apportionment and special district accounting is not easily understood by people without an accounting background. As an example, the State Board of Equalization's property tax manual consists of three complicated volumes.

I don't believe the citizens of the County would be well served to have the Auditor's staff devote time in an attempt to make an manual for non-accountants. There is an accounting manual for Special Districts already available from the State Controller's office. The Auditor's office will prepare a timeline of the budgetary and apportionment process, and, as always, the staff will be available to assist with problems.

Response of Executive Officer of LAFCO

June 9, 1999

To: Board of Supervisors

FROM: John Jelichich, Planning Director

SUBJECT: 1998/1999 Grand Jury Finance & Administration Committee Final Report re: "Complaint on Hayfork Fire Protection District".

Finding #1:

This finding pertains to the Auditor's office. I have no comment.

Recommendation # 1:

This recommendation pertains to the Auditor's office. I have no comment.

Finding #2:

I agree with the finding. I again offer to work with the Hayfork Fire Protection District, if I can be of any help to them. I realize that they are experiencing some difficult times.

Recommendation #2:

I agree with the recommendation. Obtaining voter approval for funding of fire protection service would be an appropriate way to serve areas which are currently not within the district. If other methods become available, I would be pleased to discuss them with the district.

Sincerely,

John Alan Jelichich,

Planning Director and Executive Officer for LAFCO

Response of the Board of Supervisors

July 20, 1999

Jerry Boosinger

Trinity County Grand Jury

P.O. Box 1258

Weaverville, CA 96093

RE: Finance and Administration Committee Final Report
Follow-up to 1997098 Grand Jury Report re
Complaint on Hayfork Fire Protection District

Dear Foreperson:

The Trinity County Board of Supervisors acknowledges receipt of the above referenced report and thanks the Grand Jury for its work. The Board's response is as follows:

Recommendation # 1 The Board concurs with the Grand Jury on the efficient timeliness and help given by the Auditor's office to Special Districts. However, the Board agrees with the opinion of the Auditor/Controller, that special district accounting is not easily understood by people without an accounting background and agrees that the Auditor/Controller's office should not be required to prepare a manual for non-accountants, when there is already a manual in place and readily available.

Recommendation #2

The Board concurs.

Sincerely,

TRINITY COUNTY BOARD OF SUPERVISORS
ROBERT REISS, Chairman

This report was approved
on December 10, 1998
Filed on May 3, 1999

**1998-99 TRINITY COUNTY GRAND JURY
FINANCE AND ADMINISTRATION
COMMITTEE FINAL REPORT
TRINITY COUNTY WATERWORKS
DISTRICT #1**

PURPOSE:

The Grand Jury received a citizen's complaint about the decision-making process by which the Hayfork sewer project was approved and implemented. The Grand Jury determined the complaint and accompanying back-up materials warranted an investigation.

BACKGROUND:

A sewer system has been seen as an essential element of economic development for Hayfork for many years. The closure of the mill and, therefore, the need for the development of other economic resources, made the sewer system a priority to any new economic development. Using Community Development Block Grant (CDBG) planning funds, the Trinity County Waterworks District #1 (the Water District) designed a sewer system, sought out additional sources of revenue to pay the majority of the costs of the system, and determined the annual assessment that would be required of those benefiting from the system. They then produced a Feasibility Study.

There were numerous public meetings specifically related to the sewer system as well as the regular meetings of the Water District Board. Property owners who were to be assessed had the opportunity to cast a protest or supportive vote in a ballot available only to those to be assessed. A distinct majority voted to support the sewer system and the assessment.

The complainant alleged several improprieties by which the project was administratively approved, including the lack of an Environmental Impact Report (EIR), an attempt by the Water District Executive director to mislead the public about the existence of an EIR, the number of projected versus actual ballots cast by affected property owners. Based on the latter, the complainant also thus challenged the accuracy of the assessment to be charged.

METHOD OF INVESTIGATION:

The Grand Jury interviewed the complainant, Water District officials and the County Planning Director about the sewer project process. Various documents related to the project were also reviewed.

FINDING #1:

It appears that good faith efforts were made to communicate the project need, costs, sources, etc., to the impacted property owners through special and regular meetings of the Water District Board and written communications from the Water District Executive Director to impacted owners.

RECOMMENDATION #1:

None

FINDING #2:

The Water District contracted with the Trinity County Planning Department to perform a review of potential environmental impacts. Planning Department staff determined that there would not be any significant disruption to the environment and a Negative Declaration was filed. It appears the Negative Declaration was appropriate.

RECOMMENDATIONS:

None

FINDING #3:

There was a difference in the number of Effective Dwelling Units (EDU's) projected in the Feasibility Study and the actual number of ballots cast. This was due to the necessity to negotiate with school districts and others on the number of EDU's assigned to them. The negotiations are a requirement, not an option. According to Water District officials, this will not change the assessment amount contained in the Feasibility Study. It will remain at \$13.52 per EDU.

However, due to limited grant money to assist lower income owners, some will have to bear the cost of filling their septic tanks and the cost of pumping sewage to the sewer connection. The Water District has discussed this with several local-lending institutions who, according to the Water District, will be willing to loan the needed funds without requiring collateral.

RECOMMENDATION #3:

The Grand Jury would hope that the Water District make every effort to keep the assessment at the projected level as a means of keeping faith with those who cast supportive ballots for the project based on that assessment.

The Grand Jury would recommend that the Water District attempt to obtain additional grant money targeted to lower income persons, such as additional CDBG funds, to assist in septic tank and pumping issues.

CONCLUSION:

Officials have a serious obligation to provide citizens with as much information as needed to make informed decisions about projects the size of the Hayfork sewer system. It appears that Water District Officials and oth-

ers took many steps to ensure that affected property owners knew what was taking place. This effort seems sufficient in our opinion although there may still be some citizens dissatisfied.

30-DAY RESPONSE REQUESTED: None

Response of the Board of Supervisors

May 4, 1999
Jerry Boosinger
Trinity County Grand Jury
P.O. Box 1258
Weaverville, CA 96093

RE: Finance and Administration
Committee Complaint on Hayfork
Sewer Project - Trinity
County Waterworks District #1

Dear Foreperson:

Thank you for the opportunity to comment on the Grand Jury Finance and Administration Committee's report on the Hayfork Sewer Project complaint.

The Board of Supervisors agrees with the findings and recommendations of the report.

The Board agrees that the economic development in Trinity County will be enhanced by infrastructure improvements and that those improvements should be made with ample involvement of the public.

The Board of Supervisors thanks the Grand Jury for its time and efforts in preparing this report.

Sincerely,

TRINITY COUNTY BOARD OF SUPERVISORS
Robert Reiss, Chairman

This report was approved
on May 13, 1999
Filed May 25, 1999

**1998-1999 TRINITY COUNTY GRAND JURY
HEALTH AND HUMAN SERVICES
COMMITTEE FINAL REPORT
EVALUATION OF COMPLIANCE WITH
RECOMMENDATIONS OF THE 1997-98
GRAND JURY BY CHILD PROTECTIVE
SERVICES IN ADMINISTRATION OF THE
TRINITY COUNTY
FOSTER CARE PROGRAM**

PURPOSE:

The Child Protective Services Division of the Trinity County Health and Human Services Department was investigated by the 1997-98 Trinity County Grand Jury and many deficiencies were found in the operation and administration of the division. Several recommendations were made by the 1997-98 Grand Jury which, it was felt, would improve the services rendered to the children of Trinity County, in the county foster care program, and would bring the program into compliance with state laws and mandates. The 1997-98 Grand Jury requested the 1998-99 Grand Jury continue with the investigation of Child Protective Services Division in order to evaluate these recommendations.

BACKGROUND:

The 1997-98 Grand Jury found a general lack of responsibility by Child Protective Services (CPS) personnel, in complying with their mandates and obligations in the administration of the county foster care program. Administrative and supervisory controls were found not to be in place or were not effectively managed. A state audit by the California Department of Social Services, during May-June 1997, found that the division's record keeping did not meet acceptable standards.

The 1997-98 Grand Jury received citizen complaints (regarding CPS) subsequent to publishing the Health and Social Services Final Report and requested the 1998-99 Grand Jury to complete the investigation of these complaints.

METHOD OF INVESTIGATION:

The Health and Human Services Committee interviewed each current member of the CPS staff, the acting supervisor of CPS, the Director of Trinity County Health and Human Services Department, and a representative sample of the foster families from all areas of Trinity County. A representative of the Sheriff's Department, the County Probation Department and the Trinity High Schools was

also interviewed in order to ascertain whether or not these entities of government felt that CPS was performing its mandated tasks in a proper, efficient and timely manner.

Administrative responses to the 1997-98 Health and Human Services Committee Final Report and to the Oversight Report of Child Welfare Services by the California Department of Social Services and the Corrective Action Plan submitted by CPS were reviewed and followed up as appropriate.

FINDING #1: Information

The 1997-98 Grand Jury found that the level of foster child information provided initially to foster parents was frequently inadequate, and it recommended that CPS provide the foster parent(s) with the background information necessary to effectively aid in meeting the needs of foster children.

Foster parents interviewed indicated that they are now getting available information. A form is now being used that documents the information provided to the foster family, and a system for ascertaining compliance is now in place.

RECOMMENDATION #1:

No further action is required other than to continue with present practices.

FINDING #2: Complaint Processing

The 1997-98 Grand Jury found that some citizen complaints were not acted upon in a timely manner. It was recommended that CPS develop a procedure for processing all complaints in an expeditious manner and that complainants be notified whether or not any actions have been taken with regards to the complaint and if not why no actions were taken. Procedures have been developed and, reportedly, are being followed.

RECOMMENDATION #2:

Continue present practice.

FINDING #3: Licensing

The 1997-98 Grand Jury determined that CPS had not been following procedures mandated by law in the relicensing of foster homes. The Grand Jury strongly recommended compliance in this matter.

CPS has employed a Social Worker who has completed extensive training in the licensing of foster homes and in the administration of the foster care program. This Social Worker has met individually with all parents in the county foster care program. He has also conducted a group meeting with the majority of the foster families. Re-licensing of current foster homes has been completed. Foster families interviewed have expressed positive comments about the changes that have been implemented in this area.

RECOMMENDATION #3:

None.

FINDING #4: Telephone

The 1997-98 Grand Jury found that phone calls to CPS were either not always being answered or were not being returned in a timely manner. It was recommended that procedures for handling and responding to incoming telephone calls be implemented and adhered to.

New telephone procedures are now in place and response time has been markedly improved. CPS now has a paging system in place through which they can contact case workers, in an emergency, and a 24-hour response time for all messages is policy. However, foster families continued to register some complaints in this area as late as January, 1999.

RECOMMENDATION #4:

Management should make certain that established policy is adhered to.

FINDING #5: Clothing Allowance

The 1997-98 Grand Jury determined that the clothing allowance for foster children in Trinity County was substantially below that provided by nearby counties, and that payment of the clothing allowance was not being provided in a consistent or timely manner. It was recommended that the clothing allowance be reviewed immediately and that the allowance be brought closer to nearby county levels.

A revised clothing allowance for the foster children has been presented to and passed by the Trinity County Board of Supervisors. Foster families have begun to receive the new amounts.

RECOMMENDATION #5:

The Grand Jury recommends that the clothing allowance continue to be reviewed on an annual basis and that adjustment be made accordingly.

FINDING #6: Activity Documentation

An Oversight Report on child welfare services prepared by the California Department of Social Services, in May-June 1997, found that CPS was below the 90% compliance level in documenting its activities. The state required a Corrective Action Plan to bring CPS into compliance with state law in regards to this matter. At the time that the 1998-99 Grand Jury commenced its tenure, no Corrective Action plan had been submitted to the state.

The Corrective Action plan was completed by CPS and sent to the state in September 1998. It should be noted, however, that many elements outlined in the plan had already been implemented or were in the process of being corrected. Quarterly reviews by the CPS supervisor are being done to insure documentation is both timely

and completed. Training to familiarize staff with the mandates of division and state rules and law is also being undertaken.

RECOMMENDATION #6:

None.

FINDING #7: Timely Payment

The 1997-98 Grand Jury determined that payment for foster care was not being received in a timely manner. It was recommended that procedures be implemented to ensure that payment would be made in a timely manner. CPS has assigned a case worker to interface with the eligibility division to make certain that all steps are taken to comply with this requirement.

RECOMMENDATION #7:

None.

FINDING #8: Payment Amount

The 1997-98 Grand Jury found that inequities existed in the level of support payments for foster care when Trinity County is compared to other nearby counties. It was recommended that a review of foster care payments be made and, if allowed by law, adjustments be made.

Foster care payments have been adjusted and are now more closely aligned with those of surrounding counties. Foster families are expressing their appreciation and approval of this change.

RECOMMENDATION #8:

Periodic reviews of the level of support payments should be made to ensure that those provided by Trinity County are in line with those provided by nearby counties.

FINDING #9: Counseling

The 1997-98 Grand Jury found that requested professional counseling for foster families was not scheduled in a timely manner or in some cases was denied. Recommendations were made for procedures, in this regard, to be reviewed and, where necessary, upgraded. CPS has developed a manual that details procedures to be followed when counseling is requested. Regular staff meetings are now held to resolve any problems that exist in this matter.

RECOMMENDATION #9:

None

FINDING #10: Placement Procedures

It was reported to the 1997-98 Grand Jury that juvenile offenders had been placed in foster homes where there were small children. This is against state regulations. It was strongly recommended the CPS, the Sheriff's department, and the Probation Department review and upgrade the placement procedures with regard to this matter.

It was found that this complaint was an isolated case and that procedures to prevent such occurrences were

already in place. Better adherence to established policies is a focus of all departments involved.

RECOMMENDATION #10:

None.

FINDING #11: Cross Training

The 1997-98 Grand Jury found that there was a lack of qualified cross-trained personnel to assume duties during employee absences. A cross training program and other procedures were recommended to ensure that the daily operations of the division continue in a timely and efficient manner.

Staff changes and low staff level have made this a difficult goal to achieve. Recruitment of a new division supervisor and additional staff members has been undertaken and is ongoing.

RECOMMENDATION #11:

It is recommended that the recruitment of a new supervisor for the division be continued with the greatest diligence. Filling of the additional staff positions should also be given high priority.

FINDING #12: Feedback System

The 1997-98 Grand Jury found that there was no mechanism built into the county foster care system that would allow foster families to provide feedback as to the quality and quantity of the services provided them by CPS. It was recommended that a formal written instrument be developed and disseminated to each foster family at least on an annual basis.

Such an instrument has been developed and will be provided to the foster families by the time this report is published.

RECOMMENDATION #12:

None.

FINDING #13: List of Homes

Last year's Grand Jury found that the list of Licensed Homes for Trinity County, published by CPS, was constantly out of date. It was recommended that the list be maintained in a current condition at all times. It was also recommended that in-home visits to foster homes be scheduled in a timely manner to ensure appropriate re-licensing of the homes (see Finding #3).

The list of licensed foster care homes has been updated and is now being maintained in a current condition. Timely in-home visits, as required by law, are now being made and proper re-licensing is being accomplished.

RECOMMENDATION #13:

It is recommended that present practices be continued and that they be monitored to ensure that they are maintained.

FINDING #14: Management Meetings

The 1997-98 Grand Jury reported that administrative

personnel at all levels of the CPS foster care program have been lax in ensuring that the program operates in the best interest of the children. It was recommended that a meeting or meetings of representatives from all cognizant departments be convened to initiate corrections of the operating problems of the foster care program. The present Grand Jury has been advised that such meetings have been, and are being, held and that the meetings include representatives of all cognizant departments.

RECOMMENDATION #14:

None.

FINDING #15: Security

During the course of the present Grand Jury's investigations, it was determined that potentially serious security issues were present in the CPS offices; i.e., files were being left on desk tops, there was no lock-up system to secure the files, files were misplaced, there was no sign-out system for files and the alarm system was ineffective.

The following changes have been made to rectify these concerns: locks on the CPS building have been changed; there is only one designated janitor; no outside groups meet in the building at night; case files are now entered into the computer system, so less paperwork is required, and confidentiality issues have been cleared with the state and Board of Supervisors. CPS is to be commended for their swift and thorough action on this matter.

RECOMMENDATION #15:

A sign-out / sign-in system should be established to ensure the security of confidential files. And a paper trail for tracking files should be created and implemented.

CONCLUSION:

The Grand Jury finds vast improvements over conditions relating to the Trinity County foster care program as they were reported in the 1997-98 Grand Jury Report. For the most part, those deficiencies that were reported have been addressed, and if not fully satisfied are on their way to being satisfied. New personnel and management involvement have infused the CPS Division with a new outlook which greatly benefits its clients, children at risk. Continuing the policies and programs which have been newly implemented will improve the division even more. However, future Grand Juries are hereby alerted to past problems of the Child Protective Services Division and should be aware of these problems when performing future reviews of the division.

30 DAY RESPONSE REQUESTED FROM: Director of Health and Human Services Department.

Response of the Director of Health and Human Services Department

Date: July 1, 1999
To: Trinity County Grand Jury
Health and Human Services Committee
From: Linda Wright, Director
Trinity County Health and
Human Services
Re: Evaluation of Compliance with
Recommendation of the 1997-98
Grand Jury by Child Protective
Services in Administration of the
Trinity County Foster Care Program

I concur with the Grand Jury's recommendation.

Recommendation #8:

I agree. Trinity County staff will conduct periodic reviews of rates provided by surrounding counties.

Recommendation #9:

I concur with this recommendation. Ongoing efforts to through Trinity County's Children's Systems of Care grant will support and enhance the procedures that are presently in place.

Recommendation #10:

I agree and reference my response in #9 above.

Recommendation #11:

I agree. There is an ongoing recruitment for a Children's Services Supervisor. I am working closely with northern directors and Cooperative Personnel Services to assist with the ongoing need for qualified social workers in the Northstate. We currently have five social workers, an interim supervisor and a senior administrative clerk in the Children's Services Section.

Recommendation #12:

I concur. The survey instrument is currently in place. There will be ongoing evaluations of the effectiveness of this tool and modifications will be made as feedback from the foster parents dictates.

Recommendation #13:

I agree. We will continue with current practices to ensure that our foster home listing is up to date.

Recommendation #14:

I agree. Bi-monthly meetings are being conducted with representation from Health and Human Services, Behavioral Health, Probation, the Office of Education, Human Response Network, as well as our County Administrative Officer and Superior Court Judge.

Recommendation #15:

I agree that a sign-in/out sheet would be beneficial to verify who has accessed confidential files. Our auto-

The following is my response to the 1998-99 Grand Jury Health and Human Services Committee's Final Report regarding Trinity County's Health and Human Services administration of the Trinity County foster care program.

Recommendation #1:

I concur with the Grand Jury's recommendation. We will continue with the present practices.

Recommendation #2:

I agree. Child Protective Services will continue to monitor procedures and make additional improvements as warranted.

Recommendation #3:

I concur with the Grand Jury's recommendation.

Recommendation #4:

I agree and will continue to ensure that existing procedures are adhered to.

Recommendation #5:

I support the recommendation made by the Grand Jury.

Recommendation #6:

I agree with the recommendation. Ongoing training will occur to ensure that new staff as well as "seasoned" social workers keep abreast of case documentation requirements.

Recommendation #7:

mated system for Child Welfare Services does provide a paper trail for files which will be utilized once the system is fully implemented.

Conclusion:

I would like to express my appreciation for the conscientious review performed by the Grand Jury Health and Human Services Committee. We are dedicated to continued evaluation of service delivery by Child Protective Services, to ensure that all children in Trinity County are provided with a safe, secure and loving environment.

Response of the Board of Supervisors

July 12, 1999

Jerry Boosinger
Trinity County Grand Jury
P.O. Box 1258
Weaverville, CA 96093

RE: Health and Human Services Committee Final Report Evaluation of Compliance with Recommendations of the 1997-98 Grand Jury by Child Protective Services in Administration of the Trinity County Foster Care Program

Dear Foreperson:

Recommendation # 1: Information

The Board accepts the recommendation for no further action required other than to continue with present practices.

Recommendation # 2: Complaint Processing

The Board accepts the Grand Jury's recommendation to continue and improve present practices regarding complaint processing.

