

# PLACER COUNTY GRAND JURY

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June 27, 2023

Board of Directors Penryn Fire Protection District 7206 Church St Penryn, CA 95663

Subject: 2022-2023 Grand Jury Final Report - Compliance and Accountability

Dear Board of Directors:

The 2022-2023 Placer County Grand Jury hereby releases the 2022-2023 Grand Jury Final Report, dated June 27, 2023.

Enclosed is your personal copy of individual report where the grand jury identified you as having an interest in the report subject. No response is required from you.

The full report is being published primarily in electronic form. If you are interested in reviewing the full report, it is available on the Superior Court's website at <a href="https://www.placer.courts.ca.gov/general-information/grand-jury/grand-jury-reports-resolutions">www.placer.courts.ca.gov/general-information/grand-jury/grand-jury-reports-resolutions</a>. Hard copies are being distributed as necessary. Please send an email to <a href="mailto:info@placergrandjury.org">info@placergrandjury.org</a> if you would like a hard copy.

Sincerely,

Barbara Ferguson, Foreperson

2022-2023 Placer County Grand Jury

Enclosures: Individual Final Report(s)

# **Compliance and Accountability**

Responses to the 2021-2022 Final Report

## **Discussion**

### What is a Fact?

After research on a topic has been completed, the grand jury determines what facts of the investigation or inspection have been discovered. What is a fact? According to the California Grand Jury Association (CGJA) facts are:

- information proven to be true,
- verified by several sources,
- objective not subject to interpretation, and
- precise.

## What is a Finding?

Once the grand jury has determined the facts, findings are developed. The grand jury's findings are listed in each report and may or may not lead to a recommendation. What is a finding? Per the CGJA, findings are:

- conclusions or value judgments based on verified facts which express approval or disapproval,
- the link between the facts and the recommendations.

### What is a Recommendation?

From the findings, recommendations are written, which are actions the grand jury concludes the investigated/inspected entities should implement. Recommendations should be SMART, meaning they must be:

- <u>S</u>pecific
- Measurable
- Actionable
- Reasonable
- Time framed

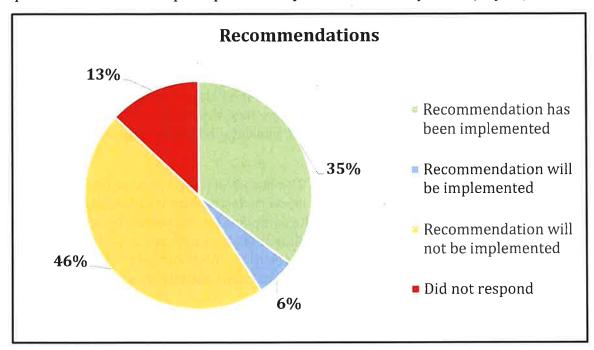
### What is a Compliant Response?

Penal Code § 933.05 is very specific in what is required in a response. First, a respondent must address the findings listed in the report. There are only two responses allowed by the penal code. However, additional information is required if the respondent disagrees with a finding. If a report only lists findings and there are no recommendations, a response agreeing or disagreeing with each finding is not necessary.

# The respondent agrees with the finding.

The respondent disagrees wholly or partially with the finding; in which case the response shall specify the portion of the finding that is disputed and shall include an explanation of the reason(s) therefore.

The chart below provides the implementation statistics for the recommendations by the respondents to the nine reports published by the Placer County Grand Jury in June 2022.



The tables on the following pages list each of the nine reports. Included is the summary of each report along with the findings, recommendations, and if the response(s) given to each recommendation is compliant with the penal code. From the data provided in these tables, the current grand jury developed their findings and recommendations for this report, which can be found starting on page 43. Penal Code § 933.05 can be found at the end of the report.

