

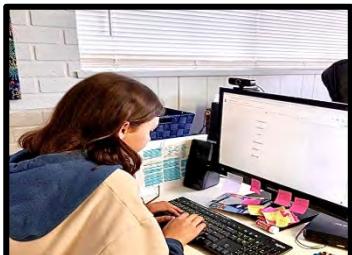
PLACER COUNTY GRAND JURY

2021-2022 FINAL REPORT



STATE OF
CALIFORNIA

June 2022



Cover Photos

(Clockwise from top left)

*Truckee Tahoe Airport – Norma J. Worley
Lincoln City Hall – Bob Bettencourt
Schuyler Colfax Statue – Bill Oudegeest
Auburn Historical Courthouse – Joe Sledge
DeWitt Homeless Encampment 1 – Norma J. Worley
South Placer Adult Correctional Facility – Joe Sledge
DeWitt Homeless Encampment 2 – Norma J. Worley
Distance Learning Student – Monica Gavia
Auburn Juvenile Detention Facility – Joe Sledge*



PLACER COUNTY GRAND JURY

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The Honorable Alan V. Pineschi
Presiding Judge, Superior Court
County of Placer
P.O. Box 619072
Roseville, CA 95661

The Honorable Suzanne I. Gazzaniga
Advising Grand Jury Judge, Superior Court
County of Placer
P.O. Box 619072
Roseville, CA 95661

and Citizens of Placer County

Subject: 2021 – 2022 Grand Jury Final Report

Dear Judge Pineschi, Judge Gazzaniga, and Citizens of Placer County:

With great pride I present the final report of the 2021-2022 Placer County Grand Jury. On behalf of all of the members of the grand jury, I would like to acknowledge the advice and guidance provided by our Advising Judge, the Honorable Suzanne I. Gazzaniga and our Presiding Judge, the Honorable Alan V. Pineschi. We also appreciate the assistance from Emily Taylor, Deputy County Counsel, who provided us with legal counsel, wisdom, and advice. Our gratitude also goes to the Grand Jury Office Manager, Shane Campbell-Kaslin, for her invaluable assistance throughout the year and without whom we would be lost.

In late June of 2021, nineteen Placer County residents, together with fifteen alternate jurors, volunteered and were sworn in to serve as the 2021-2022 Placer County Grand Jury. It has been an honor to serve with such an outstanding group of citizens. Each individual contributed valuable experience and dedication in carrying out our function as watchdog over city and county government.

This final report contains the results of investigations required by law, those requested by citizens, and those internally generated. It is the culmination of investigations that began when the jury was empaneled last July. Many of the issues, however, are on-going and concerns raised during the investigations may be resolved by the time of this publication.

Sincerely,

A handwritten signature in blue ink that reads "Lorena Sims".

Lorena Sims, Foreperson
2021-2022 Placer County Grand Jury



MEMBERS OF THE 2021-2022 GRAND JURY

June 8, 2022



Photo Credit: Cynthia Soszka, Placer County Communications and Public Affairs

Not Pictured: Jan Borrego, Phil Hermanson, Paul Jessen, Joe Sledge

*Thank you, citizens of Placer County, for granting us the privilege to serve on the
2021-2022 Placer County Grand Jury.*

Lorena Sims - Foreperson

Auburn

Bob Bettencourt Roseville	Jan Borrego Sgt.-At-Arms Lincoln	Mark Brown Tech Coordinator Roseville
Dennis Dohner Roseville	Marti Fischer Secretary Auburn	Wayne Fiske Foresthill
Monica Gavia Penryn	Gail Graybeal Roseville	Phil Hermanson Lincoln
Paul Jessen Lincoln	Larry Langham Granite Bay	Bill Oudegeest Soda Springs
Chuck Phillips Rocklin	Sherry Rutledge Roseville	Joe Sledge Roseville
Sheral Manges Tennell Roseville	Norma J. Worley Pro Tem Gold Run	Lupine Future Service Dog Roseville



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Introduction to the Grand Jury

What is the Grand Jury?

The grand jury is an investigatory body with the authority to act as a watchdog over local government, to investigate citizen complaints, and to assist in criminal matters at the request of the district attorney.