Recommendation # 3: Licensing

The Board concurs with the Grand Jury's findings on licensing practices and accepts the recommendations.

Recommendation # 4: Telephone

The Board accepts the Grand Jury's recommendation on telephone procedures and the need for further im-

provements when possible.

Recommendation # 5: Clothing Allowance

The Board supports the Grand Jury's recommendation to continue to review the clothing allowance on an annual basis and that adjustments be made accordingly.

Recommendation # 6: Activity Documentation

The Board acknowledges the Grand Jury's findings and that an ongoing training is taking place.

Recommendation # 7: Timely Payment

None.

Recommendation # 8: Payment Amount

The Board agrees and concurs with the Grand Jury's recommendation.

Recommendation # 9: Counseling

CPS needs to update and follow the manual on procedures when needed. The Board concurs with the ongoing efforts.

Recommendation # 10: Placement Procedures

The Board agrees and references the response as in Recommendation # 9.

Recommendation # 11: Cross Training

The Board agrees with the recommended recruitment. We know this is now ongoing until staff positions are filled.

Recommendation # 12: Feedback System

None.

Recommendation # 13: List of Homes

The Board accepts and concurs with the Grand Jury's recommendations.

Recommendation # 14: Management Meetings

The Board agrees and feels that the recommendations

are currently being followed by the Director.

Recommendation # 15: Security

The Board concurs.

Conclusion:

The Board of Supervisors express appreciation for the hard work performed by the Grand Jury. We accept the recommendations and shall follow these where possible. We believe in all aspects of our County's Child Protective Services and those that serve to fulfill the needs required for compliance.

Sincerely,

TRINITY COUNTY BOARD OF SUPERVISORS
ROBERT REISS, Chairman

This report approved
on May 13, 1999
Filed May 25, 1999

**1998-99 TRINITY COUNTY GRAND JURY
FINANCE AND ADMINISTRATION
COMMITTEE FINAL REPORT
EVALUATION OF TRINITY COUNTY
PERSONNEL**

PURPOSE:

The purpose of this report is to follow-up on the 1997-98 Grand Jury's report on the county personnel evaluation process.

BACKGROUND:

After sending out a questionnaire to a small sample of county employees working in the Courthouse building, the 1997-98 Grand Jury found several problems with the county personnel evaluation process that could result in certain legal liabilities in case of an adverse personnel action. It also found that county personnel did not find the evaluation process particularly constructive or useful.

That Grand Jury requested that the succeeding jury follow-up to determine if its recommendations were being followed.

METHOD OF INVESTIGATION:

The 1998-99 Grand Jury sent questionnaires to each county department with a request that the questionnaire be copied and provided to each of the county's 400+ employees. 148 questionnaires were returned.

In addition the Grand Jury talked to the Personnel Officer to obtain her perception about any progress that may have been obtained or problems that remained.

FINDING #1:

130 of the 148 respondents indicated they had been evaluated for their last rating period which means 18 were not evaluated.

105 felt the evaluation was constructive and useful. Conversely, 31, including 6 who said they had not been evaluated, did not think so. Twelve chose not to answer this question.

Only 42 indicated there was any follow-up to the evaluation during the rating period. 96 say there was no follow-up during that period.

75 responded that they felt the evaluation system was adequate and 23 said they did not think it was. In the comment section of the questionnaire, there were some concerns raised about the evaluation process that indicated a wide range of problems, although no particular problem appeared to be universal.

This year's questionnaire results appear to confirm those of last year where some departments are doing quite

well in terms of evaluations and a couple are not. If one extrapolates the numbers from our sample of 148 returned questionnaires, over 12% or at least 50 county workers have not been evaluated as they should have been and this might leave the county vulnerable in terms of employee disciplinary or termination actions.

RECOMMENDATION #1:

We concur with the recommendations made last year by the 97-98 Grand Jury and would ask all readers of this report to re-read that report and take action to comply with it.

FINDING #2:

Almost 70% of respondents said there was no follow-up to the formal evaluation they received. This raises a concern that employees rated as not meeting minimum requirements are not being provided a remediation plan, and those meeting or exceeding those requirements may not be receiving appropriate kudos when deserved.

RECOMMENDATION #2:

- Where remediation is required, the Personnel Officer should ensure that a plan is developed and followed until an employee meets the requirements or is terminated.

- Where employees are performing above the minimum standards, some form of recognition program should be established to reward such performance. The county should also consider establishing a formal system whereby citizens, as "customers" having contact with county employees, can report positive or negative contacts based on their perception of the service provided or not provided. This would allow superiors to identify those who might need additional training in dealing with their public, or those who are doing a superior job when dealing with the public.

30 DAY RESPONSE REQUESTED FROM: Board of Supervisors, the Chief Administrative Officer and County Personnel Officer.

Response of the Board of Supervisors

August 17, 1999
Jerry Boosinger
Trinity County Grand Jury
P.O. Box 1258
Weaverville, CA 96093

RE: Finance and Administration Committee Final
Report Evaluation of Trinity County Personnel

Dear Foreperson:

The Trinity County Board of Supervisors acknowledges receipt of the above referenced report and thanks the Grand Jury for its work. The Board's response is as follows:

Recommendations # 1 and #2:

The Board concurs with the Grand Jury's findings and recommendations.

Sincerely,
TRINITY COUNTY BOARD OF SUPERVISORS
S/S
Robert Reiss, Chairman

Response of Trinity County County Administrative Officer

To: Pat Hamilton, Foreperson
Trinity County Grand Jury

Date: September 20, 1999

RE: Evaluation of Trinity County Personnel

I was just notified that I failed to provide a response to this grand jury report. I apologize. I guess that what I remembered was my response from the previous year on this subject.

Recommendation # 1:

• As suggested, I have reread the 97/98 report on this subject. I feel that in the past year the issue of performance evaluations has risen to a much higher level due to the recommendation of the 97/98 grand jury. Each department head either elected or appointed is now required to report to the Board of Supervisors every other month on the progress in their department. One of the questions each must answer is how many evaluations are due, overdue or completed within the reporting period. This information is useful when it comes time for evaluations, and budget approvals. I cannot say that we have achieved perfection but we are moving in that direction.

Recommendation #2

• It is currently the responsibility of the department head to develop a plan for improvement of employees within their department. Either County Counsel or I meet with department heads in need of assistance in this area. Some of them require very little help.

• The County currently provides a method for the public to comment on positive or negative contacts

with county employees. Forms are available at all reception desks. The forms, when completed, are returned to the Board of Supervisors. Department heads are required to respond to those reports.

• We currently have an incentive program. Department heads have an opportunity to nominate good employees at regular department head meetings for "employee of the quarter." Out of the 4 quarterly winners, one is selected as "employee of the year." The employee of the year is given a plaque, which is presented to them at a regular Board of Supervisors meeting by the Chairman. In addition, the department heads put on a "employee appreciation picnic" every year. They provide and cook the food. The County also provides incentives for good ideas and safe work practices.

Again, I apologize for failing to respond earlier.

Please return to: Board of Supervisors
Post Office Box 1258
Weaverville, California 96093

County of Trinity
Please Help Us To Serve You Better

Date: _____

1. Name of the County Department in which you were conducting business: _____

2. Name of the County employee assisting you: _____

3. Were you greeted with, "May I help you?:
Yes ___ No ___

4. How would you rate the treatment you received?:
Very good ___ Good ___ Fair ___ Poor ___

5. Do you feel this person tried to be:
Helpful ___ Didn't care ___

6. Was everything explained to your satisfaction?:
Yes ___ As well as possible ___ Not at all ___

7. How would you rate your overall experience with this department?:
Very good ___ Good ___ Fair ___ Poor ___

8. Comments:

This report was approved
on April 8, 1999
Filed May 3, 1999

**1998-99 TRINITY COUNTY GRAND JURY
FINANCE AND ADMINISTRATION
COMMITTEE FINAL REPORT
PUBLIC DISSEMINATION OF TRINITY
COUNTY GRAND JURY REPORTS**

PURPOSE:

The Grand Jury of any County serves as a watchdog on government to ensure that government is following the rules, spending taxpayers money wisely and providing citizen access to governmental services. As part of its responsibility to the citizens it represents, the Grand Jury produces a report outlining the various areas of government reviewed, its findings and any recommendations the Grand Jury may have to improve government operations or correct problems.

BACKGROUND:

Grand Jury reports of findings and recommendations go through a specific process before they become public reports. They are reviewed to ensure there are no blatant legal problems associated with them, and after this review sent to relevant department heads. Within a few days the reports become public information. Some of the reports are examined and reported on by the local newspaper. Others are not. At the end of a Grand Jury year, all the reports are printed together in a bound copy and made available to the public.

However, the public may or may not know about this process and only had newspaper reports on the work of the Grand Jury. To increase public access and review of the Grand Jury work, the past several Trinity County Grand Juries have opted to have their reports disseminated by having them printed in one of the local advertising publications, "The Trade Mark." The expense of this has been part of the Grand Jury budget approved by the Board of Supervisors and has been the option of individual Grand Juries.

The report of the 1997-98 Grand Jury was not available in the bound document, nor printed in "The Trade Mark" until March of 1999.

METHODOLOGY:

Discussions were held with members of the 1997-98 Grand Jury, the Clerk of the Court and the current 1998-99 Grand Jury.

FINDING #1:

Misunderstandings between the 1997-98 Grand Jury and responsible County officials resulted in the delayed printing and publishing of the 1997-98 Grand Jury report

until March of 1999, over 8 months after the end of the Grand Jury year and at least 5 months after the latest expected publication date. This resulted in some citizens, who had issues before the 1997-98 Grand Jury, resenting the fact that the jury apparently did not address their issue. It also resulted in some confusion among citizens about which year was being discussed in the report.

RECOMMENDATIONS #1:

It is our recommendation that:

The 1998-99 Grand Jury and future Grand Juries continue to publish their reports in a local newspaper to ensure the widest dissemination of the report to the public. Extra copies of the Grand Jury report should be printed along with those inserted in the local newspaper and made available to the public through markets, post offices and other public locations.

As each individual report of the Grand Jury becomes eligible for public dissemination, that report be entered into the Internet at the Trinity County Web Page making it available to all who have computer and Internet access.

CONCLUSION:

Each Grand Jury, in order to ensure the above takes place, should request, in writing, actions to be taken by responsible county officials in writing, requesting an acknowledgement from the responsible party should be obtained.

30 DAY RESPONSE REQUESTED FROM: Board of Supervisors, CAO and County Clerk.

Response of the Board of Supervisors

July 12, 1999

Jerry Boosinger

Trinity County Grand Jury

P.O. Box 1258

Weaverville, CA 96093

Re: Finance and Administration Committee Final Report

Public Dissemination of Trinity County Grand Jury Reports

Dear Foreperson:

Thank you for the opportunity to comment on the Grand Jury's Finance and Administration Committee report regarding Public Dissemination of Trinity County Grand Jury Reports. The Board of Supervisors agrees that Grand Jury reports continue to be published in a local newspaper, that copies be made easily available to the

public and that the reports be posted on the Trinity County Web Page.

Sincerely,

TRINITY COUNTY BOARD OF SUPERVISORS

S/S

Robert Reiss, Chairman

Response of the County Administrative Officer

May 25, 1999

To: 1998-99 Trinity County Grand Jury
Trinity County Board of Supervisors

From: Jeannie Nix-Temple
County Administrative Officer

RE: Response to the 1998-99 Grand Jury
Finance & Administration Committee
Final Report

Re: Public Dissemination of Trinity County
Grand Jury Reports

My response to the findings and recommendations of the Grand Jury's Report is as follows:

I concur with the recommendation. The Board of Supervisors have directed that the complete report with all responses be published annually.

Response of the County Clerk

Trinity County Board of Supervisors

May 24, 1999

Re :Public Dissemination of Trinity County Grand Jury Reports

Recommendation #1: Continue to publish reports in a local newspaper

I concur with the recommendation and have received direction from the Board of Supervisors to make sure that the complete report with all the responses are published timely each year. In addition the necessary equipment and software have been acquired so as to publish the reports and responses on the Trinity County Web site.

Dero Forslund, Clerk Recorder Assessor

This report was approved
On April 8, 1999
Filed May 3, 1999

**1998-99 TRINITY COUNTY GRAND JURY
FINANCE AND ADMINISTRATION
COMMITTEE FINAL REPORT FOLLOW-UP TO
1997-98 GRAND JURY REPORT
TRINITY COUNTY DATA PROCESSING**

PURPOSE:

The 1997-98 Grand Jury recommended that its successor jury perform a follow-up review of the county's data processing system to ensure that progress was being made on the 97-98 recommendations.

BACKGROUND:

The 1997-98 Grand Jury investigated the county data processing system in response to a number of published complaints about the increasing down-time of the mainframe computer and the failure rate and down-time of the personal computers (PC's) that were being purchased to replace the mainframe.

The jury found that county staff was working hard to resolve these problems. The plan is to shut the mainframe down and transition all departments to PC's.

Grand Jury recommendations essentially addressed three areas: Central purchasing in order to reduce initial and annual maintenance costs; networking county departments in an effort to make intra-government communications more efficient; and, establishment of an Office of Technology to serve as a consultant to departments wishing to purchase equipment. The office of technology would establish a special fund to ensure replacement of PC's and software as they break down or become obsolete.

METHOD OF INVESTIGATION:

Committee members interviewed data processing personnel to determine how much progress had been made toward the recommendations.

FINDING #1:

The county is in the process of establishing a purchasing department that would handle most purchases of equipment and supplies for the various county departments.

RECOMMENDATION #1:

County decision-makers should be commended for starting this purchasing consolidation process and hopefully it will become a reality soon.

FINDING #2:

Almost all county departments are on an intra-governmental network and work is continuing to connect the others. In addition, efforts are being made to establish a county Internet connection that would allow the public

to access certain public records by PC.

RECOMMENDATION #2:

Commendations to county staff and hopefully the tasks will be completed soon.

FINDING #3:

The to-be-established purchasing department can serve as the Office of Technology if persons with the appropriate background and training staff the department. While funds were allocated this year to perform the networking and other tasks related to the computer environment, no technology fund was established for future replacement of PCs and software.

RECOMMENDATION #3:

This year's budget process was, according to all accounts, an easier and more cooperative one than in past years. Thus the allocation of funds to the necessary computer networking of intra-government departments is laudable. A concern remains when a lean budget and the need to make large expenditures for software and equipment occur simultaneously.

The 1998-99 Grand Jury concurs with the previous Grand Jury in believing the establishment of a technology replacement contingency fund would be a judicious act on the part of the Board of Supervisors.

CONCLUSION:

Great progress has been made to bring the county government up to date in the computer world but our concern for future technology acquisition remains.

30-DAY RESPONSES REQUESTED FROM: Board of Supervisors and County Data Processing Personnel.

Response of County Data Processing Personnel

In the 1997-98 Grand Jury Report Trinity County Data Processing, three findings and recommendations are discussed. The following is a response and status report of those findings and recommendations.

Finding # 1: The county is in the process of establishing a purchasing department that would handle most purchases of equipment and supplies for the various county departments.

The Data Processing department is working on a Computer and Software purchasing policy.

Finding #2: Almost all county departments are on an intra-governmental network and work is continuing to connect the others. In addition efforts are being made to establish a county Internet connection that would allow the public to access certain public records by PC.

port re Trinity County Data Processing

The Data Processing Department has been extremely busy with the main projects that the Board of Supervisors recommended as top priority during 1998/99. Those projects Year 2000 testing, upgrades, and replacements, and integration of a criminal justice system (Sustain) remain top priority and will continue until completion. Following these priorities is that of "Use of the Internet to disseminate public records via the Internet. An Internet connection has been set up with all users on the network able to access Internet and E-mail services, as seen fit by department heads. A web server is the next step in creating access to public records. We have starting configuring this server and have created some of a test web site.

Finding #3: The to-be-established purchasing department can serve as the Office of Technology if persons with the appropriate background and training staff the department. While funds were allocated this year to perform the networking and other tasks related to the computer environment, no technology fund was established for future replacement of PCs and software.

The Data Processing Department has worked very hard to stay informed with all the county systems. We are working on creating an understanding of computer, software, and network inventory. We believe it is the responsibility of the department to advise and recommend systems, networks, computers and peripherals. We believe it is the responsibility of the departments to plan for obsolescence of their equipment with our recommendations. Data Processing should have a fund to replace defective equipment. Data Processing is working on policies that cover hardware and software, so that all users can communicate more effectively.

A technology replacement contingency fund has not been created, yet.

From: George Reynolds
Chief Programmer, Data Processing

Response of Trinity County Board of Supervisors

July 20, 1999
Jerry Boosinger
P.O. Box 1258
Weaverville, CA 96093

RE: Finance and Administration Committee Final
Report Follow-up to 1997098 Grand Jury Re-

Dear Foreperson:

The Trinity County Board of Supervisors acknowledges receipt of the above referenced report and thanks the Grand Jury for its work. The Board's response is as follows:

Recommendation # 1

The Board concurs with the Grand Jury recommendation and commends the Data Processing Department for their diligent work on the Computer and Software purchasing policy.

Recommendation #2

The Board concurs and understands the time constraints the Data Processing Department has been under. Their commitment to a county Internet connection is appreciated.

Recommendation #3 The Board will take the Grand Jury and Data Processing recommendations concerning technology replacement contingency fund, under consideration during this year's budget hearings.

Sincerely,

TRINITY COUNTY BOARD OF SUPERVISORS
S/S
ROBERT REISS, Chairman

This report was approved
on May 13, 1999.
Filed on May 25, 1999

**1998-99 TRINITY COUNTY GRAND JURY
FINANCE AND ADMINISTRATION
COMMITTEE FINAL REPORT
TRINITY COUNTY HIRING PRACTICES**

PURPOSE:

In the process of reviewing other information, the Grand Jury became concerned about certain hiring practices by county government.

BACKGROUND:

One of the concerns often expressed by those in Trinity County outside the Weaverville area is that job openings and consulting opportunities with Trinity County government are not adequately publicized throughout the county, creating a bias that results in hiring Weaverville area residents, or even residents outside the county, rather than persons from other parts of Trinity County. Two examples of this came to our attention this year. One involved the writing of job requirements which appeared to ensure that a specific person would be hired in the position, and the other involved the hiring of a person based on that person knowing key persons involved in the process and being in the right place at the right time.

METHOD OF INVESTIGATION:

The committee discussed the first instance with the County Personnel Officer and the second with a highly placed official and the individual involved.

FINDING #1: Position Announcements

The perception is that Trinity County makes little effort to announce certain employment opportunities throughout the county, with the result that in those with ties to the power structure obtain positions that others may have been qualified to perform if they had known of the openings.

RECOMMENDATION #1:

The County should make a good faith effort to ensure that county residents are aware of all employment opportunities, whether permanent, part-time or consulting, by announcing open positions county-wide using all available media and outlets, including post offices, general stores, clubs and other known community gathering places. There are few county jobs that are so urgent that a hardship would be created by taking a week or two to ensure that qualified Trinity County residents know about the position and have an opportunity to submit an application.

FINDING #2: Perceived Impropriety

It is the perception created by the two instances above that County government should be concerned about. It is perceived that these jobs were created or advertised specifically with the intention of hiring two particular individuals.

RECOMMENDATION #2:

All job descriptions must be written in such a manner that every knowledge and skill requirement can be directly and convincingly related to performing the specific job being advertised, and not designed to ensure the employment of a desired person.

Because the 98-99 Grand Jury does not have adequate time to investigate county hiring processes in-depth, it is recommended that the 99-00 Grand Jury undertake a thorough investigation of the process.

CONCLUSION:

By following Grand Jury recommendations Trinity County can avoid the appearance of nepotism and other improper hiring practices.

30 DAY RESPONSE REQUESTED FROM: County Chief Administrative Officer, County Personnel Officer and Board of Supervisors.

Response of the County Administrative Officer

June 28, 1999

To: John K. Letton, Superior Court Judge
From: Jeannie Nix-Temple, County
Administrative Officer
Re: Response to 1998/99 Trinity County
Grand Jury Finance and Administration
Committee Final Report-Trinity County
Hiring Practices

My response to the findings and recommendations of the Grand Jury's Report is as follows:

Recommendation # 1:

I am not sure exactly which County positions have been identified as potentially having the appearance of impropriety. There are actually several ways of recruiting that may seem improper to the outside viewer. They are however perfectly legal. One of these is the "in department" promotional exam and another is the "in county" recruitment. Either one of these situations affords current employees an opportunity that the general public does not have. Either of these situations does provide for a competitive process. These positions are usually set up this way because the required experience could most likely be attained working for Trinity County gov-

ernment and being familiar with the department and the system.