# **City of Colfax - Citizen Complaint Process**

Findings A - Agree with Finding D - Disagree Wholly or Partially with Finding RGD - Reason Given for Disagreement DNR - Did Not Respond	A	D	RGD	DNR	Recommendations (R - Implemented Recommendation WI - Will be Implemented with Targeted Date Given MT - More Time Needed with Targeted Date Given WNI - Will Not Be Implemented with Reason Given	IR	wı	МТ	WNI	Compliance of Response
F1: The City of Colfax has an incomplete complaint process.	х				R1: By October 1, 2022, the city manager and other City of Colfax officials shall review and publish documented policies and processes on managing citizens' complaints.  Response from City Manager	x				Compliant
F2: The City of Colfax does not provide training on its complaint process to city employees.	х				R2: By October 1, 2022, the city shall provide training to management staff and city officials on the citizen complaint process and their responsibilities on how to handle complaints. Response from City Manager	x				Compliant
F3: The Colfax City Complaint Form is not easily accessible on the City of Colfax website and it is not clear on what happens to the complaint once filed.	х				R3: By October 1, 2022, the City of Colfax shall make the complaint form and instructions easily accessible and available in a drop-down menu on the city's main web page. Response from City Manager	1 47				Compliant
F4: The city manager stated that he lacked the knowledge of the city's citizen complaint process, as he disclosed in his interview with the grand jury.	x				R4: By November 1, 2022, the Colfax City management will communicate the new complaint process and inform Colfax citizens about the process and how to file a complaint. Response from City Manager	x				Compliant

# **Cybersecurity - Is Placer County Prepared for Cyber Threats?**

Findings A - Agree with Finding D - Disagree Wholly or Partially with Finding RGD - Reason Given for Disagreement DNR - Did Not Respond	A	D	RGD	DNR	Recommendations IR - Implemented Recommendation WI - Will be Implemented with Targeted Date Given MT - More Time Needed with Targeted Date Given WNI - Will Not Be Implemented with Reason Given	IR	wi	МТ	WNI	Compliance of Response
F1: Attendance at the quarterly meetings of the Security Working Committee is not a priority for all departments, and attendance is not 100 percent. As a result, strategies developed and implemented by the committee are not as robust as they could be.	х				R1: By October 1, 2022, the County Executive Officer shall create a policy requiring all departments to send a representative to all Security Working Committee meetings. If the department designated representative has a conflict, a substitute should be sent to the committee meeting. Response from CEO	x				Compliant
F2: There is no formal requirement for report updates by the Security Working Committee to the Leadership Committee, resulting in a lack of prioritization by county departments and potential cybersecurity weaknesses.	x				R2: By November 1, 2022, the Chief Information Officer shall create a policy to require that the Chief Information Security Officer provide semiannual updates to the Leadership Committee on cybersecurity. These two semiannual updates should include a report on attendance to the quarterly meetings. In this way, the department executives would be confident that their department's concerns were represented in the Security Working Committee quarterly meetings. Response from CIO	X				Compliant
F3: Placer County data, infrastructure, and applications are well protected from cybersecurity attacks.	x									Compliant

Findings A - Agree with Finding D - Disagree Wholly or Partially with Finding RGD - Reason Given for Disagreement DNR - Did Not Respond	A	D	RGD	DNR	Recommendations IR - Implemented Recommendation WI - Will be Implemented with Targeted Date Given MT - More Time Needed with Targeted Date Given WNI - Will Not Be Implemented with Reason Given	IR	wi	мт	WNI	Compliance of Response
F1: There is no single entity, department, or individual providing oversight and leadership in Placer County for the homeless issue resulting in uncoordinated or overlapping services.		x		٥	R1: By January 1, 2023, the Placer County Board of Supervisors shall designate a single homeless "czar" with the budget, authority, and resources to oversee the county's services for the homeless. This position will provide leadership, oversight, and accountability in directing funds and resources allocated and expended for the homeless. This individual will report to the County Executive Officer. Response from BOS				x	Compliant
F1: There is no single entity, department, or individual providing oversight and leadership in Placer County for the homeless issue resulting in uncoordinated or overlapping services.		х	3		R1: By January 1, 2023, the Placer County Board of Supervisors shall designate a single homeless "czar" with the budget, authority, and resources to oversee the county's services for the homeless. This position will provide leadership, oversight, and accountability in directing funds and resources allocated and expended for the homeless. This individual will report to the County Executive Officer.  Response from CEO				x	Compliant