The grand jury is part of the county judicial system as authorized by the California State Constitution. It is advised by the Placer County Superior Court and is not accountable to elected officials or government employees. Its findings and recommendations are unbiased and impartial. Grand jurors are sworn to secrecy and, other than final reports, their work is kept strictly confidential.

History

The jury system is rooted in English common law and dates from the eleventh century. In 1215, the Magna Carta stated that “No free man shall be seized or imprisoned, or stripped of his rights or possessions, or outlawed or exiled, or deprived of his standing in any other way, nor will we proceed with force against him, or send others to do so, except by the lawful judgement of his equals or by the law of the land.”

In 1635, the Massachusetts Bay Colony impaneled the first grand jury in North America to consider cases of murder, robbery and wife beating. The U.S. Constitution's Fifth Amendment and the California Constitution Article 1 call for grand juries. Grand juries were established throughout California during the early years of statehood. As constituted today, criminal and civil grand juries are a part of the judicial branch of government and function as arms of the court system.

Investigations

The grand jury is an investigatory body created for the protection of society and the enforcement of the law. The grand jury in California is unusual because its duties include investigation of local and county governments as provided by statutes passed in 1880.

The primary duty of the grand jury is to evaluate local government entities through a systematic fact-finding process. The objective of the investigations is to produce beneficial reports that persuade local officials to run agencies more effectively and efficiently. The final report is the result of investigative efforts and is the only public record of that endeavor.

Anyone may ask a grand jury to investigate a civil issue that falls within the grand jury's jurisdiction. Whether it chooses to investigate such a complaint is entirely in the jury's discretion and may be affected by workload, resource limitations, or jurisdictional issues.

By law, all proceedings of a grand jury are confidential. Findings and recommendations are published in its final report. After a final report is published, the official or governing body of an agency covered in the report must respond to the grand jury within a given period of time as prescribed by California law. Elected officers or agency heads must respond within 60 days. Governing bodies of public agencies must respond within 90 days. The following year's grand jury publishes the responses to the final report.

Upon occasion, the district attorney asks a grand jury to hold hearings in criminal investigations to determine whether evidence presented by the district attorney is sufficient to indict an individual, who would then stand trial in court. A minimum of twelve grand jurors must vote for an indictment in any criminal proceeding.

Placer County Grand Jury Committees

The 2021-2022 Placer County Grand Jury served a one-year term from June 29, 2021 through July 11, 2022. In performing its duties, it examined county government, special districts, school districts, and city governments and inspected jails and holding facilities.

Most grand jury work is done by committee. A typical juror serves on three committees and may be an officer on two of those committees. Committees usually meet at least twice each month.

Audit and Finance

This committee may audit county government offices, departments, agencies, and districts as needed and as mandated by law. It also reviews monthly grand jury expenses against the budget.

Cities

This committee may investigate incorporated cities and towns within Placer County. The committee investigates the operations or functions of one or more city departments or functions. The six cities and towns are Auburn, Colfax, Lincoln, Loomis, Rocklin, and Roseville.

Continuity and Editorial

This committee is responsible for ensuring that the written reports of the grand jury are factual, clear, concise, and readable. Editing includes proper punctuation, spelling, grammar, and formatting. This committee also leads the ongoing task of updating the Placer County Grand Jury Handbook so that subsequent grand juries may make a smooth transition into a new term.

County Administration

The scope of this committee is all Placer County government not specifically assigned to another committee. This includes investigations of appointed boards and commissions, the Board of Supervisors, Assessor, County Executive Office, and others.

Criminal Justice

This committee is mandated to inspect jails and holding facilities in Placer County each year. It also may investigate matters concerning criminal justice. This committee also considers all matters concerning law enforcement and public safety.

Health and Welfare

This committee investigates issues related to the social services of Placer County. In addition, it has oversight responsibility for the Juvenile Detention Facility inspection.

Schools and Libraries

This committee investigates public educational institutions and public libraries. It has no jurisdiction over school policies or personnel.

Special Districts

This committee investigates special districts, agencies, boards, commissions, and joint powers agencies serving Placer County. Examples of these special districts include water agencies, cemetery districts, fire districts, and hospitals. A nonprofit corporation established by or operated on behalf of any public entity over which the grand jury has jurisdiction may also be investigated.