Recommendation # 2:

Trinity County has upwards of 470 employees at any one time. We recruit for and hire on average 140 employees in a year. I regret that anyone would think that we employ any kind of biased recruiting practices. However, I am relieved that there are only two examples of perceived impropriety. I will welcome the 99/2000 Grand Jury's investigation into our department. I feel confident that a full investigation will assuage any suspicions of unfair practices.

I have enclosed a copy of our General Hiring Practices for your review. The only exceptions to this rule would be the above.

Thank you for the opportunity to provide a response.

Enclosure

TRINITY COUNTY - HIRING PRACTICES

Trinity County advertises all of its position openings in the local newspaper, the Trinity Journal, for two weeks. Copies of job flyers are given to all departments to post and also sent to various agencies including TOT and EDD. EDD places all flyers on the internet. Depending on the position, it may be listed in other publications as well.

ELIGIBILITY REGISTERS - Various positions that have frequent openings are offered as eligibility list openings. This means that if you see an eligibility list advertised in the Trinity Journal for which you are qualified, you should file an application at that time. The County will then follow appropriate procedures to compile the eligibility register. Normally, the register is good for one year.

EXTRA-HELP - This term means a position is temporary. It can be a part-time or full-time schedule.

APPLICATION DEADLINE - Check the flyer or newspaper listing for the deadline, the last date applications will be accepted for a position. In some cases an application that is mailed on the deadline date and postmarked

on that date will be accepted, but you should check with the Personnel Office if you are unable to meet the application deadline.

JOB INTEREST CARD - If there are no current openings in the job you are interested in applying for, you may submit a job interest card. In this event we will notify you if there is recruitment conducted in your area of interest. Please consult the directory of county positions for the correct position title.

INTERVIEW EXPENSES - Candidates invited for an interview must provide their own lodging, food and transportation.

If you are selected for County employment you must first pass a medical examination and a drug and alcohol screening. This is a regular part of the selection process and is paid for by the County.

If you have any questions regarding any of the above, they should be directed to:

Trinity County
Administration & Personnel
P.O. Box 1613
Weaverville, CA 96093-1613
(530) 623-1325

Trinity County is an equal opportunity/affirmative action employer.

Response of the Board of Supervisors

July 15, 1999
Jerry Boosinger
Trinity County Grand Jury
P.O. Box 1258
Weaverville, CA 96093
RE: Trinity County Grand Jury 1998-99
Finance and Administration Committee Final Report Trinity County Hiring Practices

Dear Foreperson:

The Trinity County Board of Supervisors acknowledges receipt of the above-referenced report and thanks the Grand Jury for its work. The Board's response is as follows:

Recommendation # 1:

The County should make a good faith effort to ensure that County residents are aware of all employment opportunities, whether permanent, part-time or consulting, by announcing open positions county-wide using all available media and outlets, including post offices, general stores, clubs and other known community gathering places.

The Board of Supervisors agree with the comments of the County Administrative Officer. Be assured, that the Board considers it to be extremely important that the best person for each job is the one hired. Government isn't composed of buildings and roads, but is composed of people. It is the Board's goal that the best qualified applicant be selected for each job. Department heads are evaluated on many things, including their ability to attract and maintain quality employees who have an attitude of service to the public.

Recommendation # 2:

All job descriptions must be written in such a manner that every knowledge and skill requirement can be directly and convincingly related to performing the specific job being advertised and not designed to ensure the employment of a desired person.

The Board of Supervisors agree. We are proud of our employees and recognize that if County standards are going to continue to improve, we must be diligent in seeking the best qualified applicant for each position. The Board of Supervisors acknowledges the fine work of the Grand Jury and appreciates that many positive outcomes are encouraged by the Jury's attention to County procedures. We thank you for your collective efforts.

Sincerely,

TRINITY COUNTY BOARD OF SUPERVISORS
Robert Reiss, Chairman

This Report was approved
On May 13, 1999
Filed on June 1, 1999

**1998-99 TRINITY COUNTY GRAND JURY
FINANCE AND ADMINISTRATION
COMMITTEE FINAL REPORT
THUNDER ROCK SHALE MINE**

PURPOSE:

The 1998-99 Grand Jury investigated a complaint alleging that the County Planning Department, County Transportation Department and the Planning Commission compromised the health, safety and welfare of citizens in the Tucker Hill area.

BACKGROUND:

In 1976 a Use Permit was obtained to mine shale for approximately one year to facilitate the building of a residence and shop on a property located on Highway 299, north of Union Hill Rd, approximately six miles south of Weaverville. The property is on the eastern slope of the relatively narrow canyon created by Weaver Creek and is zoned Rural Residential. The mine came to be known as the Thunder Rock shale Mine.

Over time, the Trinity County road Department used some shale product from this mine.

There were restrictions on the permit as to days and hours of operation. As ownership changed, operating times increased until mining was being performed as early as 5 a.m. in the morning and as late as 11 p.m., even on holidays. Area residents complained to the Planning Department, Road Department, Sheriff's Department and the State Office of Mines about the noise and dust penetrating their homes: no action was taken that mitigated these complaints.

At a December 1995 meeting of the Planning commission, the Planning Director had determined that the permit did not support ongoing mining activity. The Planning Commission, based on information it received from the County Road Department that the mine had been in continuous use since 1982, decided to give the owner/operator a one year trial period for continued operation after new use permit conditions were added and a Reclamation Plan approved. The mine continued to operate, although to this date the owner/operator has not submitted a Reclamation Plan nor complied with the new use conditions.

Area residents have continued to complain to county officials to no avail. (There is a serious concern about the County Road Department's use of this shale product during periods when there were no permits for min-

ing at this specific site.)

The North Coast Air Quality Management Board (AQMD), after testing the shale material, found serpentine rock containing higher than allowable amounts of asbestos and required airborne toxic control measures for asbestos containing serpentine, including stringent testing of every 1,000 tons sold, supplied or used. After the owner failed to pay required fees and produce required tracking documents, the permit was revoked.

METHOD OF INVESTIGATION:

The Grand Jury reviewed the minutes of meetings of various county agencies, correspondence, agreements, county work records and other county and homeowner documents. Key county staff members and a homeowner were interviewed.

FINDING #1: Violations

It appears that the Thunder Rock mine operated at times without the proper permits. Even when there was a permit in effect, the operation violated the conditions of the permit in terms of hours and days of operation. The mine created a health hazard to neighborhood residents through dispersal of dust containing asbestos and became a nuisance in terms of noise. No county office or employee monitored the mine operation for permit compliance even after residents complained.

RECOMMENDATION #1:

Planning Department staff should be directed by the Board of Supervisors to monitor mining operations on an on-going basis to ensure they have been, and continue to be, in compliance with the proper permits.

FINDING #2: Tracking

The building and use permit, which was issued for an "approximate" one-year period, was allowed to linger for twenty years with no review to ensure code compliance. (This failure to "final" the permit also deprived the county of tax revenue for property improvements.)

RECOMMENDATION #2:

The Planning Director should track limited term Use Permits in a manner, which reflects the intent of the permitting process. The Building Department should "final" each stage of construction and complete the process in a timely manner in order to ensure code compliance. (Permit's should also be tracked to ensure appropriate tax revenue is received by the county.)

FINDING #3: Agencies

According to July 31, 1996 Planning Commission Minutes, the Planning Director presented the Planning Commission with the following information:

The mine operator is obligated to comply with various local, state and federal agency regulations and permit requirements when conducting surface mining opera-

tions. These agencies include, but are not limited to: California Department of Conservation-Office of Mine Reclamation, State Mining and Geology Bd., Federal Mine Safety and Health Administration, Cal-OSHA Mining Unit, North Coast Unified Air Quality Management District, North Coast Region Water Quality Control Board, and the Calif Dept of Transportation. Full compliance with each agency's requirements is critical to address and mitigate undesirable effects from mining and to ensure that public safety, health, and general welfare objectives are met.

The Planning Department and/or Commission neglected to ensure that the Thunder Rock Shale Mine was in compliance with the requirements of the several agencies mentioned.

RECOMMENDATION #3:

The County Planning Commission and the Board of Supervisors need to be more diligent in monitoring and managing compliance with the complete permitting process.

FINDING #4:

The Planning Commission's decision on Dec. 14, 1995 to validate the original Use Permit was based partially on a letter from the Director of the Roads Department that indicated this shale mine had been supplying material to the county on a yearly basis since 1982.

To date the Road Department has failed to provide documentation that would satisfactorily verify the accuracy of that statement. What has been provided to date indicates that there have been years in which the mine did not provide material to the county.

RECOMMENDATION #4:

It would be desirable if the Director of the Road Department could provide documentation that the Department indeed used the mine each and every year between 1982 and 1995. If this documentation cannot be supplied, the Planning Commission should be notified that their December 1995 decision was based on inaccurate information and that this should be taken into consideration during future deliberations involving the shale mine.

Additionally we recommend that the 1000-2000 Grand Jury review this matter and taken appropriate action.

FINDING #5: Fee

The Road Department's policy is to charge a fee for document searches that involve significant staff time, and to have requesting parties sign a contract acknowledging that they will be charged a fee for the search. The purpose of the fee is to offset the costs of staff time pulling documents that takes them away from their regular duties.

The Tucker Hill residents requested backup documents from the Road Department that would verify the accuracy of the letter referred to above and the Road Department charged them a \$210.00 fee for the search and reproduction of the documents. The homeowners had not signed a contract and protested the charge. The Road department has not turned those documents over to the homeowners.

RECOMMENDATION #5:

In this case, since no contract was signed, the documents were never provided and in the name of good will, we recommend the \$210.00 charge be dropped.

FINDING #6: Coordination

The Director of Transportation/Road Department claimed to have been unaware of any restrictions that would preclude the department from purchasing material from this mine before Nov. 1995. It appears that the Planning Director may not have informed him that the Thunder Rock Mine was not in compliance with the original use permit.

RECOMMENDATION #6:

There should be a county process that ensures communication of important health and safety information between departments with a need to know, including those responsible for enforcing use permit conditions.

FINDING #7:

The homeowners report that several of them have sold their homes in order to escape the extreme noise and to protect their health. These residents attempted to alleviate the noise and health problems by presenting a petition, signed by all 27 Tucker Hill residents, to the Planning Commission against further mine operations, even though they say they were advised in advance, by a member of that body, that "Petitions don't carry much weight in Trinity County."

RECOMMENDATION #7:

When an area is zoned Rural Residential this zoning should be upheld unless well publicized public hearings are held to make a change. Also, legitimate petitions signed by a large number of involved citizens, to protect their rights, should be taken seriously by county staff and commissions.

FINDING #8: Complaint Processing

There appears to be no enforcement arm that will respond to residents' complaints about violations of permit conditions. The District Attorney, Sheriff and Planning Department apparently have no system for monitoring and enforcing use permit conditions.

RECOMMENDATION #8:

When a complaint is received by the Planning Department regarding noncompliance with conditions of a per-

mit, there should be a process in place for acting on that complaint and informing the complainant of the results of that action. In the case of health and safety these complaints should have the highest priority.

FINDING #9a: Hearing

The homeowners allege that the Planning Director told them they cannot appeal the Planning Commission's 1995 validation of the Use Permit until the Reclamation Plan is approved, thus opening the door to the possible restart of the mining activities. It has been three years since the Reclamation Plan requirement was imposed, so homeowners are being forced to sit and wait.

FINDING #9b:

The Planning Director has apparently told the homeowners that the Planning Commission would hold three separate hearings on noise mitigation, zoning and the Use Permit after the Reclamation Plan was finished, which would cost the homeowners \$280.00 per hearing.

RECOMMENDATION #9:

If the letter referred to in Finding #4 is inaccurate, there should be no fees charged to the homeowners for appealing a decision based on inaccurate information. If the information is accurate, the Planning Commission should hold one hearing on all the issues reducing appellate fees to a one time \$280.00.

However, given what has gone on with this issue, we strongly recommend that the Board of Supervisors appoints a mediator to review appropriate documents and meet with complainants and appropriate county officers to clarify and resolve this long standing dispute. We further recommend that this takes place as soon as possible, and that the 1999-2000 Grand Jury review this matter.

FINDING #10: Contamination

The Thunder Rock Mine sells shale that contains asbestos, a known carcinogen. When Trinity County buys this shale and spreads it on roads and parking areas, the County is contributing to the poor health of its citizens. Between 1982 and 1996, 20,050 cubic yards of this shale was purchased by Trinity County. Fifteen streets and areas are listed where this shale was used.

RECOMMENDATION #10:

Areas where this shale was used should be tested for asbestos. If asbestos is found in excess of state standards (California Health and Safety Code District Regulation 3 -Section 6 Airborne Toxic Control Measure for Asbestos-Containing Serpentine Rock) in these surfaces, the areas should be properly capped.

SUMMARY:

The citizens of Trinity County depend upon their county

officials to protect their health, safety, and welfare. When local agencies compromise, or appear to compromise, this process they jeopardize the citizens that they are employed to protect. Citizen complaints about violations of use permits should be responded to in a professional manner and, regardless of result, explanations of actions or non-actions should be provided to the complainants. In addition, county departments should only purchase goods and services from businesses that comply with federal, state and county permits.

30-DAY RESPONSE REQUESTED FROM: Road Department, Planning Commission and Department, Chief Administrative Officer and Board of Supervisors.

Response of the Trinity County Road Department

RE: 1998-99 TRINITY COUNTY GRANT JURY FINANCE AND ADMINISTRATIVE COMMITTEE FINAL REPORT –THUNDER ROCK SHALE MINE

Finding #4 (first paragraph): I was not at the Planning Commission Meeting on December 14, 1995, and I do not have first hand knowledge of what the Planning Commission based its decision to validate the original Use Permit. In addition, I did not attend the Board of Supervisors meeting when they approved to allow the mine to operate on a one-year trial basis with new conditions. Therefore, I cannot substantiate or speculate to the accuracy of the first paragraph under this Finding. Also, I would like to emphasize the words "based partially" on a letter from the Director of the Road Department. It should be noted that the Department of Transportation was one of Many customers who Purchased materials from Thunder Rock Mine.

Finding # 4 (second paragraph): The first sentence of the second paragraph is technically correct in that the Road Department has not provided documentation verifying that the Road Department has utilized materials from the Thunder Rock Mine on an annual basis. The option to obtain that information was offered to the Tucker Hill Homeowners, however, they chose not to undertake the endeavor. As I explained to the Committee, my Department does not have the staff time to retrieve archived files and manually review them. The Department has fee rates established by ordinance for services which includes staff time and materials. These rates apply to researching records for nonroad related benefits. The Department usually keeps files for ten years for grant audits, and we periodically purge older files. There is a good probability that our archive records cur-

rently only go back to the mid-1980's.

Last Sentence: I do not agree with the conclusion formulated by the Committee in their last sentence, which states "What has been provided to date indicates that there have been years in which the mine did not provide material to the County."

I sensed a few biased jury members during my meeting with the Grand Jury, and this statement gives credence to my feelings. I provided a partial list of specific projects where I identified fifteen specific projects that utilized significant volumes of materials from Thunder Rock Mine. Thirteen of these projects were undertaken by the Weaverville Crew. Generally only one of these large projects could be undertaken in a single construction season in addition to their normal maintenance activities. Approximate dates were given because records research was necessary for actual dates. Also, shale and other materials were used for general maintenance work that can only be identified by a thorough search of the crews daily time sheets, purchase orders, claims, etc. I feel it is because of my unwillingness to donate County time and resources that the Committee formulated their unfounded conclusion. An unbiased Committee would not have included this sentence.

RECOMMENDATION #4: I agree it would be desirable to provide the documentation of use by the Road Department of materials purchased from Thunder Rock Mine. As I testified to the Committee, the information is in archive files, most of which are not stored in the Department of Transportation buildings. Also, as I mentioned previously, we may have already purged files that are beyond (10) ten years. In my letter dated June 21, 1996, I offered to allow David Wallace and the Tucker Hill Homeowners a procedure to research the files, however, they chose not to accept my offer. It would take approximately three weeks for a staff person to recover the files and research the individual documents. My Department cannot spare a staff person for this activity. This activity is specifically for a private interest and has no Road Department benefit. Therefore, any expenditures by the Road Department must be reimbursed.

Finding #5: I concur with the Statements made by the Grand Jury regarding Road Department charges for document searches and the facts that the homeowners did not and have not signed a contract for document search. I want to emphasize that the Department's policy of having the requested parties sign a contract for records search is when there will be "significant" staff time in-

involved. I would like to add that it is my Department's policy to charge a requesting party for any activity that is for other than Road Department use. These charges include staff time, materials, administration and overhead costs and are authorized by County Ordinance. In this instance, the original request by David Wallace and the Tucker Hill Homeowners Association was not of a significant nature and would not have required a written contract. A oral or written request is sufficient. In this instance, we received both oral and a written request, wherein David Wallace states in his letter dated June 22, 1996, "**Please be advised that we will again visit your office on July 8, 1996 to purchase copies of all the above records dating from January 1, 1991 up until July 7, 1996**". I understood Mr. Wallace's letter to be a commitment on his behalf to pay for Road Department services, otherwise I would not have had staff undertake the task.

RECOMMENDATION #5: The Grand Jury is recommending that the charge of \$210.00 for records search be dropped since David Wallace and the Tucker Hill Homeowners did not sign a contract for the records search. As I stated above, the amount of work requested was not significant and the Department would not have requested a written contract. However, I feel a letter requesting the work and agreeing to pay for the work is a form of "agreement". The Department has no intention of demanding payment for documents that have not been delivered to the requesting party. As long as the documents remain the property of this Department, no formal action for payment will be undertaken. In the same nature, any request for copies of a portion or a set of the documents in question will require payment for the task, which is \$210.00.

Finding #6 and RECOMMENDATION #6 - Coordination: I concur with the Grand Jury in their findings and recommendations regarding coordination between departments. My Department was unaware of any restrictions that precluded us from purchasing materials from this mine before November 1995.

Finding #10 - Contamination: Standard testing procedures have proven that the Thunder Rock Mine contains asbestos. My Department received a copy of the test along with a copy of a letter from North Coast Unified Air Quality Management District (NCUAQMD) to Ron Adams of the Planning Department. The NCUAQMD states in the fourth paragraph, "**Sampling and analysis for asbestos content of the quarry ma-**

terial conducted by Lawrence and Associates and the California Air Resources Board in 1993, resulted in asbestos content that averaged less than the allowable 1%.” I realize that this test sample does not represent all the material used by Trinity County, but it should be somewhat of a gauge. If this test was representative of the entire pit and previous material used, then the phrase made by the Grand Jury of “the County is contributing to the poor health of its citizens” is **biased and unfounded.**

RECOMMENDATION # 10: The Grand Jury is recommending testing all the areas where Thunder Rock shale was used and if found to be in excess of State standards, then these areas should be properly capped. Generally, we utilized shale from the Thunder Rock Mine when we were reconstructing and improving County roads in our endeavor to get them surfaced “capped”. All of these roads, with the exception of two parking areas (which are in addition to the list of fifteen streets provided the Grand Jury) and three very short segments of road are all that remain unsurfaced. One of the parking areas is planned for surfacing in 2000, one of the short County road segments is a resource road with no residents, and the other two are also on very low volume roads not adjacent to residents.

Response of County Administrative Officer

Date: June 18, 1999
To: John K. Letton, Superior Court Judge
From: Jeannie Nix-Temple, County Administrative Officer
Re: Response to 1998/99 Trinity County Grand Jury Finance and Administration Committee Final Report – Thunder Rock Shale Mine

My response to the findings and recommendations of the Grand Jury’s Report is as follows:

Recommendation # 1:

The County Administrative Officer is generally not involved in the issuance of use permits or monitoring mining operations. The office would however investigate complaints about agency performance. This office has not received any specific complaints about this subject.

Recommendation # 2:

I agree that a tracking system should be in place. I am not aware that one is not in place.