Findings A - Agree with Finding D - Disagree Wholly or Partially with Finding RGD - Reason Given for Disagreement DNR - Did Not Respond	A	D	RGD	DNR	Recommendations IR - Implemented Recommendation WI - Will be Implemented with Targeted Date Given MT - More Time Needed with Targeted Date Given WNI - Will Not Be Implemented with Reason Given	IR	wı	мт	WNI	Compliance of Response
F4: The Placer County Board of Supervisors allocated a \$195,000 contract with Moore lacofano Goltsman to provide facilitation, planning, and technical assistance to a regional workgroup. Despite repeated request for information gathered by the consultants, the grand jury was refused access to the draft report, revealing a lack of transparency.		x			R4: By January 1, 2023, and to meet the obligation of Martin v. Boise decision and the requirements of the Placer County Housing Element 2021-2029, HE-41, the Placer County Board of Supervisors shall immediately seek and obtain funding to create low barrier shelters throughout Placer County.  Response from BOS				x	Compliant
F5: Martin v. Boise mandates that campers cannot be removed from their place of encampment if there are no adequate shelters available to house them, thus facilitating continued growth of hazardous encampments on county property.		x			R5: By January 1, 2023, all cities and jurisdictions in Placer County shall identify and apply for grants, allocate funds, and establish their own municipal low barrier facilities.  Response from the city of Auburn				x	Compliant
F5: Martin v. Boise mandates that campers cannot be removed from their place of encampment if there are no adequate shelters available to house them, thus facilitating continued growth of hazardous encampments on county property.		x			R5: By January 1, 2023, all cities and jurisdictions in Placer County shall identify and apply for grants, allocate funds, and establish their own municipal low barrier facilities.  Response from the city of Colfax				x	Compliant

Findings A - Agree with Finding D - Disagree Wholly or Partially with Finding RGD - Reason Given for Disagreement DNR - Did Not Respond	A	D	RGD	DNR	Recommendations IR - Implemented Recommendation WI - Will be Implemented with Targeted Date Given MT - More Time Needed with Targeted Date Given WNI - Will Not Be Implemented with Reason Given	IR	wi	МТ	WNI	Compliance of Response
F6: The creation of low barrier shelters would fulfill the requirements of Martin v. Boise and the Placer County Housing Element 2021-2029, HE-41. Low barrier shelters could resolve many of the homeless problems Placer County and local jurisdictions are faced with today.		x			R6: By October 1, 2022, in compliance with of the Placer County Housing Element 2021-2029, HE-41, the Placer County Board of Supervisors shall seek out and approve a multi-service, including low barrier, facility within Placer County.  Response from BOS				x	Compliant
F7: A local non-profit entity proposes a facility that, if approved, might address some of the needs of the homeless in Placer County.	х				R7: By January 1, 2023, the Placer County Board of Supervisors shall pass an effective and enforceable ordinance to manage and remove unsanctioned camping on Placer County property. Response from BOS			3	х	Compliant
F8: The State of California Assembly Bill 2630 if passed, would require all cities and counties to declare all homeless funds received and how those funds are being spent, which would force Placer County executives to be transparent about funding received and spent.		x			R8: By September 1, 2022, the Placer County Board of Supervisors and the Placer County Sheriff's Office shall increase staffing and funding for the Homeless Liaison Team.  Response from BOS		0.5		х	Compliant
F8: The State of California Assembly Bill 2630 if passed, would require all cities and counties to declare all homeless funds received and how those funds are being spent, which would force Placer County executives to be transparent about funding received and spent.		x			R8: By September 1, 2022, the Placer County Board of Supervisors and the Placer County Sheriff's Office shall increase staffing and funding for the Homeless Liaison Team.  Response from Sheriff				х	Compliant

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Findings A - Agree with Finding D - Disagree Wholly or Partially with Finding RGD - Reason Given for Disagreement DNR - Did Not Respond	A	D	RGD	DNR	Recommendations IR - Implemented Recommendation WI - Will be Implemented with Targeted Date Given MT - More Time Needed with Targeted Date Given WNI - Will Not Be Implemented with Reason Given	IR	wi	МТ	WNI	Compliance of Response
F12: The DeWitt Center encampment is rampant with crime including assaults, batteries, sales and usage of narcotics, domestic violence, and possession of deadly weapons, creating an unsafe environment.		x							х	Compliant
F13: Not all homeless individuals make the choice to accept support services or enter shelters due to mental health or behavioral anomalies.	x								х	Compliant
F14: There is a lack of leadership, responsibility, and accountability among Placer County officials in dealing with the homeless situation.		x							х	Compliant
F15: The Placer County Sheriff's Office Homeless Liaison Team is doing an effective job interacting with and controlling the situation at the DeWitt Center. The officers have excellent rapport and are caring and compassionate in dealing with the campers.	x									Compliant
F16: The Placer County Sheriff's Office Homeless Liaison Team would be strengthened with the addition of more deputies.	X									Compliant