Jurisdiction

The areas within the investigatory jurisdiction of the Placer County Grand Jury include:

- persons imprisoned in the county jail on a criminal charge and not indicted;
- the condition and management of the public jails within the county;
- willful or corrupt misconduct in office of public officers of every description within the county;
- county government, city government, special districts, school districts, agencies, and authorities;
- criminal hearings upon request of the district attorney.

The areas which are not within Placer County Grand Jury jurisdiction include:

- Federal agencies;
- State agencies;
- Superior court system;
- School district personnel records, curriculum, and policy.

Grand Juror Qualifications

Prospective grand jurors must possess the following qualifications per California Penal Code § 893:

- applicant is a citizen of the United States, 18 years or older, who has been a resident of Placer County for one year immediately before being selected and sworn in;
- applicant is in possession of his or her natural faculties, of ordinary intelligence, of sound judgment, and of fair character;
- applicant is possessed of sufficient knowledge of the English language.

A person is not allowed to serve as a grand juror if:

- serving as a trial juror in any California court;
- convicted of a felony;
- discharged as a grand juror in any court of this state within one year;
- convicted of malfeasance in office or any felony or other high crime; or
- serving as an elected public officer.

Desirable qualifications for a grand juror include:

- computer and Internet communication skills;
- good health;
- open-minded with concern for the views of others;
- ability to work with others;
- genuine interest in community affairs; and
- investigative skills and an ability to write reports.

Juror Selection

In the spring of each year, the Presiding Judge of the Placer County Superior Court solicits applications from citizens of the county. Applicants should expect that a criminal records check will be conducted. Applications are reviewed and an interview is scheduled with the presiding and supervising judges as well as the foreperson of the outgoing grand jury.

After the interview process, prospective applicants are required to appear for the final selection which is held in a Placer County Superior Court courtroom. With outgoing grand jurors in attendance, the court clerk draws nineteen names at random. A minimum of ten names are drawn to form a list of alternate jurors.

The presiding judge then swears in the new nineteen grand jury members and gives them a description of their duties and responsibilities. The jurors begin a one-year term in July.

Commitment

Persons selected for grand jury service can expect to serve forty or more hours per month for a period of one year, generally, from July 1 through June 30. Jurors may opt to serve a second consecutive year, if approved by the court.

Remuneration

Grand jurors receive a nominal payment for meetings they attend and are reimbursed for mileage to attend meetings and training.

Orientation

New jurors are encouraged to attend an orientation program about grand jury functions and receive information about county, city, and special district governments.

Why Become a Grand Juror?

Those who volunteer and are accepted for grand jury service should feel privileged to be selected. They enter this service with interest and curiosity to learn more about the administration and operation of Placer County government. Serving as a grand juror requires many hours and serious effort and reflects a generous commitment to public service.

How to Apply to Serve as a Grand Juror

Download a Prospective County Grand Jury Application, available at <http://www.PlacerGrandJury.org>. Fill it out and follow the directions at the end of the application.

Grand Jury Reports

The Placer County Superior Court maintains web pages for the grand jury on its website. Past and present final reports, and responses to those final reports, may be found at <http://www.PlacerGrandJury.org>.

How to Submit a Confidential Citizen Complaint

All complaints must be submitted in writing. A confidential citizen complaint form is available online at <http://www.placergrandjury.org> and may be submitted electronically. The form may also be mailed, faxed, or hand-delivered to the grand jury office at the address below. The citizen will receive a letter acknowledging receipt of the complaint.

All grand jury documents, including citizen complaints, are secret and cannot be subpoenaed in court or revealed to the public. Complainants' names are held in strictest confidence.

How to Contact the Grand Jury

By Mail: Placer County Grand Jury
11532 B Avenue
Auburn, CA 95603

In Person: Materials can be placed in a drop box located by the entrance door to the above address.

Online: <http://www.placergrandjury.org>

By Phone: (530) 886-5200

By Fax: (530) 886-5201

INSTRUCTIONS FOR RESPONDENTS

The legal requirements affecting respondents and responses to Grand Jury findings and recommendations are contained in California Penal Code § 933.05. The full text of the law is provided at the end of this document.