Recommendation # 3:

The CAO does not generally become involved in Planning Commission issues.

Recommendation # 4:

The CAO’s office would not have kept any records about whether the Road Department used the materials from the Thunder Rock Mine in any year.

Recommendation # 5:

As I understand it, the \$210.00 fee was never actually paid. However, it is not uncommon to charge the public for additional research or copies.

Recommendation # 6:

A Nuisance Response Team, composed of representatives from several County departments and other County agencies has been formed to address problems that cross departmental boundaries.

Recommendation # 7:

Petitions presented to the Board of Supervisors are generally used to alert the Board to the feelings of (heir constituents on a particular issue. The Board considers the content very seriously. Petitions by citizens to local departments would not change the procedures of that department. The procedures are set up to address the rights of all citizens.

Recommendation # 8:

I agree.

Recommendation # 9:

It is my understanding that the Thunder Rock Mine is not operating at this time and will not be allowed to operate until all conditions of the use permit have been met.

Recommendation # 10:

The asbestos level identified in test samples of material used by the Transportation Department averaged less than the allowable one percent.

Conclusion:

I appreciate the Grand Jury’s interest in this very heated issue. I am aware that the citizens in the area are concerned for their health. It was for this reason that additional conditions were placed on the use permit by the Planning Commission and later by the Board of Supervisors in December of 1996. Based on information provided by the staff at the Transportation and Planning departments, I believe that the portrayal of the County contributing to the poor health of its citizens is unfair.

Thank you for the opportunity to provide a response.

Response of the Planning Director

To: Board of Supervisors
From: John Jelicich, Planning Director
Subject: 1998/99 Grand Jury Finance & Administration Committee Final Report

Re: "Thunder Rock Mine".

Background:

The background section of the report contains statements which are misleading and incorrect. These statements are discussed in the body of this response as they relate to the findings and recommendations.

In addition, the Grand Jury's "Background" section includes statements of conclusion such as, "no action was taken that mitigated these complaints" and "a reclamation plan was approved" which is inaccurate and misleading. The background is a distortion of the record and appears to be a summary of the complaint received from an area resident rather than an objective summary of events.

Finding #1:

"It appears that the Thunder Rock mine operated at times without the proper permits."

This finding is not correct and is not supported by information in the record previously provided to the Grand Jury.

During a public hearing held on December 14, 1995, the Planning Commission determined that "the use permit is valid and referred the use permit back to the Planning Director to make a determination for the need to modify conditions, and if so, schedule it for public hearing." (Minutes of Planning Commission, 12/14/95) (A public hearing was later scheduled to modify the use permit conditions by the Planning Commission on August 8, 1996 and, on appeal, by the Board of Supervisors on December 3, 1996.)

"Even when there was a permit in effect, the operation violated the conditions of the permit in terms of hours and days of operation"

This finding is not correct and is not supported by information in the record previously provided to the Grand Jury.

Prior to purchase and operation of the subject mine, then commonly referred to as "Shale-for-Sale", Mr. Brookins, the current property owner and mine operator, obtained a copy of the use permit for the mine (I am uncertain if this was from the Planning Department file or from a previous owner). The permit he had when the

Planning Department questioned its validity had one condition which read: "Compliance with Chapter 70 of the Uniform Building Code". It was the only condition on the permit in the Planning Department file (Frazier, UO-269). After receiving complaints from area residents regarding the mine operation and in order to determine compliance, the Planning Department reviewed the record. In doing so, we learned that a copy of the Planning Commission minutes pertaining to the issuance of the permit was not in the file. We retrieved them off of microfiche records. At that time we became aware that the Planning Commission in 1976 included the following two additional conditions as part of its motion to approve the mine operation: "Operate only on week days and During normal working hours". Therefore, based on his knowledge of the use permit conditions, the mine operator was in compliance with the use permit. The Planning Department challenged the validity of the use permit. On December 14, 1995 the Planning Commission determined that the use permit was valid and referred the matter to the Planning Director to determine if the permit should be modified. The permit was later modified to incorporate 13 conditions of approval. This information has been previously provided to the Grand Jury.

"No county office or employee monitored the mine operation for permit compliance even after residents complained."

This assertion is not correct and is not supported by information in the record previously discussed with the Grand Jury.

The Planning Department received complaints from residents and acted as quickly as possible to act on them. Frequently, the person receiving the call would immediately drive to the site, although this was not always possible. Dust and blasting were a problem prior to taking the matter to the Planning Commission; however, complaints received after notice was given to the operator to cease operations were found to be unsupported. At times it was clear that no activity was taking place: for example, there would be no dust on the highway or in the air, the road leading from the highway to the mine had not been used by heavy equipment (this was most apparent for complaints received during the winter months when the road was damp), at times we would observe other activities in the area, such as the burning of brush pile which created smoke and haze. It should also be pointed out that the roads in the Tucker Hill area are

surfaced with this same shale material and contribute to the dust problem experienced by area residents. Again, this is not to suggest that there was never a problem with the mine, there was dust and noise prior to the notice to cease activities for non-compliance with the Surface Mining and Reclamation Act and prior to the Planning Commission hearing. These activities may have been a violation of laws and regulations under the jurisdiction of other agencies, but at that time was not a violation of the use permit.'

Recommendation #1:

The recommendation, for the Board of Supervisors to direct planning staff to monitor mining operations on an on-going basis" is unnecessary. When verifiable complaints are received they are acted upon.

Finding #2:

"The building and use permit, which was issued for an "approximate" one-year period, was allowed to linger for twenty years with no review to ensure code compliance. (This failure to "final" the permit also deprived the county of tax revenue for property improvements.)

This finding is misleading and is not supported by information in the record of either the Planning or Building Departments.

That portion of the finding pertaining to the use permit conditions has been discussed under finding #1. Assertions made that the permit was valid for one-year were discussed during a public hearing and the Planning Commission made its determination based on information presented during its review of the matter. As the record indicates, on December 14, 1995 the Planning Commission found that the use permit was valid.

The second portion regarding the issuance of a building permit is best addressed by the Building Department. I discussed this matter with the building technician at the Building Department (at the time the Grand Jury report was submitted the building department was experiencing a major staffing change). Apparently the issue regarding the issuance of a building permit was not researched by the Grand Jury. The phrase "to linger for twenty years with no review to ensure code compliance" is an unsupported assertion.

The third issue, that "failure to 'final' the permit also

deprived the county of tax revenue for property improvements" is also an unsupported assertion. Property tax assessments, particularly in 1976, are not based on the "final" of building permits.

Recommendation #2:

The Planning Department has for many years used a tickler system for tracking limited term entitlements. The Building and Planning Departments will be modifying our tracking systems, changing from a manual tickler system to a coordinated, computerized permit tracking system. There is insufficient funding at this time to enter permits issued in the past, but the CAO and Board of Supervisors have recognized and supported the need to modernize our procedures. Efforts are currently under way to enter early building permit records, we anticipate Board support to enter planning department entitlements from prior years also. It is important to point out, however, that permit tracking would have no effect regarding the "Thunder Rock" use permit. There is no information on the permit to indicate that it was of limited duration. As discussed previously, in December 1995 the Planning Commission found that the permit was still valid for mine operations.

The tracking system being implemented at this time is coordinated with other county agencies having a legitimate need to access information. Confidential files will not be shared. Again, it appears that the Grand Jury did not investigate this issue.

Finding #3:

"The Planning Department and/or Commission neglected to ensure that the Thunder Rock Shale Mine was in compliance with the requirements of the several agencies mentioned." This finding is both inaccurate and misleading. It is based on a statement in the staff report for the August 8, 1996 Planning Commission meeting (the Commission did not meet on July 31, 1996) which is taken out of context. There is no connection what-so-ever between the quoted statement from the staff report and the Grand Jury's finding. The County does not enforce the regulations of state agencies. The Planning Department does coordinate with other agencies in the review and monitoring of projects. The record for the Thunder Rock mine project clearly indicates contact with various state agencies. The staff report for the August 8, 1996 meeting was prepared to modify the conditions of the use permit previously determined by

the Planning Commission to be valid. The added conditions, 13 of them, included many which directly relate to compliance with other agencies. While the county does not enforce state agency standards for mine operations, failure to comply with them could not only result in citations or other actions by the affected state agency, but also lead to revocation of the use permit.

Reconunendation #3:

While the finding is inaccurate as it relates to the Thunder Rock permit, the recommendation does have some merit. Code enforcement could be improved. Generally, this activity lacks funding. The Planning Department has taken action to improve training for its personnel to ensure that code enforcement activities are carried out in a professional and legal manner. Those county agencies with code enforcement responsibilities have been meeting regularly to discuss procedures and to develop a coordinated complaint tracking system. Therefore, this recommendation is not necessary since county agencies are already taking necessary action in this area.

Finding #4:

This finding states that the Planning Commission decision on December 14, 1995 to validate the Thunder Rock use permit was based partially on information from the county Department of Transportation. It further states that the Director of the Department of Transportation has not provided satisfactory documentation to support a statement made that it has obtained material from the subject mine on a yearly basis since 1982. I was not interviewed regarding this issue. The Director of Transportation is responding to this finding. I can state, however, that there is a major misconception on the part of the Grand Jury regarding the Department of Transportation's role in determining the validity of the use permit.

Upon notification by the Planning Department that the use permit may not be valid because, based on statements from area residents, it appeared that the mine had been inactive for many years, the permittee, Dwayne Brookins, made contact with previous owners of the property and attempted to obtain records from them to demonstrate that the mine had continued to operate over the years. The primary issue was whether the mine ceased to operate for a year or more. Mr. Brookins learned that previous owners had not maintained records of their activity. In an attempt to prove that the mine

had continued to operate, Mr. Brookins contacted the Department of Transportation. The Department of Transportation provided a letter, dated August 11, 1995, to Mr. Brookins for the Planning Commission hearing on December 14, 1996 advising that the department had "on a yearly basis, at least as far back as 1982, utilized shale rock from the shale pit you now own." It was not necessary for the Department of Transportation to prove that it had obtained material without interruption. The Planning Commission and Planning Department staff used this information as one piece of information to demonstrate that the mine continued to operate. It is unreasonable to assume that the county Department of Transportation was the sole purchaser of shale product from the mine. It was the Planning Commission's judgement, based on their assessment of the information provided during the December 14, 1995 hearing, that the permit was valid. At that point the decision had been made. Planning Staff accepted the decision. The Planning Department then proceeded to take action to modify the conditions of the use permit to meet current standards and to address the need for a reclamation plan before the mine could operate.

Recommendation #4:

I disagree with this recommendation. It assumes that the only criteria used for the validity of the permit was information supplied by the Department of Transportation. This is not true. Even if an exhaustive review of the Department of Transportation records were made and a gap of time occurs during which the Department did not purchase material, I would not recommend revocation of the permit or a finding that it was invalid. As stated above, it is unreasonable to assume that other parties did not purchase material from the mine. While previous owners did not maintain accurate records, the information provided by the Department of Transportation was, in the judgement of the Planning Commission, sufficient to demonstrate that the mine continued to operate.

Finding #5:

This finding pertains to fee charges for information from the Department of Transportation. I was not interviewed regarding this issue.

Recommendation #5:

This issue does not pertain to the Planning Department.

Finding #6:

This issue pertains to coordination between departments. I agree that the Department of Transportation was not aware “Shale for Sale” (now Thunder Rock mine) was not on the State list of approved mines. (This is a list of mines in compliance with the California Surface Mining and Reclamation Act.) While the State maintains this list, we will advise the Department of Transportation of mines in Trinity County with approved reclamation plans.

Recommendation #6.

County agencies regularly coordinate with one another on a variety of issues. The Planning Department was not aware that Department of Transportation did not have the State list. Each permit condition states the responsible agency for enforcement. If an agency is not listed, then the Planning Department would enforce the condition. Any use permit condition which is not followed could lead to revocation or modification of the use permit. It is important to point out, however, that Thunder Rock mine has not been found to be in violation of their use permit. They have not, to my knowledge, operated since December 1995, with the exception of the declared emergency due to flooding. Activities under the emergency were authorized under the Governor’s declaration and by action of the Board of Supervisors. This information has been previously provided to the Grand Jury.

Finding #7:

I was not interviewed regarding these statements, which appear to be from area residents.

Recommendation #7:

This recommendation does not appear to follow from the finding. Areas zoned Rural Residential do allow mining upon obtaining a use permit. Thunder Rock mine has a valid use permit. All actions to obtain the use permit in 1976 and modify the permit in 1996 were conducted during advertised and properly noticed public hearings.

Finding #8:

I disagree with this finding. I was not interviewed re-

garding this matter. It is not a correct statement. As discussed above, the county has a multi-agency, coordinated system of handling complaints.

Recommendation #8:

I agree with the recommendation. Such a process exists. Regarding the complaints concerning Thunder Rock mine, complainants regularly called to learn the status of their complaints. Priority is given to matters affecting health and safety.

Finding #9a:

I do not recall being questioned by the Grand Jury regarding any advise concerning an appeal of the Planning Commission’s determination that the use permit was valid. I deny making this statement. Further, following the Planning Commission’s determination that the original 1976 permit was valid, a subsequent public hearing was conducted by the Planning Commission on August 8, 1996 to determine if the permit should be modified. The Commission’s modification of the permit was appealed to the Board of Supervisors by both the permittee and residents of Tucker Hill. The time to appeal any of the actions concerning the validity of the permit has passed. Our department has not received an acceptable reclamation plan from the mine operator. If the Planning Commission approves a reclamation plan for the mine, then interested persons have the opportunity to appeal that decision to the Board of Supervisors. If the mine is not operated in compliance with the use permit then action could be considered by the Planning Commission to revoke the use permit.

Finding #9b:

I did not discuss this matter with the Grand Jury. It is not a true statement. The only fee I am aware of which costs \$280 is the appeal fee to the Board of Supervisors. This finding appears to be a statement from the complainant and not a matter researched by the Grand Jury.

Recommendation #9:

I do not agree with the recommendation, because the findings in #4 and #9 are not correct as already discussed above. The use of a mediator is clearly inappropriate. These matters must be discussed during a public hearing. Public hearings have already been held and de-

cisions made regarding the use permit. If a reclamation plan is submitted, then a public hearing will be held on that matter. The mine is not allowed to operate until it has met the conditions of the use permit.

Finding #10:

I was not interviewed regarding the use of the shale material from the mine. It is more appropriate for the Department of Transportation to respond to this matter.

Recommendation #10:

This matter should be addressed by the Department of Transportation. I can, however, state that "Thunder Rock Quarry" was issued a "Permit to Operate NM-074" and "Authority to Construct NAC- on January 17, 1996 by the North Coast Unified Air Quality Management District. A complete copy of these permits were provided to the Grand Jury.

I hope that my responses to the Grand Jury's report have helped to clarify issues relating the Thunder Rock mine.

I respectfully request that this response and that of the Department of Transportation be made part of the final report.

Response of the Board of Supervisors

August 17, 1999
Trinity County Grand Jury
P.O. Box 1258
Weaverville, CA 96093

Re: Finance and Administration Committee Final Report Thunder Rock Shale Mine

Dear Foreperson:

The Finance and Administration Committee of the 1998-99 Trinity County Grand Jury issued a report regarding the Thunder Rock Shale Mine. The Trinity County Board of Supervisors responds as follows.

Both the county Planning Department and county Transportation Department have responded to the specifics of the report, as it relates to their operations, and the Board of Supervisors supports those responses.

Mining has occurred on Weaver Creek for a century and as half and rock quarries have operated in the Union Hill and what is now known as Tucker Hill area, on both sides of Weaver Creek, for several decades. Rural residential and natural resource uses of land can sometimes conflict and this report exposes an example of that. Tucker Hill residents have taken their complaints about the now idle Thunder Rock mine to both the Trinity County Planning Commission and Board of Supervisors on a number of occasions and the county has tried to respond to their concerns by requiring adherence to all State and Federal laws with additional requirements regarding times of operation and dust abatement.

The Trinity County Board of Supervisors has every concern about the health, safety, peace and comfort of county residents and does not disregard their collective voice, by petition or otherwise. With a geologist now on the staff of the county Planning Department, Trinity County is even better equipped to monitor and enforce the provisions of the California Surface Mining and Reclamation Act and use permit requirements of our County Planning Commission.

The Board appreciates the hard work the Grand Jury put into this report and thanks the Grand Jury for the opportunity to respond.

Sincerely,

TRINITY COUNTY BOARD OF SUPERVISORS
S/S
ROBERT REISS, Chairman

This report was approved
on April 8, 1999
Filed on May 3, 1999

**1998-99 TRINITY COUNTY GRAND JURY
HEALTH AND HUMAN SERVICES
COMMITTEE FINAL REPORT
INVESTIGATION OF TRINITY COUNTY
HEALTH AND HUMAN
SERVICES DEPARTMENT
CHILD PROTECTIVE SERVICES DIVISION**

TRINITY COUNTY GRAND JURY

1998-1999

FINAL REPORT

**HEALTH AND HUMAN SERVICES
COMMITTEE**

PURPOSE:

To report on the reviews of the operations of emergency response procedures of the Child Protective Services Division of the Trinity County Health and Human Services Department.

BACKGROUND:

An investigation was undertaken into the adequacy of the emergency response procedures of CPS relative to children at risk. The Grand Jury received reports that reports about children at risk were not being handled properly by CPS personnel.

METHOD OF INVESTIGATION:

An investigation was undertaken into the complaints that the Child Protective Services Division was not responding properly to allegations of child endangerment.

FINDING #1:

The Grand Jury investigated public complaints that CPS did not respond to allegations of child endangerment in a timely and proper manner. In interviewing the complainants, CPS management, the acting supervisor and case workers, the Grand Jury found that the CPS personnel named in the complaints were either no longer employed by the department or had been transferred.

RECOMMENDATION #1:

The Grand Jury recommends that, in spite of the emotionally laden nature of the work, CPS must continue to follow and abide by established laws and mandated procedures in responding to allegations of child endangerment.

FINDING #2:

As a result of the reorganization of the CPS Division, the morale and personnel problems which had been reported by the 1997-98 Grand Jury have been greatly ameliorated. A number of former staff members have either been reassigned to non-CPS positions or have been otherwise replaced. Since the reorganization of the division, there have been no new complaints submitted by members of the public regarding the actions or procedures of the division or of its personnel as it relates to child health and safety.

RECOMMENDATION #2:

The Grand Jury recommends that continued recruiting efforts be undertaken in order to bring the division up to full staff. This will enable the work load to be distributed over a broader base, insuring that the improved and improving morale will be sustained to the benefit of the children who make up the division's clientele.

CONCLUSION:

The Grand Jury commends the management, supervision and staff of the CPS Division for the efforts that have been made to improve difficult situations. They have made great progress in meeting the needs of the public and mandates of State and Federal regulations that are in a state of flux.

30 DAY RESPONSE REQUESTED FROM: Director of Health and Human Services Department.

Response of the Board of Supervisors

July 20, 1999
Jerry Boosinger
Trinity County Grand Jury
P.O. Box 1258
Weaverville, CA 96093

RE: Health and Human Services Committee
Final Report Investigation of
Trinity County Health and Human Services
Department Child Protective Services Division

Dear Foreperson:

The following is the Board of Supervisors response to the 1998-99 Grand Jury Health and Human Services Committee Final Report regarding Trinity County Health and Human Services Child Protective Services Division:

Recommendation # 1

We agree with the Grand Jury.

Recommendation #2

We agree with the needs and demands for efforts to be undertaken to bring the division to full staff, and are in full support of recommendations and efforts by Director Linda Wright in meeting these requests.

Conclusion:

The Board of Supervisors appreciates the work the Grand Jury has done in providing this report.

Sincerely,

TRINITY COUNTY BOARD OF SUPERVISORS
ROBERT REISS, Chairman

This report was approved
on April 8, 1999
Filed on May 3, 1999

**1998-99 TRINITY COUNTY GRAND JURY
HEALTH AND HUMAN SERVICES COMMIT-
TEE
FINAL REPORT
INVESTIGATION OF TRINITY COUNTY
HEALTH
AND HUMAN SERVICES DEPARTMENT
ELIGIBILITY DIVISION**

PURPOSE:

To report on the reviews of the operations of the Eligibility Division of the Trinity County Health and Human Services Department.