# Lincoln, CA – A City in Transition

Findings  D - Disagree Wholly or Partially with Finding  RGD - Reason Given for Disagreement  DNR - Did Not Respond	A	D	RGD	DNR	Recommendations IR - Implemented Recommendation WI - Will be Implemented with Targeted Date Given MT - More Time Needed with Targeted Date Given WNI - Will Not Be Implemented with Reason Given	lR	WI	МТ	WNI	Compliance of Response
F1: Lincoln has significant financial issues and needs to find additional ways to increase revenue.		х			R1: By October 1, 2022, the Lincoln City Council shall approve a raise in the sales tax. Response from City Manager				х	Compliant
F2: City government has failed to act on previous recommendations.		х			R2: By January 1, 2023, the Lincoln City Council shall establish a new task force to develop a plan to bring more retail and commercial businesses into the city.  Response from City Manager				х	Compliant
F3: Lincoln has an opportunity to raise some revenue through the airport fees but have not acknowledged there is needed action, as stated in the Lincoln News Messenger article.		х			R3: By January 1, 2023, the Lincoln City Manager shall conduct a thorough financial review to set goals to meet the city's needs based on realistic planned growth and funding levels.  Response from City Manager				х	Compliant
F4: Placer County has granted up to \$11,700,000 additional funds to Lincoln to aid in its current financial situation to support public safety infrastructure.		x			R4: By January 1, 2023, the Lincoln City Manager shall utilize the formal update process to amend the city plan to reflect the current and forward looking situation of the city.  Response from City Manager				x	Compliant
F5: Lincoln is attempting to resolve some of the problems caused by past mismanagement.		x								Compliant
F6: The new city manager seems capable and aware of the issues facing the city.		x								Compliant

# Livestreaming of Classes Rapid Response from Schools During the COVID-19 Pandemic

# **Summary**

The COVID-19 pandemic that began in 2020 forced Placer County public schools to readjust how students were to be taught. Superintendents, principals, teachers, students, and parents participated in the necessary shift from in-class learning to distance learning, coordinated by the Placer County Office of Education. Numerous obstacles were overcome by the persistence and ingenuity of all involved. The experience and knowledge gained by Placer County educators will be useful if and/or when future disasters occur, such as fires, floods, and disease outbreaks.

The pandemic brought to focus the need for developing and increasing the use of technology in the education of students, not only in a classroom setting, but in off-site settings as well. Livestreaming of neighborhood school classes during the pandemic months demonstrated it to be a workable learning option. Once students returned to the school setting, the use of this technology, was discontinued. The Placer County Grand Jury (PCGJ) researched how Placer County school districts handled implementation of alternative teaching methods during the pandemic and if livestreaming of a neighborhood campus is subsequently being considered as an alternative mode of instruction available to students who choose to continue to study at home but still be a part of the local campus.

# Placer County Jails and Holding Facilities Inspection Report 2021-2022

Findings A - Agree with Finding D - Disagree Wholly or Partially with Finding RGD - Reason Given for Disagreement DNR - Did Not Respond	A	D	RGD	DNR	Recommendations IR - Implemented Recommendation WI - Will be Implemented with Targeted Date Given MT - More Time Needed with Targeted Date Given WNI - Will Not Be Implemented with Reason Given	IR	wi	МТ	WNI	Compliance of Response
F1: The Placer County jails appear to be well-run, efficient, and safe. There were some areas where cleanliness could be improved, notably the holding cell area at Placer County Main Jail.		x	X		R1: By September 1, 2022, the Placer County Sheriff will institute improvement in the cleaning of the holding cells at the Auburn Main Jail.  Response from Sheriff	х				Compliant
F2: Jail personnel are well- trained, take pride in their work, and are very professional.	x				R2: By September 1, 2022, the Court Administrative Officer and Placer County Sheriff will have the debris within the sally port removed at the Auburn Historic Courthouse.  Response from Sheriff	x			4	Compliant
F2: Jail personnel are well- trained, take pride in their work, and are very professional.	х				R2: By September 1, 2022, the Court Administrative Officer and Placer County Sheriff will have the debris within the sally port removed at the Auburn Historic Courthouse. Response from CAO	х			<b>*</b>	Compliant
F3: Inmate health care appears to be well managed by WellPath.	x		*		R3: By January 1, 2023, the Court Administrative Officer and Placer County Sherriff shall enable the camera system to read license plates on vehicles in and around the parking lots at the Auburn Historic Courthouse.  Response from Sheriff				х	Compliant