BACKGROUND:

Some complaints were received late in the 1997-98 Trinity Grand Jury indicating that prompt or timely payments were not received by foster care families for the services that they rendered. A review of the eligibility department and its operation was, therefore, undertaken by the Grand Jury.

METHOD OF INVESTIGATION:

With regard to the Eligibility Division, interviews were conducted with the Supervisor of the Eligibility Division and with Eligibility Division staff members.

FINDING #1:

An investigation was made into the operation of the Income Maintenance Program of the Health and Human Services Department. Interviews were conducted with the Supervisor of the Eligibility Division and staff members. The supervisor answered questions concerning the impact of welfare reform on the division's programs. She also advised us as to her interface with CPS, CalWorks, Health and Human Services Administration and other interdepartmental units. The eligibility staff is experienced and rather stable in its work force. The only complaint by both the supervisor and by members of her staff is that they feel that their compensation is not on a level with that of surrounding counties.

RECOMMENDATION #1:

The Grand Jury recommends that a survey of similar positions and salary structures of Eligibility workers in surrounding counties be made and, if appropriate, that the pay rates of the Trinity County employees be adjusted accordingly.

CONCLUSION:

The Grand Jury commends the management, supervision and staff of the Eligibility Division for the efforts that have been made to improve difficult situations.

30 DAY RESPONSE REQUESTED FROM: Director
of Health and Human Services Department.

**Response of the Director of Trinity County
Health and Human Services**

Date: June 9, 1999
To: Trinity County Grand Jury
Health and Human Services
From: Linda Wright, Director
Trinity County Health and
Human Services
Re: Investigation of Trinity County
Health and Human Services
Department Eligibility Division

The following is my response to the 1998-99 Grand Jury Health and Human Services Committee's Final Report regarding Trinity County's Health and Human Services Eligibility Division:

Recommendation #1:

I concur with the Grand Jury's recommendation. Recognizing that our eligibility workers were under compensated, I requested a 10% increase for them in December of 1998. As a result of the Board approving this request, salaries for our eligibility workers are comparable, if not higher than counties of similar size in northern California.

Conclusion:

I would like to express my appreciation for the thorough and conscientious review performed by the Grand Jury Health and Human Services Committee, as well as their commitment to ensuring that services to the citizens of Trinity County are not compromised by a lack dedicated, capable eligibility staff.

Response of the Board of Supervisors

July 20, 1999
Jerry Boosinger
Trinity County Grand Jury
Weaverville, CA 96093

RE: Health and Human Services Committee
Final Report Investigation of Trinity

County Health and Human Services
Department Eligibility Division

Dear Foreperson:

The Trinity County Board of Supervisors have reviewed the above referenced report and offer the following response:

Recommendation # 1

We concur with the Grand Jury's recommendation and are pleased with Director Linda Wright's prompt response and action.

Conclusion:

We would like to express our appreciation for the thorough and conscientious review by the Grand Jury and Health and Human Services Department. We appreciate your efforts.

Sincerely,

TRINITY COUNTY BOARD OF SUPERVISORS
ROBERT REISS, Chairman

TRINITY COUNTY GRAND JURY

1998-1999

FINAL REPORT

JUDICIAL COMMITTEE

This report was approved
On April 8, 1999
Filed on March 16, 1999

**1998-99 TRINITY COUNTY GRAND JURY
JUDICIAL COMMITTEE FINAL REPORT
COLLECTIONS OF TRIAL COURT
ACCOUNTS RECEIVABLE**

PURPOSE:

A verbal complaint to the Grand Jury alleged that collection of Trial Court accounts receivable was being precipitately turned over to an out-of-county collection agency, at considerable cost to the county.

BACKGROUND:

Accounts receivable — money owed the courts by people found guilty of traffic offenses, some misdemeanors and some felonies — until four years ago were not aggressively managed. No tracking system existed. Debts often went for years uncollected. Collection of court fines and other assessments was haphazard. Estimates of how much was owed Trinity County ranged from \$1,000,000 to \$2,000,000.

Some collection responsibilities were assigned to the Marshal's Office. With a full-time clerk (a position funded by the State), and, later, another half-time clerk, the Marshal began collections and built to approx. \$100,000 of collections in 1997-98. In mid-1998 the full-time position was coming open because of a retirement. Probation and other Departments also had collection responsibilities.

In spring of 1998 the Chief Administrative Officer (CAO) and the Clerk/Recorder/Assessor (CRA) decided that collections needed improvement, and that a method of collection could be found which would have a lower overhead than the 25% rate they computed the Marshal's operation to run. After a review of available options, the CAO determined that the California Service Bureau (CSB), based in Napa, offered the best service for our needs. The CAO also explained that since CSB is listed in the California Registry the County was not required to go to bid for the work.

With Board of Supervisors approval, and without securing a contract, CAO and CRA in late July turned collections over to CSB. Trinity County became the second county (after Napa) to have accounts handled by CSB. On August 1 collection notices went out from CSB full of errors and mis-statements, bringing numerous complaints to the Marshall's and Probation offices. The contract was being negotiated while collections went on: a risky practice but not strictly illegal.

The Grand Jury set out to investigate the procedure that

led to this decision and the relationship between Trinity County and CSB written into the contract when it became final.

METHOD OF INVESTIGATION:

The Judicial Committee met with the Marshal, the Chief Probation Officer, the CAO, the CRA and the County Counsel.

FINDING #1: Cost Basis Disputed

The claim that the Marshal's office overhead ran 25% is disputed. The numbers used in this computation are not agreed upon as right by all parties involved.

RECOMMENDATION #1:

Control must be established over amounts owed Trinity County and the costs of collecting them; only then can an accurate rate of overhead be computed.

FINDING #2: Objectives Undefined.

Exactly what services the county required of CSB were not spelled out before entering contract negotiations or turning account information over to them. That is to say, CSB become a solution in search of a problem. The cause for this fuzziness is rooted in Finding #3.

RECOMMENDATION #2:

It is essential for Department Heads to define objectives before a search for solution is launched.

FINDING #3: Meetings Not Held.

No planning meetings were held that included County Counsel, Marshall, Probation and other participants. Due to changes in staffing and funding, some of them connected with implementation of AB233 The Trial Court Funding Act (see Finding #6), CAO and CRA felt the need and saw the opportunity to move quickly. They took the chance when it came and felt they could deal with the consequences later.

RECOMMENDATION #3:

Departments charged with responsibilities must be consulted in making major decisions. A coordinated attack on major problems is essential.

FINDING #4: Probation Department Responsibilities.

Probation Officers were shocked and embarrassed by the August 1 collection notice going out from CSB.

Confidentiality was violated in some juvenile cases. Such information should not have been released to CSB. This problem has since been resolved.

Confusion was bred in many misdemeanor and felony cases because collections which had regularly been made by the Probation Department were suddenly announced to be the business of CSB in Napa. This problem has since been resolved.

RECOMMENDATION #4:

Professional standards of behavior must be maintained

at all times.

FINDING #5: Legalities

A contract between the County and CSB was negotiated and signed. CSB has two years to raise collections significantly or the contract will not be renewed. Trinity County can withdraw from the contract at any time for cause (30 days notice) or for any reason at all (60 days notice).

CSB knows the laws pertinent to collections, as well as how to collect. Local personnel cannot duplicate these skills.

The decision of CAO and CRA violates no laws.

Demands of confidentiality are being met.

RECOMMENDATION #5:

The County Counsel is to be commended for straightening this situation out before it got completely out of control.

FINDING #6: ABB233 The Trial Court Funding Act

Great changes in the Marshal's Office responsibilities have been produced by a new law, AB233 The Trial Court Funding Act. AB233 was a new law for 1998 but it applied retroactively to the fiscal year beginning July 1, 1997. As a result, departments found themselves in a scramble to implement AB233 for the old year and plan for the new year at the same time.

The Marshal's salary historically came mostly from County funds, but the new law indicated that the salary should come from Court accounts. Thus many responsibilities of the Marshal's Office had to be redefined, and a Memorandum of Understanding had to be negotiated between the County and the Court.

Negotiations on that Memorandum of Understanding are nearly complete, and it is expected that the Marshall's Office responsibilities will be clearly spelled out and agreed upon before fiscal year 2000 begins on July 1, 1999.

RECOMMENDATION #6:

Implementation of AB233 was probably not a direct cause of the change in collection procedures. However, the 1998-99 Grand Jury recommends that the 1999-2000 Grand Jury follow up on this matter and monitor the progress of AB233 implementation.

CONCLUSION:

Transfer of collections to the California Service Bureau is smoothing out. We expect collections to be made legally and conscientiously, and we expect collections to increase. Participating parties believe the system is going to work. The decision process, however, was flagrantly dictatorial.

30-DAY RESPONSES REQUESTED FROM: the

Board of Supervisors, the Chief Administrative Officer, the Clerk/Recorder/Assessor, the Marshal, the County Counsel, the Chief of the Probation Department.

Response of Trinity County Counsel

Date: April 20, 1999
To: John K. Letton, Superior Court Judge
From: David R. Hammer, Trinity County Counsel
Re: Response to 1998/99 Trinity County Grand Jury Judicial Committee Final Report – Collections of Trial Court Accounts Receivable

My response to the findings and recommendations of the Grand Jury's Report is as follows:

Finding #1:

I am aware that the deputy clerk who was assigned to collections and the Marshal disagree with the figures presented to the Board of Supervisors by the County Clerk and CAO. I have not made any independent investigation of the actual amount collected or the cost of collections.

Recommendation #1:

I agree. Some accounts have been assigned to California Service Bureau for collections. There are accounts receivable which have not been assigned. An evaluation of the effectiveness of CSB is in progress. A protocol for the processing of all traffic tickets and collection of fines and assessments is being developed.

Finding #2:

i agree that the exact services that the County required of CSB were not defined prior to entering into the contract. The County knew that the problem was that the cost of collections was too high relative to the amount being collected.

Recommendation #2:

I agree. However, I believe that the County Clerk and the CAO did have a defined objective of reducing the cost of collections and increasing the amount collected.

Finding #3:

I agree with the first sentence. CSB commenced performing services before a contract was negotiated or signed.

Recommendation #3:

I agree.

Finding #4:

There were numerous errors and problems regarding the collection notices sent by CSB in August 1998. I believe those problems have been resolved.

Recommendation #4:

I agree.

Finding #5:

The contract with CSB sets specific performance goals for collecting both new installment accounts and delinquent accounts. An evaluation of the performance is now in progress. The contract provides that either party may terminate the contract by giving the other party 30 days' notice upon the other party defaulting under the terms of the contract. There are provisions for resolving differences by a meet and confer process.

I agree that the decisions and action of the CAO and County Clerk did not violate any laws.

Although CSB knows the collection business, the evaluation of whether it is better to use CSB or local personnel is not yet complete.

Recommendation #5:

Thank you for the commendation.

Finding #6:

AB 233, the Trial Court Funding Act of 1997, and California Rules of Court, Rule 810, define the Marshal's duties in providing security to the courts as a "court operation" to be funded by the Trial Court Operations Fund. By law, the Presiding Judge of the Superior Court, and not the County, has control and authority over that fund. A Memorandum of Understanding has now been

negotiated between the Courts and the County that deals with these issues. It is the responsibility of the Courts, and not of the County, to define the security functions and duties of the Marshal.

Recommendation #6:

I agree.

Conclusion:

The transfer of collections to CSB could have been smoother. To my knowledge, no one was attempting to dictate the manner in which collection actions were taken. Problems arose because CSB commenced providing services before a meeting of the responsible department heads and before the contract was not negotiated and signed.

Thank you for the opportunity to provide a response.

The response of the Trinity County Administrative Officer

Date: April 20, 1999
To: John K. Letton, Superior Court Judge
From: Jeannie Nix-Temple, County Administrative Officer
RE: Response to 1998/99 Trinity County Grand Jury Judicial Committee Final Report - Collections of Trial Court Accounts Receivable

My response to the findings and recommendations of the Grand Jury's Report is as follows:

The Collections Department was developed several years ago to increase revenue to the General Fund by collecting civil assessments and other debt owed to the County. The reasons for reorganizing the Collections Department were twofold: (a) each year the cost of the Department increased as much as the amount collected, and having a safety employee provide collection services appeared too costly when coupled with the constant need for increased staff; and (b) the Courts and the County had begun negotiations to implement AB 233 (Trial Court Funding Act) and we were aware of the need for security for the Courts and the problem of collections being directly connected to the Courts.

Finding #1:

I realize that the Marshal disputes our overhead calculations; however, I stand by the calculations made by the County Clerk/Recorder and myself.

Recommendation #1:

I agree. Establishing control over the amounts owed to the County was the purpose for making the change in the method of collection.

Recommendation #2:

I agree. Scrutiny of the Collections Department began at least a year before changes were implemented. Our objectives were clearly defined: to reduce overhead and increase collections. Our solution was to turn all collectibles over to California Service Bureau (CSB) and establish a relationship that would be profitable for CSB and efficient for the County. We were aware that the change would be a "work in progress" because our own collections system had not been efficiently defined and implemented after several years of operation.

Recommendation #3:

As with all major County decisions, regular meetings were held regarding reorganization of the Collections Department. Because AB 233 negotiations between the Courts and the County were

In progress, we already knew that the employees in the Collections Department would be reassigned. Therefore, we did not consider it necessary to include them in our discussions.

Recommendation #4:

I agree. While both CSB and the County made errors, I feel that the professional standards of behavior were maintained at all times.

Finding #5:

I agree that the County Clerk/Recorder and I did not violate any laws. We were carrying out the duties of our offices with regular input from the County Counsel.

Recommendation #5:

I agree.

Recommendation #6:

I agree.

Conclusion:

The transfer of collections to CSB is working well. The collections have already increased from last year. I believe transferring more departments' collections to CSB in the upcoming year will increase collections and efficiency within the County structure. I do not believe our actions were "flagrantly dictatorial." As stated above, reorganization of the Collections Department was necessary. I am aware that there are times when not everyone agrees with changes made, but it is my responsibility to see that the County operates as efficiently as possible.

Thank you for the opportunity to provide a response.

Response of the Chief Probation Officer

To: John K. Letton, Judge of the Superior Court
Board of Supervisors
From: Terry D. Lee, Chief Probation Officer
Date: April 23, 1999
Re: Response to Grand Jury Collections of Trial Court Accounts Receivable

I have reviewed the finding of the Grand Jury in connection with Trial Courts collection of accounts receivable and agree in part with many of the findings. I would like to comment specifically on those findings.

Finding #1: Cost Based Dispute

It is my opinion that the cost basis for which the decision to abandon the County collection process was not accurately computed. Too much of the overhead for the Marshal's Office and clerk time was attributed to the collection process when in fact they were performing other duties for the Court. Had more time been involved in accurately computing how much of their time was actually spent in the collection process, everyone would have had a clearer picture of the costs of collecting the County's money. Employees should have been time studying their time before a decision was made.

I fully agree that control must be established over the accounts receivable and only then can accurate figures be computed to establish overhead.

Finding #2: Objectives Undefined

I support this finding in that affected Department Heads were not “on board” when the decision to hire California Service Bureau was made. In their absence no clearly defined objectives were formulated because California Service Bureau was working without a contract. No one knew what they were expected to collect and several weeks went by before everyone had a clear vision of their responsibilities.

Finding #3: Meetings not held

To my knowledge no meetings were held prior to collections being handed over to a collections bureau. I was informed the County was looking at the possibility of having a private firm take over collections. Affected departments were not given the opportunity to give input until after the data had been transferred. This caused mass confusion for clients and caught everyone off guard.

Again I agree fully that affected departments must be brought into the loop prior to decisions of this magnitude being made and implemented. Good decisions are always the product of prior planning, and being prepared.

Finding #4: Probation Department Responsibilities

I fully agree with this finding. Confidential juvenile records were released to California Service Bureau and collection notices went out to families without the Probation Department’s knowledge. I found this objectionable and the problem has since been corrected. This problem could have been easily corrected if the Probation Department has been included in the process of turning collections over to a private firm.

Finding #5: Legalities

I fully agree that the decision to have the California Service Bureau collect the County’s revenue violates no laws, and is well within the County’s power to assign its collections to a collection agency. Although unintentional, confidentiality laws were breached by the release of juvenile financial records.

I do not agree that local personnel cannot duplicate the skills of the California Service Bureau in that the Service Bureau hired and existing County employee to run their office located in the Court House. There is nothing “magical” about collecting delinquent accounts other than an aggressive approach and con-

stant billing and contact with the client.

I also commend County Counsel for entering the picture and straightening out the contract before things got out of control.

Finding #6: Trial Court Funding Act

The Trial Court Funding Act will change the relationship between Trial Courts and the County for years to come. It appears to be an appropriate time to redefine how the county collects revenues assessed by the Court process and who should collect them. Hopefully the relationship between the County and California Service Bureau will be successful and positive for both parties. Hopefully we have all learned a lesson on how not to do things.

Response of the Trinity County Clerk

Trinity County Board of Supervisors
April 5, 1999

RE: Response to 1998/99 Grand Jury Judicial Committee Final Report
Collections of Trial Court Accounts Receivable

Dear Board Members:

Finding #1: The Marshal’s office disputes overhead costs

When the collections department was set up as a part of the Marshal’s office several costs were not included within the Marshal’s budget. The administrative assistant to the Clerk Recorder was assigned to the collection department while her salary remained in the Clerk/Recorder and Courts budget. In addition the Marshal hired an additional unbudgeted staff member. When these costs are added in the costs were over 25%.

Recommendation # 1: Control must be established over amounts owed Trinity County and the costs of collection them.

There is an accurate accounting of the amounts owed to the County. The only question is whether or not all of the amounts are collectable. In addition, there is and always has been an accurate control of the costs of collections monies owed the county. All the costs were not in one budget, which may have, mislead some people as to what the costs were.

Finding #2: Objectives Undefined

The services required by California Service Bureau (CSB) were not different than those used when the collection department was setup. While the collection department had done a good job of determining what was owed the County, they had concentrated on local people and people who frequented the courts and did not provide any traditional collection methods on people who owed the county money but did not live in the area. CSB could provide local contact as well as the ability to collect from people outside the area.

Recommendation #2: The objective was in mind and was the reason for the change to CSB

Finding #3: Meetings not held

While no planning meeting were held with the parties mentioned there were many discussions with the CAO and the Superior Court Judge as well as visits to Napa County where CSB was running a similar program. In addition I made contact with 2 other collection bureaus that specialize in collecting court fines before recommending that we use CSB.

With the passage of AB233 the costs of collections could no longer be born by the courts so a new method of collecting fines owed the County was necessary. In addition the County is now responsible to pay the state \$137,000 annually whether collections of fines occurs or not. It was important that collections be continued and if possible improved. CSB seems to be the best way for that to happen.

Another important reason to change collection methods goes to the Civil Assessment Fee. If a fine is past due and in default a Civil Assessment of up to \$250 can be assessed against the party. This was an important source of revenue for the collection department but has the effect in increasing the fine on someone who is already having trouble paying. The experience in Napa was that CSB was doing a better job of keeping the people current on their payments. Their Civil Assessments were going down while their fine payments were going up. This is a much better situation for the people who have to pay the fine payments.

I believe the reasons for making the change to CSB were reasonable and appropriate

Finding #4: Probation Department Responsibilities

The accounts transferred to CSB were the same ones being collected by the Marshall's office. These collections were being handled in part by someone who had been working as a community service worker and not even a county employee. The issue of who should be collecting payments for the Probation Office was not brought up because no one was sending out payment notices to the people who owe the County money. The confidentially issue was there but no one knew it. I believe this was an issue that was resolved by the contract with CSB and not caused by the contract.

Recommendation #4: Professional standards of behavior must be maintained at all times.

I concur with the recommendation.

Finding #5: Legalities

I concur with the findings.

Recommendation #5: County Counsel

County Counsels assistance has been helpful in this matter. When we started it we did not have a full time County Counsel on staff. The Board should be commended for providing a full time County Counsel.

Finding #6: AB233 The Trial Court Funding Act

The finding address some of the reason for making the changes in the collection process.

Recommendation #6:

AB233 was a major contributing cause for the change in collection procedures. We are still working on the Memorandum of Understanding between the County and the Courts. Additional collection procedures are being dealt with in the MOU.

Conclusion:

There is still work to be done on the transfer of accounts to CSB. We are working on these procedures now and expect them to continue to increase collection of past due accounts. I believe we were working on a problem that did exist. The collection department was not meeting expectations, the costs were higher than expected and results not much better than before they

started. With the advent of AB233 change a was necessary. I do not believe we were dictatorial but simply made a decision, with board approval, that was necessary at the time. Usually, county government is criticized for not being able to make a decision now we are criticized for making one.

Dero Forslund

Response of the Board of Supervisors

May 16, 1999

Mr. Jerry Boosinger, Foreperson
1998/1999 Trinity County Grand Jury
P.O. Box 2455
Weaverville, CA 96093

RE: Judicial Committee Final Report
Collections of Trial Court Accounts Receivable

The Trinity County Board of Supervisors acknowledges receipt of the above referenced report and thanks the Grand Jury for its work. The Board's response is as follows:

Recommendation #1. Control must be established over amounts owed Trinity County and the costs of collecting them.

The Board of Supervisors agree.

Recommendation #2. It is essential for Department Heads to define objectives before a search for solution is launched.

The Board of Supervisors agree and think that this is good advise for all of us.

Recommendation #3. Departments charged with responsibilities must be consulted in making major decisions. A coordinated attack on major problems is essential.

The Board of Supervisors is proud of our inclusive style of management. There are monthly meetings with Department Heads where they all can participate in the decision process so that none are excluded from issue discussions. There is also a meeting the Thursday before each Board meeting where the Board agenda is reviewed so that each department is aware of all actions pending before the Board.

Recommendation #4. Professional standards of behavior must be maintained at all times.

The Board of Supervisors agree.

Recommendation #5. The County Counsel is to be commended for straightening this situation out before it got completely out of control.

The Board of Supervisors agree.

Recommendation #6. Implementation of AB233 was probably not a direct cause of the change in collection procedures. However, the 1998-1999 Grand Jury recommends that the 1999-2000 Grand Jury follow up on this matter and monitor the progress of AB233 implementation.

The Board of Supervisors agree.

Conclusion. Transfer of collections to the California service Bureau is smoothing out. We expect collections to be made legally and conscientiously, and we expect collections to increase. Participating parties believe the system is going to work. The decision process, however, was flagrantly dictatorial.

The Board of Supervisors agree that the new system seems to be working well. All parties had an adequate opportunity for input, but may not be equally pleased with the outcome. The Board believes that the present system will capture more money for the County with less overhead per dollar collected. Therefore, the people of Trinity County are being better served by their government.

The Board of Supervisors acknowledge the fine work of the Grand Jury and appreciate that many positive outcomes are encouraged by the Jury's attention to matters in change. As in this case, the Jury's impact often occurs prior to the publishing of the report. We thank you for your collective efforts.

TRINITY COUNTY BOARD OF SUPERVISORS
By Robert Reiss, Chairman

This report was approved
on December 10, 1998
Filed on February 24, 1999

**1998-99 TRINITY COUNTY GRAND JURY
JUDICIAL COMMITTEE
FINAL REPORT
FAMILY SUPPORT DEPARTMENT**

PURPOSE:

The Grand Jury is required to conduct periodic reviews of county government. The purpose of this investigation was to follow up on the 1996-97 Grand Jury review of the Family Support Department. Their report found that staff trying to collect court-mandated child support payments were struggling against numerous obstacles, most of them not local in origin.

BACKGROUND:

During the four years prior to 1998 Family Support increased annual collection of support dollars from \$540,740 to over \$1,000,000.

From 1996 to 1998 the Department attempted to use the Statewide Automated Child Support System (SACSS), but could never get it to work.

METHOD OF INVESTIGATION:

The Judicial Committee met with the Head of Family Support.

FINDING #1: Software and Staff.

SACSS was a disaster. It could never be made to work, and the State abandoned it. Workers continually had to do by hand what the software originally claimed it could do automatically. Error rates were high. Excess resources were committed to corrections. Collections suffered. Morale declined.

The Head of Family Support went in search of better software, learned of a new system originating out of San Francisco County called CASES, compared it with other available products and determined that it was best. They installed it and it works as well as they hoped it would.

Collections soared.

The new software brought them in compliance with federal requirements for incentive moneys. Incentive income of 13.6¢ per dollar now funds the Family Support

Department entirely.

The Head of Family Support reports that staff levels are adequate and morale is much improved.

RECOMMENDATION #1:

The entire Family Support Department is to be commended for its success.

CONCLUSION:

The Family Support Department has gone from near the bottom in statewide rankings to very near the top in five years. The evidence indicates they are highly motivated people doing an outstanding job.

The Department Head advised the Judicial Committee, however, that the state still pursues a centralized software system. If Family Support should have to convert all file data, major disruption could result.

30-DAY RESPONSES REQUESTED FROM: the Family Support Department Head, the District Attorney.

Response of the District Attorney

To: John K. Letton, Superior Court Judge
From: David L. Cross
Date: March 19, 1999
Subject: Response to 1998/99 Grand Jury Judicial Committee Final Report
Family Support

We certainly agree with the Grand Jury Report. The Family Support Unit has worked hard to make the improvements necessary to create a successful program. They do indeed need to be commended for a job well done.

David L. Cross

Response of the Board of Supervisors

April 16, 1999
Gerald L. Boosinger
Trinity County Grand Jury
P.O. Box 2455
Weaverville, CA 96093

RE: 1998-99 Grand Jury Judicial Committee Final Report Family Support Department

Dear Foreperson:

The Trinity County Board of Supervisors concurs with

the Judicial Committee's findings and is in total agreement on the recommendations due the department for their successfulness. I have personally relayed these findings to the California State Association of Counties Judicial Committee in Sacramento on April 8, 1999.

Conclusion: The Grand Jury conclusion regarding possible major disruption due to a state centralized software system is so noted and we believe this should be monitored to prevent a breakdown of collection dollars.

The Board of Supervisors appreciates the Grand Jury's efforts in the preparation of this report.

Sincerely,

TRINITY COUNTY BOARD OF SUPERVISORS

Robert Reiss, Chairman

This report was approved
on January 14, 1999
Filed on February 24, 1999

**1998-99 TRINITY COUNTY GRAND JURY
JUDICIAL COMMITTEE
FINAL REPORT
JUVENILE ASSESSMENT CENTER**

PURPOSE:

The Grand Jury is required to conduct periodic reviews of county government. Findings and recommendations in the 1997-98 Grand Jury report regarding juvenile crime, juvenile detention and supervision of juvenile offenders merited follow-up by the current Grand Jury.

BACKGROUND:

Juvenile crime has escalated dramatically in the 1990s. Probation officials report that they are seeing more young people who are angry, violent and out of control. Such 'acting out' is associated with domestic violence and alcohol and drug abuse, especially methamphetamine.

The challenges of detaining, supervising and treating juvenile offenders press Probation Department personnel and facilities as far as they can reach. The Juvenile Assessment Center, the hub of their operation, is inadequate for present needs.

Needs are expected to keep growing in the foreseeable future.

The Juvenile Assessment Center is housed in a converted residence. It is a non-secure facility licensed for an occupancy of eight. Juveniles can be held at the facility for a maximum of ninety-six hours. Probationary juveniles completing required hours of public service spend weekends at the facility, reporting Friday afternoon and leaving Sunday night or Monday morning. Juvenile Counselors run the weekend program.

Over their weekends these juveniles work in teams performing community service projects such as graffiti eradication, trash clean up, school grounds maintenance, gardening/landscaping, firewood cutting, splitting and stacking.

Juveniles freshly arrested and booked are sometimes detained in the Center until they can appear in court for an initial hearing of their case.

The garage area of the residence has been converted to a classroom for the Community School conducted on-

site.

METHOD OF INVESTIGATION:

The Judicial Committee met with the Trinity County Chief Probation Officer, the Manager of the Juvenile Assessment Program and the Community School teacher. Committee members also inspected the Juvenile Assessment Center.

FINDING #1:

When a juvenile just arrested and booked is detained at the Center, a staff member of the Probation Department must be on duty at all times because the Center is non-secure. Such staff people are called away from their regular duties or called in after hours.

Occasionally offenders on weekend community service duties prove intractable and have to be incarcerated; in every such case Probation Officers have to send young people to secure facilities outside the county, far from family and friends.

RECOMMENDATION #1:

Trinity County needs a secure Juvenile Detention Facility. In the context of a comprehensive care program, lockdown represents the ultimate sanction. The Grand Jury recommends that this project be pushed forward with all reasonable speed.

FINDING #2:

By contract, weekend meals are prepared in kitchens at the Jail and Hospital. A Duty Officer must go for the meals and bring them back. The arrangement works fine, according to staff.

It is reasonable to believe, however, that the arrangement will not work well for full-time residents in need of meals every day of the year.

RECOMMENDATION #2:

Full time, year round meal service will need to be provided in the near future. A portion of the proposed Juvenile Detention Facility might be designed for and funded to serve as a kitchen of this kind. Or the Facility could be sited in close proximity to an existing kitchen sufficient to satisfy these new needs.

FINDING #3:

Before joining the weekend work team, probationary juveniles are prescreened for lack of respect, for violence and for tobacco, drug and alcohol use.

Youngsters who show such destructive tendencies are started into treatment programs right away, and weekend work assignments are integrated with such treatment.

All probationers' performance is evaluated. Staff can reduce their sentences for good behavior or send them to secure facilities outside the county for bad.

RECOMMENDATION #3:

The Probation Department should be commended for its strenuous efforts to intervene early and forcefully in young offenders' lives, to break the patterns of losing control and acting criminally before they become habitual.

Moreover, a portion of the proposed Juvenile Detention Facility should be designed for diagnosis and treatment of such social pathologies. Likewise, additional funding as necessary should be provided to intervene in the lives of Trinity County's at-risk young people before they have a chance of becoming career criminals.

FINDING #4:

Probationary juveniles are also diagnosed for educational deficits. These and other educational problems can be addressed in the Community School run in conjunction with the Juvenile Assessment Center. The School was commended by the 1997-98 Grand Jury. We agree with their action.

Students at the school who are not juvenile offenders are children who have been expelled from county schools. In and around the classroom, while they continue their education, they can be diagnosed and treated for those same patterns of lack of respect, violence and substance abuse that got them into trouble in the first place.

The Community School teacher and aide do a great deal of good with barely adequate resources.

RECOMMENDATION #4:

A portion of the proposed Juvenile Detention Facility should be designed, equipped and funded for the educational component of an integrated and comprehensive treatment program for Trinity County's young offenders.

CONCLUSION:

The Probation Department and Juvenile Counselors are

doing an outstanding job administering a comprehensive program of diagnosis and treatment, overseeing these juveniles and fighting recidivism. The County can make no better investment than in its at-risk children: turning them around before they can become career criminals not only saves us the tremendous costs of convicting them and jailing them repeatedly; we also benefit from the contributions to be made by good citizens such as these young people can become. The progress that has been made towards a new Juvenile Detention Facility is laudable, and we encourage everyone involved to continue with all deliberate speed.

30-DAY RESPONSES REQUESTED FROM: Board of Supervisors, Trial Court Judges, Chief Probation Officer.

Response of the Chief Probation Officer

To: Board of Supervisors
From: Terry Lee, Chief Probation Officer
March 29, 1999
Re: 1998/99 Grand Jury Final Report – Juvenile Assessment Center

I have reviewed and considered the findings of the Grand Jury in their final report. I find that they are thoughtful and insightful in regards to the Juvenile Assessment Center. This Department continues to make every effort to ensure the safety of the community in association with the rehabilitation and punishment of juvenile criminal offenders. I concur with the findings of the Grand Jury and it is my intention to try and co-locate our facility with a department that can and will contract food and medical services to our Juvenile Hall. Every effort has been and will continue to be made to consolidate services in collaborating agencies.

This department is actively seeking federal and state grant monies to build a full-time, full Juvenile Hall. The Board of Supervisors has endorsed this project by unanimously passing a resolution in support of building and maintaining a Juvenile Hall. You are correct in your assessment that present services to juveniles in Trinity County are limited by secure detention options for minors. To date my department has expended in excess of \$85,000.00 for secure detention beds outside Trinity County. With your continued support and a successful grant application we hope to open a full-service Juvenile Hall in Trinity County in the fall of 2001. Thank you again for your continued commitment to quality gov-

ernment and support for Juvenile programs in Trinity County.

Response of the Board of Supervisors

Mr. Jerry Boosinger, Foreperson
1998/99 Trinity County Grand Jury
P.O. Box 2455
Weaverville, CA 96093

Re: Judicial Committee Final Report
Juvenile Assessment Center

The Trinity County Board of Supervisors acknowledges receipt of the above referenced report and thanks the Grand Jury for its work. The Board's response is as follows:

Recommendation #1. Trinity County needs a secure Juvenile Detention Facility.

The Board of Supervisors has endorsed the Probation Department's request to apply for grant funds to build a new 24 bed facility. County land has been identified and we hope to be able to commence construction within a year. On April 8, 1999, three of the Supervisors joined with the Probation Department to appear before the California Department of Corrections to press our request for funding.

Recommendation #2. The new facility should have its own kitchen.

The proposed facility will have its own kitchen facilities.

Recommendation #3. The Probation Department should be commended for its strenuous efforts to intervene early and forcefully in young offenders' lives.

We are also proud of the performance of our Probation Department. The Board believes that early intervention is key to changing behavior patterns.

Recommendation #4. A portion of the Juvenile Detention Facility should be designed, equipped and funded for the educational component of the treatment program.

The preliminary plans include this area as required by State of California directives. We concur that not only is

this required, but it is also a very important component of changing behavior.

We thank the Grand Jury for highlighting an area of mutual concern.

TRINITY COUNTY BOARD OF SUPERVISORS
Robert E. Reiss, Chairman

Response of Judge of the Superior Court

To: Trinity County Board of Supervisors
From: John K. Letton, Judge of the Superior Court

Date: April 5, 1999
RE: 1998-99 Grand Jury Judicial Committee Final Report Juvenile Assessment Center

I agree with all aspects of the Judicial Committee report on the Juvenile Assessment Center. The "JAC" has provided a much needed service in Trinity County and it has saved Trinity County enormous amounts of money that otherwise would have been spent on out-of-county juvenile hall costs. However, the JAC has been only a temporary solution to the need for cost-effective detention of juveniles.

I am not in a position to judge the fiscal aspects of the proposed Juvenile Detention Facility, but as a juvenile court judge I will certainly be pleased to have it available.

This report was approved
on May 13, 1999
Filed on May 25, 1999

**1998-99 TRINITY COUNTY GRAND JURY
JUDICIAL COMMITTEE
FINAL REPORT
SOUTHERN TRINITY LAW ENFORCEMENT**

PURPOSE:

In response to multiple complaints from organizations and citizens in the area, the Judicial Committee looked into the law enforcement situation in southern Trinity County.

BACKGROUND:

During the 1990s Trinity County has had a Resident Deputy stationed in the Southern Trinity area who could maintain law enforcement presence and visibility, and respond to citizen calls. The Resident Deputy is sometimes exposed to danger when answering a call alone: backup is more than an hour away in Hayfork or Humboldt County.

The complaints identified numerous problems developing since the loss of their Resident Deputy more than a year before. Law enforcement presence on and around Ruth Lake during the summer season was felt to be insufficient. Deputies were not available or it took them too long to respond to emergency situations in Southern Trinity County. Some felt that the sheriff was unresponsive to their letters and not committed to working actively at solving their problems. It looked like the Sheriff had the Resident Deputy position available but was doing nothing to fill it. There was growing fear that individual residents would take the law into their own hands, or there would be vigilante action; many felt frustration so great they wouldn't call the sheriff when they needed help.

Since the County and the Sheriff's Department are mandated to provide law enforcement everywhere within the County, no matter how thin the population may be in some areas, the possibility that a large geographic portion of the County could revert to 'lawlessness' is alarming.

The Sheriff's Department runs a sub-station in Hayfork staffed by a sergeant and three deputies. They are first responders to calls from Southern Trinity, and if none of them is available a deputy must respond from Weaverville.

METHOD OF INVESTIGATION:

The Judicial Committee interviewed a board member of the Ruth Lake Community Service district; the County

Supervisor for Southern Trinity; the Sheriff; a deputy who had been Resident Deputy in Southern Trinity; a reserve deputy; and the Chief Administrative Officer.

FINDING #1: Lack of Service

The Southern Trinity area and its citizens are not being served: there is, in effect, no law enforcement in the Southern Trinity area.

RECOMMENDATION #1:

To carry out its mandate the County needs to provide law enforcement services to the Southern Trinity area without delay.

The Grand Jury recommends as an ideal solution a resident Deputy in the area plus two level one reserve Deputies who can provide quicker backup than Hayfork can. A resident Deputy who can be visibly on patrol during daytime hours and available at all times is necessary, but unless backup is available more quickly than Hayfork can provide it, such a solitary law enforcement presence will not always be sufficient.

Until a resident Deputy can be found for Southern Trinity, a reserve Deputy level one might be a solution to the problem.

The Grand Jury recommends, as an absolute minimum law enforcement service to southern Trinity, a daily patrol out of Hayfork.

Starting April 1, 1999, the Sheriff's Department has resumed daily patrol, out of Hayfork, in the South County area: they are to be commended for their appropriate response.

FINDING #2: Deputy Positions

In 1993 the Sheriff's Department had seven deputy positions funded (down from a high of 21 in 1990/91). Consequently the Resident Deputy in Southern Trinity relocated to Weaverville for duty there. Twelve positions are currently funded, and the Sheriff estimates a full cadre would comprise fourteen county-funded positions. Additional positions are funded out of special (especially federal) projects.

RECOMMENDATION #2:

The County needs to fund the full fourteen deputy positions.

FINDING #3: Recruiting

The Sheriff reports ongoing difficulties recruiting and retaining quality deputies because of the County's non-competitive pay rates. New recruits are typically young males fresh out of academy who complete their field training with the Trinity County Sheriff's Department. When they complete their training, in about a year's time, they look to move out and up to better paying positions with other counties.

Recruits of this type have no interest in becoming Resi-

dent Deputy for Southern Trinity and therefore do not seek to move there.

Older, more experienced officers could find life and duty in Southern Trinity attractive, but the huge cut in pay they would have to take is distinctly unattractive.

RECOMMENDATION #3:

To improve its chances of recruiting and retaining quality deputies the County needs to offer more competitive pay rates. Additionally the county may need to fund a special bonus for a qualified officer who accepts the Southern Trinity Resident Deputy position.

Separately, the Personnel Department should concentrate on finding a more experienced officer, with family, to relocate to Southern Trinity.

FINDING #4: Coordination

The Ruth Lake CSD expressed dissatisfaction that letters to the Sheriff were unanswered and meetings with the Sheriff were unproductive. They hadn't seen any progress towards meeting their needs.

Meetings in the spring of 1999, however, have resulted in a coordinated plan for law enforcement at Ruth Lake over the Memorial Day weekend, a major local concern.

Ruth Lake CSD feels it can also contribute to the recruiting effort — for example, they say they can provide a free mobile home pad with hookups — and they wish to participate in the search.

The Personnel Department has primary responsibility for describing available positions, advertising them and receiving responses from applicants. The Southern Trinity Resident Deputy position, however, is unique and requires a special effort.

The Sheriff is clearly an interested party, and so is the Supervisor for the district. There may be others not mentioned here.

RECOMMENDATION #4:

The Grand Jury recommends that a special team be assembled for the purpose of defining unmet law enforcement needs for the Southern Trinity area, devising a plan to meet those needs and implementing it.

The 1998-99 Grand Jury recommends that the 1999-2000 Grand Jury return to this issue next year and monitor progress towards a solution that satisfies everyone involved.

FINDING #5: Reserve Deputies

The reserve Deputy corps is moribund, in part because the State of California has increased training requirements and thereby increased the number of hurdles volunteers must clear before they can take places on the law enforcement team. All the same, we do have a small number of enthusiastic volunteers completing the train-

ing requirements and filling useful roles with the Sheriff's Department.

The reserve Deputy corps seems to be an under-utilized resource, and there is some evidence suggesting that reserve Deputies are not always welcomed and encouraged by the Sheriff's Department.