# Placer County Jails and Holding Facilities Inspection Report 2021-2022

Findings A - Agree with Finding D - Disagree Wholly or Partially with Finding RGD - Reason Given for Disagreement DNR - Did Not Respond	A	D	RGD	DNR	Recommendations IR - Implemented Recommendation WI - Will be Implemented with Targeted Date Given MT - More Time Needed with Targeted Date Given WNI - Will Not Be Implemented with Reason Given	IR	wı	мт	WNI	Compliance of Response
F4: Staff is cooperative, knowledgeable, and courteous.	x				R4: By May 1, 2023, the Court Administrative Officer, Placer County Sheriff, and the Placer County Board of Supervisors shall improve and fund construction of a security fence and gates enclosing the restricted parking area of Burton Creek.  Response from CAO				X	Compliant
F4: Staff is cooperative, knowledgeable, and courteous.	x				R4: By May 1, 2023, the Court Administrative Officer, Placer County Sheriff, and the Placer County Board of Supervisors shall improve and fund construction of a security fence and gates enclosing the restricted parking area of Burton Creek.  Response from BOS				x	Compliant
F5: The minimum security work program is a big incentive for the inmates. Programs such as this may reduce the length of sentences and improve inmate behavior and morale.	x				R5: By October 1, 2022, the Placer County Board of Supervisors shall provide a public update on the progress of a new substation to replace the Burton Creek facility. Response from BOS	x			х	Compliant
F6: The state deactivation of the inmate transfer facility at Deuel Vocational Institution has placed additional burdens on the county jail system.	x									Compliant
F7: Debris in the sally port at the Auburn Historic Courthouse poses security and safety issues.	x									Compliant

# Placer County Juvenile Detention Facility and Rocklin Police Department and Juvenile Holding Facility

# **Summary**

California grand juries are mandated by California Penal Code § 919(b) to inspect and report on juvenile detention facilities. The 2021-2022 grand jury inspected both the Rocklin Juvenile Detention Facility and the Placer County Juvenile Detention Facility (PCJDF) on September 15 and November 4, respectively. The grand jury found both facilities to be well-organized, neat, well maintained, and run by dedicated and knowledgeable staff. The grand jury was particularly impressed by the programs for juveniles in the PCJDF and the philosophy behind the programs.

# County Juvenile Detention Facility and Rocklin Police Department and Juvenile Holding Facility

Findings  A - Agree with Finding  D - Disagree Wholly or Partially with Finding  RGD - Reason Given for Disagreement  DNR - Did Not Respond	A	D	RGD	DNR	Recommendations IR - Implemented Recommendation WI - Will be Implemented with Targeted Date Given MT - More Time Needed with Targeted Date Given WNI - Will Not Be Implemented with Reason Given	IR	WI	MT	WNI	Compliance of Response
F5: The Placer County Juvenile Detention Facility is operating at significantly less than capacity, which is consistent with an admirable change in philosophy dealing with juveniles. Rather than adopting a punitive approach, staff is working to help juveniles re-enter their home communities and programs.	x									Compliant
F6: The Rocklin Juvenile Detention Facility is underutilized and, therefore, is a waste of resources and space.	x									Compliant

# **Truckee Tahoe Airport District - A Model Airport**

# **Summary**

The Truckee Tahoe Airport District (TTAD) is one of the largest special districts in Placer County. The 2021 annual budget for the TTAD was \$18.9 million. The major funding sources include property taxes, fuel sales, and federal aviation subsidies. Although all homeowners pay property taxes, not all residents utilize the airport.

The Placer County Grand Jury investigated the budgeting process of the TTAD and was particularly interested in how funds were utilized that were received via property taxes. We found that the funds received were directed appropriately. The TTAD utilizes a transparent budget process which provides multiple opportunities for citizens to share concerns and suggestions on potential uses of these funds.

# **Continuity and Accountability**

# **Summary**

The primary duty of the Placer County Grand Jury is to investigate the functions of city and county government, schools, and special districts. Each year in June, the grand jury issues its final report which includes reports on inspections and investigations done during the term.

The report provides findings and recommendations for each investigation and inspection. Traditionally, a response report is issued in the November timeframe by the grand jury containing the responses from the investigated entities to their respective recommendations.

The 2021-2022 grand jury believes it is important to verify that the responses were compliant with Penal Code § 933.05, which outlines what each response is to include. The intent of this report is to confirm that entities comply with the penal code. The Placer County Grand Jury produced its first continuity report in June 2021. This is the grand jury's second continuity report.

# Continuity and Accountability

Findings A - Agree with Finding D - Disagree Wholly or Partially with Finding RGD - Reason Given for Disagreement DNR - Did Not Respond	A	D	RGD	DNR	Recommendations IR - Implemented Recommendation WI - Will be Implemented with Targeted Date Given MT - More Time Needed with Targeted Date Given WNI - Will Not Be Implemented with Reason Given		wı	мт	WNI	Compliance of Response
F3: Midway Heights Water District, Penryn Fire District, and Placer Hills Fire District all have links to their agendas, but the agendas posted are not current. This is noncompliant with the Brown Act.	x				R3: By September 1, 2022, Placer Hills Fire District will update their agenda links to include current agendas. Response from Placer Hills Board President	x				Compliant
F4: The Placer County Sheriff's Office response to the grand jury's report on continuity and accountability was noncompliant with Penal Code § 933.05. While the response indicated that the recommendation would be implemented in the future, no timeline for implementation was provided.	х				R4: By September 1, 2022, the Placer County Sheriff's Office will provide an updated response to the recommendations from the 2019-2020 grand jury report, indicating a timeline for implementation in compliance with Penal Code § 933.05. Response from Sheriff	x				Compliant
F5: Heather Glen Community Services District, Talmont Resort Improvement District did not provide responses that were compliant with Penal Code § 933.05. The response provided by these entities did not indicate agreement or disagreement with the pertinent findings					R5: By September 1, 2022, Heather Glen Community Services District will provide updated responses to the recommendations from the 2020-2021 grand jury report, indicating agreement or disagreement with the pertinent findings in compliance with Penal Code § 933.05. Response from Heather Glen Board President	х				Compliant

# **Copies Sent to:**

## **Auburn City Council**

City of Auburn 1225 Lincoln Way Auburn, CA 95603

## **Auburn City Manager**

City of Auburn 1225 Lincoln Way Auburn, CA 95603

### **Board of Directors**

Auburn Area Recreation & Park District 471 Maidu Dr #200 Auburn, CA 95603

### **Board of Directors**

Heather Glen Community Services District P.O. Box 715 Applegate, CA 95703

#### **Board of Directors**

Midway Heights County Water District P.O. Box 596 Meadow Vista, CA 95722

#### **Board of Directors**

Newcastle Fire Protection District P.O. Box 262 Newcastle, CA 95658

### **Board of Directors**

Penryn Fire Protection District 7206 Church St Penryn, CA 95663

### **Board of Directors**

Placer Hills Fire Protection District P.O. Box 350 Meadow Vista, CA 95722

### **Board of Directors**

Talmont Resort Improvement District P.O. Box 1294 Tahoe City, CA 96145

## **Placer County Executive Officer**

175 Fulweiler Ave Auburn, CA 95603

# **Placer County Chief Information Officer**

3091 County Center Dr Suite 160 Auburn, CA 95603

## **Placer County Sheriff**

Placer County Sheriff's Office 2929 Richardson Dr Auburn, CA 95603

## **Rocklin City Council**

City of Rocklin 3970 Rocklin Rd Rocklin, CA 95677

## **Rocklin City Manager**

City of Rocklin 3970 Rocklin Rd Rocklin, CA 95677

# **Roseville City Council**

City of Roseville 316 Vernon St Roseville, CA 95678

## **Roseville City Manager**

City of Roseville 316 Vernon St Roseville, CA 95678