RECOMMENDATION #5:

Creative and energetic recruitment is required. High School seniors and other career seekers can benefit from information on jobs in law enforcement, including the part-time position of reserve Deputy. Educational opportunities can be increased, financial assistance can be found. Enthusiastic volunteers can boost morale in an organization like the Sheriff's Department. They can also be very effective good will ambassadors for an organization like the Sheriff's Department.

The 1998-99 Grand Jury recommends that the 1999-2000 Grand Jury return to this question for a progress report.

CONCLUSION:

This situation was allowed to drift perilously close to a serious incident, but steps are being taken and responses are taking effect. Trinity County citizens can continue to expect what they deserve: timely, targeted and effective action to protect their lives, property and fortunes.

30 DAY RESPONSES REQUESTED FROM: Ruth Lake CSD, Sheriff, Personnel Department, CAO, Board of Supervisors.

Response of Ruth Lake Community Services District

June 10, 1999

Trinity County Board of Supervisors
PO Drawer 1613
Weaverville Ca. 96093

re: 1998-1999 Grand Jury Judicial Committee Final Report - Southern Trinity Law Enforcement

Gentlemen:

The Board of Directors of the Ruth Lake Community Services District offer the following comments in response to the report of the Grand Jury:

General: The Sheriffs Department is to be commended for their planning, communication and service provided over the 1999 Memorial Day weekend. The Sheriff and his team attended several of our Board Meetings, re-

mained in contact with the District and presented a coordinated plan which addressed our concerns. Law enforcement was visible for the entire weekend with the result that there were no major incidents, and a good time was had by all visitors and local residents. It was one the most peaceful holiday weekends in memory. We sincerely hope this kind of cooperation can continue.

Recommendation # 1: The Sheriff has commenced a five day a week (Thursday through Monday) patrol out of the Hayfork office. This has been noticed and appreciated by the community members we have been in contact with. Hopefully, this will remain a priority and not continue to be the first to be sacrificed for vacations and other needs.

Recommendation #4: As noted above, the Sheriffs Department has increased its visibility to the community and its communications with our District, both of these efforts are appreciated. The District is very much interested in participating in the special team suggested to identify and meet the needs of the area. We strongly recommend that any such team meet in the Southern Trinity Area, and the District will make its facilities available for them.

Conclusion: The Sheriff has taken the beginning steps to rectify the lack of law enforcement in the Southern Trinity County Area. This effort needs to be continued and monitored. The main problem identified in the Grand Jury report seems to be lack of funding to attract and keep qualified personnel. However, no solution was offered. The Sheriff has recommended a new tax to benefit law enforcement staffing in the county. If this new tax is to be effective, it needs to be specifically for that purpose, with positive commitment from the Board of Supervisors that it will not effectively redirect the tax increase by reducing the contribution from the general fund.

We encourage the Grand Jury to not only to continue to monitor the Sheriffs efforts, but the Board of Supervisors actions as well to support this basic service as well over the next several years.

Sincerely yours,
A. Michael Gladding
Administrator

Response of the County Administrative Officer

Date: June 24, 1999
To: John K. Letton, Superior Court Judge
From: Jeannie Nix-Temple, County Administrative Officer
RE: Response to 1998/99 Trinity County Grand Jury Judicial Committee Final Report - Southern Trinity Law Enforcement

My response to the findings and recommendations of the Grand Jury's Report is as follows:

Recommendation # 1:

I agree that it has been very difficult to recruit for a deputy in the Southern Trinity Area. I was pleased to hear that the Sheriff has resumed daily patrol to Southern Trinity from Hayfork.

Recommendation # 2:

The County is unable to fund the full 14 deputy positions.

Recommendation # 3:

The Southern Trinity deputy position is unique and certainly may require extraordinary recruitment efforts. Supervisor Reiss has been making an extra effort in this area. The County Administrative office would be willing to evaluate any proposals submitted that might provide some incentive for a deputy to apply and be willing to relocate to the area.

Recommendation # 4:

I agree that a special team should be assembled to devise a plan. I would think it appropriate that the Sheriff call that group together. I would be happy to participate.

Recommendation # 5:

I concur.

Conclusion:

I appreciate the Grand Jury's investigation of this serious problem of law enforcement recruitment in Southern Trinity County. I would be willing to assist in any way that I can to solve the problem.

Thank you for the opportunity to provide a response.

Response of the Trinity County Sheriff

To: Trinity County Board of Supervisors
From: Paul Schmidt, Sheriff
Subject: Response to 1998-99 Judicial Committee Final Report – Southern Trinity Law Enforcement

Answer to Finding No. 1:

Although the resident position remains unfilled all calls in Southern Trinity are handled by a deputy if the call warrants one. Recruitment for the Southern Trinity resident position actually began before the last resident deputy left. We have not been able to recruit a qualified Deputy Sheriff candidate willing to move to a resident post in Southern Trinity. Regular patrol coverage out of Hayfork began April 1, 1999. This service would have been provided earlier but new recruits were still involved in a state mandated field training program and we had no one to send. However, all calls for service were answered.

Answer to Finding No. 2:

The last Southern Trinity resident deputy was not relocated to work in Weaverville. He left County service for a better paying law enforcement position with the United States Forest Service. The previous Southern Trinity resident deputy was transferred to Weaverville. The reasoning behind that move involved an ongoing need for training and supervision for the individual in question.

Answer to Finding No. 3:

Recruitment for the Southern Trinity resident position has been ongoing since the post was vacated. We have not been able to find a suitable qualified candidate willing to move to Southern Trinity. Older more mature candidates have been sought with negative results.

Answer to Finding No. 4:

The Sheriff's Office is currently working on a ballot initiative for the November ballot that would, among other things, provide a 10% pay increase immediately with another 10% in salary steps in hopes that a pay increase would provide the necessary incentive for hiring and retention.

I am as frustrated with the situation as the Southern Trinity residents are. I thought I had communicated my ongoing recruitment efforts to several Southern Trinity residents and to the Ruth Lake Community Services District by phone and in person,; evidently not, my apologies.

I am more than willing to work with any group assembled to brainstorm and come up with ideas to mitigate this problem.

Answer to Finding No. 5:

I use our meager reserve deputy pool as much as I can. Some of our reserves are limited in what they can do by their level of training and expertise. At present I have only two Level One reserves.

I am always looking for qualified reserves and will use them as much as possible.

The filling of the Southern Trinity resident deputy position is not a problem of lack of funds, or a desire on my part to fill the position.

It is a problem of finding a qualified candidate willing to move to Southern Trinity.

I cannot lower our standards for hiring Deputy Sheriff candidates. To do so would be perilous for the Sheriff's Office and the people of Trinity County.

Response of the Board of Supervisors

August 17, 1999
Jerry Boosinger
Trinity County Grand Jury
P.O. Box 1258
Weaverville, CA 96093
RE: Judicial Committee Final Report
Southern Trinity Law Enforcement

Dear Foreperson:

The Trinity County Board of Supervisors acknowledges receipt of the above referenced report and thanks the Grand Jury for its work. The Board's response is as follows:

Recommendation # 1

The Board concurs with the Grand Jury's concerns and notes that regular patrol coverage began April 1, 1999.

Recommendation #2

The budget does not allow for the funding of fourteen deputy positions.

Recommendation #3

The County Administrative office is aware of the changes required in evaluating proposals and are continuing to work on finding recruits that have a long term interest in the Southern Trinity area.

Recommendation #4

The Board concurs with the Grand Jury's recommendation to form a special team to define unmet law enforcement needs for the Southern Trinity area and believes that the monitoring of the team's progress would be very beneficial.

Recommendation #5

The Board concurs.

Sincerely,

TRINITY COUNTY BOARD OF SUPERVISORS
ROBERT REISS, Chairman

This report was approved
on February 11, 1999
Filed on February 24, 1999

**1998-99 TRINITY COUNTY GRAND JURY
JUDICIAL COMMITTEE
FINAL REPORT
TRINITY COUNTY SHERIFF'S DETENTION
FACILITY**

PURPOSE:

Per mandate of Penal Code Section 919(b), the Grand Jury will annually inquire into the conditions and management of all public prisons within the county. The Trinity County Jail is our only facility of the kind. In addition, findings made by the 1997-98 Grand Jury merited follow-up.

BACKGROUND:

The Trinity County Jail is used to detain persons who are awaiting or undergoing trial, convicted persons sentenced to serve time there (up to one year), and minimum-security state parolees back in custody due to parole violations.

The maximum capacity of the jail is 53. The 1997-98 Grand Jury found that occupancy often averaged "in the range of 45-47, . . . an increase over the prior year when the inmate population averaged 20-25." According to jail staff, occupancy levels remain near the maximum this year. Inmate numbers on peak weekends reach and even exceed the maximum. At other times, though, numbers decline to the low thirties or below.

The 1997-98 Grand Jury also found jail "staffing levels which just meet the minimum requirements" set by the California Board of Corrections. At present fourteen of fifteen positions required for jail management are funded by the county.

METHOD OF INVESTIGATION:

The Judicial Committee toured the jail with the jail supervisor and interviewed the Sheriff.

FINDING #1: 911 System

The Sheriff dispatch room at the front of the jail wing is the hub of the 911 alert network for the county. The absence of uniform county wide addressing has hampered prompt and accurate response to emergency calls for law enforcement, fire and medical assistance.

The current county wide addressing project using the Global Positioning system (GPS) will resolve many existing problems. The project is very nearly ready for implementation.

RECOMMENDATION #1:

The Grand Jury recommends that the addressing system be implemented as quickly as possible.

FINDING #2: Staffing

Because one position continues unfunded, operations during the graveyard shift sometimes violate Sheriff's Department policy and risk compromising officer safe-guards. Two officers are on duty but one handles 911/dispatch: if a situation arises within the cell area, the second officer may have to respond alone.

RECOMMENDATION #2:

The Grand Jury recommends that the Board of Supervisors fund the fifteenth jail position before an incident occurs.

FINDING #3: Use and Space

Some spaces inside the jail are not used in ways they were designed for: a rear oversight station (described by the Sheriff as "redundant") is used for storage, an exercise yard is unused and a dining room is not used for dining (though it is used for other activities)

At the same time booking, oversight and the 911/dispatch communications center are all clotted together in the confined front space of the jail wing, raising stress levels for all personnel.

RECOMMENDATION #3:

The 911/dispatch communications center has outgrown its space at the front of the jail wing and needs to move. Then jail booking and oversight can expand into the space.

FINDING #4: In-House Operations

The jail continues to efficiently handle food service, laundry and health care in-house. The whole facility is attractively clean, neat and squared away.

Moreover, the Sheriff's Department has been innovative in generating income from the jail facility by such means as inmate crews working for Cal Trans and County Buildings and Grounds, reimbursement from the state for costs of housing state parolees, and reimbursement of jail costs by inmates who can afford it.

RECOMMENDATION #4:

See Conclusion.

CONCLUSION:

The jail staff should be commended for maintaining professional standards in the Trinity County Detention Facility against considerable odds. These people deserve support and relief from a task that stresses them all to the limits of human endurance.

30 DAY RESPONSE REQUESTED FROM: Trinity County Sheriff, Board Of Supervisors.

Response from the Trinity County Sheriff

April 6, 1999

To: The Trinity County Grand Jury

From: Sheriff Paul Schmidt
Re: Grand Jury report Sheriff's Detention Facility

I would first like to thank the members of the Judicial Committee for their hard work and dedication. Considerable time and effort went into their review of the operations at the Detention Facility and preparation of this report.

RECOMMENDATION NUMBER 1 :

The Grand Jury recommends that the addressing system be implemented as quickly as possible.

RESPONSE:

I concur. Addressing will be integrated into our system as quickly as possible, when completed.

RECOMMENDATION NUMBER 2 :

The Grand Jury recommends that the Board of Supervisors fund the fifteenth jail position before an incident occurs.

RESPONSE:

I concur. Over the last two (2) years, we have been able to fund two (2) of the three (3) positions that were cut by the Board, three (3) years ago, with innovative jail programs such as Sheriffs Work Alternative Programs, Cal Trans; and housing state parolees. We are also charging inmates for a portion of the cost of their incarceration. I would hope that next year the Board could see it's way clear to fund the last of the three (3) positions, that had been cut.

RECOMMENDATION NUMBER 3:

The 911/dispatch communications center has outgrown its space at the front of the jail wing and needs to move. Then jail and booking can expand into the space.

RESPONSE:

I concur. I had planned to move the 911 center and dispatch into the redundant jail dispatch facility. However, we are in the process of researching the separation of correctional duties and dispatch and moving the dispatch center to a different location. If the plan is not feasible we will again look into the inhouse move.

Concerning jail spaces not being used for the purpose which they are designed for. The exercise yard not being used.

The area in question was never intended to be used as an exercise area. It was designed for pickup and delivery of items to the kitchen and is used by inmates on trustee status working in the kitchen, for their break area.

The dining area is primarily used for meetings and training. We have found delivery of meals to individual cell blocks to be a more secure method of serving inmates and does not require feeding in shifts and movement of large groups of inmates. If the jail dining area were to be used for maximum security or non sentenced inmates, the doors would need to be locked and a sprinkler system installed. At this time, the doors have crash bars for emergency exits in case of fire.

CONCLUSION:

I would like to thank the Grand Jury for their in-depth report and recognition of the challenges faced by our employees and commend our staff for the tremendous job that they do.

Response of the Board of Supervisors

May 4, 1999
Jerry Boosinger
Trinity County Grand Jury
P.O. Box 1258
Weaverville, CA 96093

RE: Jury Judicial Committee Final Report
Trinity County Sheriff's Detention Facility

Dear Foreperson:

The Trinity County Board of Supervisors acknowledges receipt of the above referenced report and finds the following:

Finding and Recommendation # 1:

The Board agrees. Even without our countywide addressing system being totally in place at present, our 911 emergency personnel are doing an outstanding job.

Finding and Recommendation #2:

The Board agrees there is a need for one more correctional officer. It is our suggestion that the Sheriff train at

least one of his reserve officers to assist in jail operation. The Board recommends that the Sheriff stop using the Board as an excuse for not using his personnel in an efficient manner.

Finding and Recommendation #3:

The Board agrees with both the finding and recommendation.

Finding and Recommendation #4:

The Board agrees with the Grand Jury conclusion.

The Board of Supervisors thanks the Grand Jury for its time and efforts in preparing this report.

Sincerely,

TRINITY COUNTY BOARD OF SUPERVISORS

Robert Reiss, Chairman

This report was approved
on December 10, 1998
Filed on February 24, 1999

**1998-99 TRINITY COUNTY GRAND JURY
JUDICIAL COMMITTEE
FINAL REPORT
VIDEO ARRAIGNMENT SYSTEM**

PURPOSE:

The Grand Jury report of 1997-98 commended Judges, Marshal, Sheriff's staff, Public Defenders and District Attorney's staff for making the video arraignment system a reality in early 1998. It also recommended "a follow-up meeting three months from implementation to review the experience with video arraignments." This document is a follow-up and progress report.

BACKGROUND:

Arraignment by video instead of transporting inmates from jail to court was called great progress and a success by all associated with the arraignment process. It was hailed as an effective use of resources and an improvement in courtroom security.

By late summer of 1998 word reached the Grand Jury that the video arraignment system was not working.

METHOD OF INVESTIGATION:

The Judicial Committee met with the Marshal, the County Counsel, the Chief of General Services, the County Auditor and the Deputy in Charge of the Jail.

FINDING #1: Search for Replacement Parts

Power outages in June burnt out a receiver, so neither the arraignment nor the court security system were working.

The company that originally supplied the system was no longer in business, so a search for replacement parts was conducted.

A source was located and replacement cost was quoted as in the neighborhood of \$4000. Insurance coverage is \$500 deductible. Trial Court and Sheriff agreed to pay \$250 each. Claims forms are being submitted to the insurers.

Judge and Sheriff are consulting on paying the full price if insurance does not cover.

RECOMMENDATION #1:

The Video Arraignment System should be repaired as soon as possible. If insurance does not cover, interested parties should include in their discussions a cost-benefit analysis of upgrading to a new system.

FINDING #2: Surge Protection.

Electronic components get "fried" in power outages or surges because they are unprotected. Surge protectors

cheaply and effectively prevent such problems. It is reasonable to suppose that a surge protector could have prevented this problem.

RECOMMENDATION #2:

Install protection with new components.

FINDING #3: System Obsolescence.

If the system is repaired this time, the next time it goes down it will likely be unrepairable. There is no way to predict how soon this will happen, but it inevitably will. As suggested in Recommendation #1, upgrade will become necessary. The cost of an all-new, full-function system is estimated to be \$25,000, and it is in the interests of both Court and County to negotiate that upgrade.

RECOMMENDATION #3:

Now that the video arraignment system has proven its value, Court and County should commence early planning towards expeditious replacement of the system when next it fails.

CONCLUSION:

Judges, Marshal, Sheriff's staff, Public Defenders and District Attorney's staffs are to be commended again for integrating a novel element into their procedures. What is next in importance is that the system be kept operational.

30-DAY RESPONSES REQUESTED FROM: Superior Court Judges, the Marshal, the Chief of General Services, the County Auditor, the Deputy in Charge of the Jail.

Response of Deputy in Charge of the Jail

To: The Trinity County Grand Jury
From: Sgt. Bob Angulo
Re: Grand Jury report Video Arraignment

I would like to thank the Grand Jury for their time and effort in putting this report together.

RECOMMENDATION NUMBER 1:

The video arraignment system should be repaired as soon as possible. If insurance does not cover, interested parties should include in their discussions a cost-benefit analysis of upgrading new system.

RESPONSE:

The video arraignment system has been repaired and is now in service.

RECOMMENDATION NUMBER 2:

Install electrical protection with new video arraignment

components.

RESPONSE:

A surge protector has been installed at the jail facility.

RECOMMENDATION NUMBER 3:

Now that the video arraignment system has proven its value, Court and County should commence early planning towards expeditious replacement of the system when next it fails.

RESPONSE:

This will be initiated in future budget packages to the board for their consideration.

CONCLUSION:

I would like to thank the Grand Jury for their in-depth report and recognition of the challenges faced by our employees and commend the staff for the tremendous job that they do.

Response of the Superior Court Judge

To: Trinity County Board of Supervisors
1998-99 Trinity County Grand Jury
From: John K. Letton, Judge of the Superior Court
Date: April 5, 1999
Re: 1998-99 Grand Jury Judicial Committee Final Report Video Arraignment System

I agree with the Judicial Committee Final Report on the video arraignment system. I propose that future maintenance/replacement costs of the video arraignment/security camera system be born 50% by the county and 50% by the courts.

Response of the Trinity County Auditor

To: Trinity County Board of Supervisors
From: Brian Muir, Auditor – Controller
Date: September 22, 1999
Subject: 1998/99 Grand Jury Judicial Committee Final Report- Video Arraignment System

Recommendation #1 Repair of System
I agree.

Recommendation #2 Surge Protection
I agree.

Recommendation #3 System Obsolescence

The Auditor's office will assist County departments in finding sources of funds to finance the County's share of a new system, should the current video arraignment equipment prove unrepairable.

Responses of the Director of General Services

October 5, 1999

Trinity County Grand Jury

Attn: Donna Regnani, Court Administrator

RE: ADDENDUM TO RESPONSE TO THE 1998-99 GRAND JURY REPORT -VIDEO ARRAIGNMENT SYSTEM

I just attended a meeting for the construction sequencing process for the Juvenile Detention Facility. Our consultant is looking into the latest in video consultation technology for consideration for the Juvenile facility. I believe the issues addressed by the Grand Jury for video arraignment can be resolved, provided we agree to have the consultant speak to the principals involved for a minimum charge.

I will do whatever I can to assist in this effort.

Sincerely
John Whitaker
Director

October 1, 1999

Trinity County Grand Jury

Attn: Donna Regnani, Court Administrator

RE: RESPONSE TO THE 1998-99 GRAND JURY REPORT - VIDEO ARRAIGNMENT SYSTEM

When I meet with the Grand Jury last year, I told them we were not consulted when the system was installed, but that we would be happy to assist the Sheriff, Marshal, and Judge if asked. Since that time I have had many conversations with the Marshal, Judge, and Sheriff, and have never been asked for any assistance. However, as always, General Services is here to help in any way.

Sincerely,
John Whitaker Jr.
General Services Director

Response of the Board of Supervisors

May 4, 1999
Jerry Boosinger
Trinity County Grand Jury
P.O. Box 1258
Weaverville, CA 96093

RE: Judicial Committee Final Report
Video Arraignment System

Dear Foreperson:

The Trinity County Board of Supervisors acknowledges receipt of the above referenced report and commends the parties involved in making the video arraignment system a success.

The Board agrees that upgrading the equipment is vital in keeping the video arraignment system operational and encourages the Court and County to begin researching and establishing their future needs for the purchase of new equipment.

The Board of Supervisors thanks the Grand Jury for its time and efforts in preparing this report.

Sincerely,

TRINITY COUNTY BOARD OF SUPERVISORS
ROBERT REISS, Chairman

TRINITY COUNTY GRAND JURY
1998-1999
FINAL REPORT
SUB-COMMITTEE ON GENERAL ELECTION

This report was approved
on April 8, 1999
Filed on May 3, 1999

**1998-99 TRINITY COUNTY GRAND JURY
SUB-COMMITTEE ON GENERAL ELECTION
FINAL REPORT
TRINITY COUNTY GENERAL ELECTION
HELD NOVEMBER 3, 1998**

PURPOSE:

Members of the Trinity County Grand Jury are requested by the Trinity County Clerk Recorder (Election Office) to observe the election process for the counting of ballots during various elections held in Trinity County.

BACKGROUND:

The Election Office has formed an "observation panel" made up of members of political parties, members of the press and members of the Grand Jury. This panel is to be present during the preparation of absentee ballots for counting, and to observe the election process during the counting of ballots after elections precincts close on election day. For the last two General Elections, four Grand Jury members have been requested to be present during this process.

METHOD OF INVESTIGATION:

Four members of the Grand Jury were present to observe the processing and counting of ballots for the November 3, 1998, General Election.

FINDING #1:

Instructions to the observation panel, as to their responsibilities as observers of the election process, were inadequate. No advance instructions or directions were provided. A quick summary of duties was provided at the doorway of the room where the counting process began. However, questions asked were promptly and completely answered or investigated by elections workers.

RECOMMENDATION #1:

The Election Office should prepare a publication which states what is expected of election observers. This publication should be made available to observers in advance. This would help in reducing the number of questions during the actual observation of the election process.

FINDING #2:

The Grand Jury also noted that during the counting of ballots some members of the various observation groups did not stay until the counting process was completed.

RECOMMENDATION #2:

If observers are required to observe the process until formally released by the Election Office, this fact should

be emphasized. Perhaps all observers should be required to sign an "Observers Registration" list before being released.

FINDING #3:

As recommended by the 1997-98 Grand Jury, the Election Office has added additional security for the handling of absentee ballots. For example, two designated members of the election Office now pick up absentee ballots at the Post Office. As added security, the mail bag containing the ballots is padlocked before leaving the Post Office.

RECOMMENDATION #3:

The Election Office is commended for strengthening the security measures for collecting and handling absentee ballots.

CONCLUSION:

The Grand Jury commends the election Office for the efficient manner in which the ballot counting process was handled. Ballots from outlying precincts were delivered to the Court House in a timely manner. The results of the election were available to interested parties early in the evening.

30 DAY RESPONSE REQUESTED FROM: County Clerk (Election Office)

Response of the County Clerk

Trinity County Board of Supervisors
May 24, 1999

Re: Response to General Election Final Report dated May 3, 1999

Recommendation #1: The Election Office should prepare a publication, which states what is expected of election observers. This publication should be made available to observers in advance. This would help in reducing the number of questions during the actual observation of the election process.

While we concur with the recommendation in general, we do not want to limit the observation panel as to what they think should be observed. Over the years many good suggestions have come from these observation panels. Perhaps a good compromise would be to provide the panel with a written description of the vote counting process so they know what to expect and can decide which areas they would like to observe. The observation panel is an important part of the election process and we want to do what is necessary to make it effective.

Recommendation #2: If observers are required to observe the process until formally released by the Election Office, this fact should be emphasized. Perhaps all observers should be required to sign an "Observation Registration" list before being released.

We are working on ways to complete the election counting process earlier in the evening. This should help make sure the observation panel will stay in place until the end of the process.

Recommendation #3: The Election Office is commended for strengthening the security measures for collecting and handling absentee ballots.

We expect to keep these measures in place in the future. The security measures are a result of recommendations from the Grand Jury and the observation panels. We appreciate the work done by these groups in the past and look forward to working with them in the future

S/S
Dero Forslund
Clerk Recorder Assessor

Response of the Board of Supervisors

July 30, 1999
Mr. Jerry Boosinger, Foreperson
1998/99 Trinity County Grand Jury
P.O. Box 2455
Weaverville, CA 96093

Re: General Election Final Report
Trinity County General Election Held November 3, 1998

The Trinity County Board of Supervisor acknowledges receipt of the above referenced report and thanks the Grand Jury for its work. The Board's response is as follows:

Recommendation #1: The Elections office should prepare a publication which states what is expected of election observers.

The Board of Supervisors agree with the response of Dero Forslund, County Clerk/Recorder Assessor. If the County Clerk provides the Grand Jury members a written description of the election process, in advance of

the election, then they can be better prepared to perform their function.

Recommendation #2: If observers are required to observe the process until formally released by the Elections office, this fact should be emphasized.

The Board of Supervisors agree. The early count of votes during the November election was great. The candidates and observers had the results within a few hours of the polls closing. The election process in Trinity County is fast, efficient, and transparent. The staff and observers are to be commended for their efforts.

Recommendation #3: The Elections office is commended for strengthening the security **measures** for collecting and handling absentee ballots.

The Board of Supervisors concur.

The Board of Supervisors is proud of our elections team, including the Grand Jury observers.

TRINITY COUNTY BOARD OF SUPERVISORS

By ROBERT A. REISS, Chairman

This report was approved
on May 13, 1999

**1998-99 TRINITY COUNTY GRAND JURY
AD HOC EDUCATION COMMITTEE
FINAL REPORT
COMPLAINT AGAINST TRINITY COUNTY
AIDS TASK FORCE**

**TRINITY COUNTY GRAND JURY
1998-1999
FINAL REPORT
AD HOC EDUCATION COMMITTEE**

PURPOSE:

The Grand Jury received two complaints from the same individual, containing allegations regarding the administration of the HIV/AIDS Education and Prevention Project in Trinity County. The first complaint contained allegations that included misuse of funds, refusal to disclose public records, violation of conflict of interest, failure to meet goals, obstruction of HIV/AIDS prevention, and numerous Brown Act violations. The second complaint alleged failure of a superior to intervene after an allegation of misuse of funds.

BACKGROUND:

In December of 1995, Trinity County received a renewable grant from the Department of Health Services, Office of AIDS, for \$56,000. \$50,000 was designated for the Trinity County Health Service's HIV Education and Prevention Project, \$2,800 was received for the HIV Testing Program and \$2,800 for surveillance. The allegations were only against the HIV/AIDS Education and Prevention Project. This grant has been renewed each year since 1995 and is currently funded through June 30, 1999.

In Trinity County the HIV/AIDS E&P Project money is used to educate targeted populations about AIDS and HIV and to teach how to prevent HIV. This is done through outreach efforts to schools, medical care providers, the jail, substance abusers and their partners and persons with HIV/AIDS and their partners. These outreach efforts are carried out by the Coordinator of the HIV/AIDS E&P Project, public health nurses, educators, sub-contractors and volunteers. Sub-contractors include Trinity County Life Support, Six Rivers Planned Parenthood (PPH), the Trinity County Sheriff's Department, Southern Trinity Health Services and individuals skilled in outreach to men having sex with men (MSM).

During the course of the investigation the Grand Jury learned that, immediately prior to submitting the complaint and backup material to the Grand Jury, the complainant sent a copy of the same information to the Administrator of the California State Department of AIDS, who then sent a copy to the Trinity County Superinten-

dent of Schools. As a result the normal Grand Jury investigative process was seriously compromised. Almost everyone interviewed knew who had filed the complaint, and all of its allegations, thus altering confidentiality and raising questions about the possibility of advance preparations to possible Grand Jury questions.

METHOD OF INVESTIGATION:

A committee of Grand Jury members reviewed the allegations and interviewed the complainant, County Counsel, the Director of Health and Human Services (H&HS), the Trinity County Superintendent of Schools, the Coordinator of the HIV/AIDS E&P Project, the Public Health Nursing Supervisor and a Public Health Nurse. They attended one Local Implementation Group (LIG) meeting. And they examined budget information, supportive documentation of expenses, quarterly expense and progress reports submitted to the State, and LIG meeting minutes.

FINDING #1: Misuse of Funds

The Misuse of Funds complaint itemized four charges: failure to disclose budget records, an inappropriate Project Coordinator's salary, improper reimbursement for attending a conference and possible theft of a fax machine.

- The allegations of failure to disclose public records appear to be unfounded.

The Committee found the LIG budget/expenditures information to be readily available and accurately documented. Quarterly reports of expenditures are prepared by the Project Coordinator and approved by the Director of H&HS. They are then forwarded to the State Office of AIDS. The records in question are available through Trinity County Office of Education (TCOE) upon request. While the complainant stated 'obstruction of public information,' he did not approach the TCOE when he was not satisfied with the information from the Coordinator. Documentation exists of an attempt, by the Coordinator and the State Consultant, to explain the flow and disbursement of State grant money. The State Office of AIDS, the Superintendent of Schools and the Director of H&HS appear satisfied that the grant standards are being met. However, the State Office of AIDS is now exploring the allegations and recommends that the LIG members have more input into budget planning.

- The HIV/AIDS E&P Project Coordinator's salary was found to be appropriately determined using the TCOE salary

schedule. Her salary also meets the guidelines set forth by the grant.

- The complainant alleged that the Coordinator improperly charged attendance at a conference. The Grand Jury investigated and found the allegation was without merit.

- The whereabouts of a FAX machine, reportedly purchased with \$900.00 allocated from the original grant money in 1995, was questioned by the complainant. After investigating, the Grand Jury was unable to locate this specific Fax machine. The machine was ordered and then no longer needed when the HIV/AIDS Project was moved from H&HS to TCOE. It is "reportedly" in the Hayfork Community Center.

RECOMMENDATION #1:

The Grand Jury encourages the County to continue to update its accounting and equipment tracking systems.

FINDING #2: Conflict of Interest

The Coordinator of the HIV/AIDS E&P Project has served as a member of the Board of Directors for Six Rivers Planned Parenthood for several years. Allegations of conflict of interest were raised because PPH is a subcontractor for the Project. No conflict of interest was found by the Grand Jury, nor by County Counsel. However, the State Office of AIDS saw a possible perception of conflict of interest by the general public. Because of the State's concerns, the Coordinator was requested to remove her name from the PPH letterhead. In order to preserve "appearances" the Coordinator has since resigned her position on the PPH board. The Grand Jury wishes to make it clear, that they found no conflict, either in fact or appearance.

RECOMMENDATION #2:

While it is important for all our public officials to be sensitive to the appearance of conflict of interest, the Grand Jury recommends that County officials not allow themselves to be coerced into taking unjustified actions.

FINDING #3: Failure To Meet The Goals Of HIV Prevention

The Grand Jury found that some of the goals of the program, as set forth in the HIV/AIDS Prevention plan, are so broad that a charge such as this could easily be made, i.e., "All people will...". However, the Grand Jury found the Coordinator kept acceptable records indicating that the goals were indeed being met. Quarterly reports submitted to the State show progress toward, or activities to support, stated goals. Activities supporting goals appear appropriate.

The Grand Jury found one exception to adequate

progress toward goals. One Activity states "continue outreach to all geographic regions of the county through schools, medical care providers, associations, bars and stores by June 30, 1999." Visits to Partners in Prevention sites to replenish condoms and other supplies appear to be occurring only in Hayfork and Weaverville. Furthermore, the current Second Quarter Progress report states that condoms have been placed in most bars, but does not cite specific names, except in Hayfork and Weaverville.

RECOMMENDATION #3:

The Trinity County HIV/AIDS E&P Project Coordinator and the LIG should revisit their goals, and if they are written to include all of Trinity County, then steps to meet that requirement should be taken.

FINDING #4: Obstruction Of HIV/AIDS/STD Prevention

Blocking Access To Condoms: One of the allegations was that condom distribution was not adequate and that the volunteer distributor has been blocked from obtaining condoms purchased with grant money. The Coordinator agrees that condom distribution has not been adequate and is taking steps to remedy that situation. Because of liability concerns, County Counsel feels that until certain protocols are in place, volunteers should not be used to distribute condoms. The Grand Jury concurs with County Counsel.

RECOMMENDATION #4:

The Grand Jury believes that the use of volunteers in many capacities is both cost effective and often the source of valuable experience. Therefore, it is recommended that the HIV/AIDS E&P Project Coordinator, in conjunction with the County, develop volunteer protocols that protect both the volunteers and the county.

FINDING #5: Brown Act

An allegation that the LIG was violating the Brown Act was made. Upon consulting with County Counsel, it was found that the LIG does not fall under the Brown Act. The Grand Jury concurs and finds this allegation without merit.

RECOMMENDATION #5:

None.

FINDING #6: Failure To Intervene

A second complaint was filed against the Director of H&HS, alleging that the Director failed to intervene after an allegation of misuse of funds was made against the HIV Coordinator. Because TCOE and not H&HS is the HIV Coordinator's immediate superior, the Grand Jury finds that this complaint is without merit.

RECOMMENDATION #6:

None.

CONCLUSION:

While the complainant obviously felt that he had legitimate concerns, he had not done his homework well. For example, the complaint against the superior who failed to intervene was filed against the wrong agency. County and State procedures for complaints against personnel were not followed and a general "shotgun" approach was utilized. With the exception of the condom distribution goal not being met, the Grand Jury has concluded that overall, the HIV/AIDS E&P Program Coordinator is administering the program well and is meeting grant standards.

30-DAY RESPONSES REQUESTED FROM: TCOE Superintendent of Schools, Project Coordinator and County Counsel.

In addition, copies of this report should be sent to the Director of Health and Human Services.

Response of Trinity County Superintendent of Schools

RESPONSE TO TRINITY COUNTY GRAND JURY REPORT
COMPLAINT AGAINST TRINITY COUNTY AIDS TASK FORCE
AS REQUIRED BY PENAL CODE 933

6-2-1999

I would like to commend the Grand Jury for their thorough and professional investigation of these allegations. I concur with all of the Grand Jury findings. In regards to finding #3, our co-ordinator will make every effort to distribute condoms to all areas of the county for the duration of our contract as recommended. There is some consolation in your conclusion that states and I quote "...overall the HIV/AIDS E&P Co-ordinator is administering the program well and is meeting grant standards." My office remains committed to the prevention of HIV among our young people and protecting the rights of afflicted youth.

Respectfully submitted,

S/S

James B. French

Trinity County Supt. Of Schools

Response of Trinity County Counsel

Date: June 10, 1999

To: John K. Letton, Presiding Judge, Su-

perior Court
From: David R. Hammer, Trinity County
Counsel

RE: Response to 1998/99 Trinity County Grand Jury
Ad Hoc
Committee on Education Final Report - Com-
plaint Against Trinity
County AIDS Task Force

My response to the findings and recommendations of
the Grand Jury's Report is as follows:

Finding #1:

I agree.

Recommendation #1:

I agree.

Finding #2:

I agree.

Finding #2:

I agree.

Recommendation #2:

I agree.

Finding #3:

I agree with the first paragraph. I do not know the ex-
tent to which all of the goals have been met.

Recommendation #3:

I agree.

Finding #4:

I agree. A protocol has been developed for all County
volunteers.

Recommendation #4:

I agree. A countywide volunteer protocol has been de-

veloped. There was an allegation that the protocol was
intended to permit discrimination against volunteers based
on their sexual orientation. The omission of the sexual
orientation classification from the nondiscrimination
clause was inadvertent by me. I have submitted to the
Supervisors, and they have introduced, an ordinance to
amend the Trinity County Code to comply with Labor
Code Section 1102.1, which prohibits discrimination
based on sexual orientation. The protocol will also be
amended accordingly.

On April 20, 1999, the Board of Supervisors adopted
Resolution No. 29-99, which recognizes that volunteers
provide needed assistance to the County, schools, spe-
cial districts, and other local agencies in a wide variety
of activities and that the County and other local agen-
cies encourage volunteerism to provide programs and
services to the public. The protocol that was developed
and approved by the Board of Supervisors recognizes
that volunteers are not employees and serve at the plea-
sure of the agency that accepts their services. Some
volunteer positions, such as firefighters, require a mini-
mum standard for physical strength and agility. Most
volunteer positions require the applicants to work under
the supervision and direction of the agency that accepts
their services. Because they are volunteers, the laws
and regulations regarding the employer-employee rela-
tionship do not apply. As an example, if the volunteer
does not perform the task for which he or she volun-
teered, the only recourse of the agency is to terminate
the services of the volunteer. The County has no right
to compel a volunteer to continue services, and the vol-
unteer likewise has no right to compel the County to
retain the services of the volunteer. This does not mean
that the services of the volunteer are not highly regarded,
but merely recognizes the legal relationship between the
parties.

There are many reason why it may not be appropriate
to use volunteers for certain positions, and that some
individuals may not be appropriate for certain volunteer
positions. Each County agency must evaluate the ben-
efits and risks to the taxpayers and public in using vol-
unteers to perform certain tasks and evaluate whether a
specific individual is appropriate to provide volunteer
services for a particular task.

Volunteerism is extremely strong in Trinity County, as it
is in most rural areas. As County Counsel during the
past 14 months and as a citizen and volunteer in Trinity
County since 1974, it has been my observation that the

County and its agencies encourage, utilize, and give due recognition to volunteers.

Finding #5:

I agree.

Recommendation #5:

I agree.

Finding #6:

I agree.

Recommendation #6:

I agree.

Conclusion:

I agree.

Thank you for the opportunity to provide a response. I request that this response be published with the Final Report.

Response of the HIV Education Coordinator

DATE: June 21, 1999

TO: John K. Letton, Presiding Judge, Superior Court

FROM: Sally Aldinger, HIV Education Coordinator

RE: Response to 1998-1999 Trinity County Grand Jury

Ad Hoc Committee on Education Final Report
Complaint Against Trinity County AIDS Task

Force

My response to the findings and recommendations of the Grand Jury's Report is as follows:

Finding #1:

I agree.

Recommendation #1:

I agree.

Finding #2:

I agree.

Recommendation #2,

I agree.

Finding #3:

I agree, with the addition of the following clarification: Free condoms are currently available through the Partners in Prevention Program (started as a part of the HIV Education and Prevention Program in 1996) in the following communities: Zenia, Mad River, Hayfork, Weaverville, Lewiston, Junction City, and Burnt Ranch.

Inding #4:

I agree, with the following clarification: The HIV Education Coordinator (myself) and Public Health nurses have distributed approximately 6000 condoms throughout Trinity County during FY98-99, which I believe to be adequate. Condoms for personal use are available to any Trinity County citizen upon request. The complainant resigned from a subcontract to do HIV outreach on September 23, 1998.

Recommendation #4:

I agree. The Volunteer Protocol was developed by County Counsel and approved by the Board of Supervisors Resolution No. 29-99 on April 20, 1999. I believe that this case is an excellent example of the reason such a protocol is now necessary.

Finding #5:

I agree.

Recommendation #5:

I agree.

Finding #6:

I agree.

Recommendation #6:

I agree.

Conclusion:

I agree.

Thank you for the opportunity to provide a response
S/S

Sally L. Aldinger

Response of the Board of Supervisors

Jerry Boosinger
Trinity County Grand Jury
P.O. Box 1258
Weaverville, CA96093

RE: Ad Hoc Education Committee Final Report
Complaint Against Trinity County Aids Task
Force

Dear Foreperson:

In its final 1998-99 report, the Trinity County Grand Jury's Ad Hoc Education Committee reviewed a complaint against the Trinity County Aids Task Force.

The Board of Supervisors concurs with both the findings and recommendations of the committee review. The Trinity County Board of Supervisors thanks the Grand Jury for its work.

Sincerely,

TRINITY COUNTY BOARD OF SUPERVISORS

S/S

ROBERT REISS, Chairman