Two different time periods for responses, and to whom you must respond is defined in California Penal Code § 933(c). They are as follows:

Type of Agency	Time Frame	To Whom
Government Boards	Ninety (90) Days	<ul style="list-style-type: none">• Presiding Judge of the Superior Court
Elective Office or Agency Head	Sixty (60) Days	<ul style="list-style-type: none">• Presiding Judge of the Superior Court• Information copy to Board of Supervisors

An original signed copy of the response must be provided to both of the following:

1. Presiding Judge of the Placer County Superior Court at the address listed below:

The Honorable Alan V. Pineschi
Presiding Judge of the Superior Court
County of Placer
P.O. Box 619072
Roseville, CA 95661

2. Placer County Grand Jury at the address listed below:

Placer County Grand Jury
11532 B Avenue
Auburn, CA 95603

When responding to more than one report, respondents must respond to each report separately.

You are encouraged to use the Response to Grand Jury Report Form, attached, to help format and organize your response. An electronic version of the form is available upon request from the Grand Jury.

RESPONSE TO GRAND JURY REPORT FORM

Report Title: _____

Report Date: _____

Response By: _____ **Title:** _____

FINDINGS

- I (we) agree with the findings, numbered: _____.
- I (we) disagree wholly or partially with the findings, numbered:
_____.

(Describe here or attach a statement specifying any portions of the findings that are disputed or not applicable; include an explanation of the reasons therefore.)

RECOMMENDATIONS

- Recommendations numbered _____ have been implemented.
(Describe here or attach a summary statement regarding the implemented actions.)
- Recommendations numbered _____ have not yet been implemented but will be implemented in the future, with a target date of _____.
(Per Penal Code § 933.05(b)(2), a time frame for implementation must be included. Describe here or in an attachment.)
- Recommendations numbered _____ require further analysis. This analysis will be completed by _____.
(Describe here or attach an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or director of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six (6) months from the date of publication of the grand jury report.)
- Recommendations numbered _____ will not be implemented because they are not warranted or are not reasonable.
(Describe here or attach an explanation.)

Date: _____ **Signed:** _____

Number of pages attached _____

CALIFORNIA PENAL CODE § 933.05
(emphasis added)

- (a) For purposes of subdivision (b) of Penal Code § 933, as to each grand jury finding, the responding person or entity shall indicate one of the following:
- (1) The respondent agrees with the finding.
 - (2) The respondent disagrees wholly or partially with the finding; in which case **the response shall specify the portion of the finding that is disputed and shall include an explanation of the reasons therefore.**
- (b) For purposes of subdivision (b) of Penal Code § 933, as to each grand jury recommendation, the responding person or entity shall report one of the following actions:
- (1) The recommendation has been implemented, with a summary regarding the implemented action.
 - (2) The recommendation has not yet been implemented, but will be implemented in the future, **with a timeframe for implementation.**
 - (3) The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or head of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. **This timeframe shall not exceed six months from the date of publication of the grand jury report.**
 - (4) The recommendation will not be implemented because it is not warranted or is not reasonable, **with an explanation, therefore.**
- (c) However, if a finding or recommendation of the grand jury addresses budgetary or personnel matters of a county agency or department headed by an elected officer, both the agency or department head and the board of supervisors shall respond if requested by the grand jury, but the response of the board of supervisors shall address only those budgetary or personnel matters over which it has some decision-making authority. The response of the elected agency or department head shall address all aspects of the findings or recommendations affecting his or her agency or department.
- (d) A grand jury may request a subject person or entity to come before the grand jury for the purpose of reading and discussing the findings of the grand jury report that relates to that person or entity in order to verify the accuracy of the findings prior to their release.
- (e) During an investigation, the grand jury shall meet with the subject of that investigation regarding the investigation, unless the court, either on its own determination or upon request of the foreperson of the grand jury, determines that such a meeting would be detrimental.
- (f) A grand jury shall provide to the affected agency a copy of the portion of the grand jury report relating to that person or entity two working days prior to its public release and after the approval of the presiding judge. No officer, agency, department, or governing body of a public agency shall disclose any contents of the report prior to the public release of the final report.



Final Report Summaries

City of Colfax - Citizen Complaint Process

The 2021-2022 Placer County Grand Jury received a citizen complaint alleging “harassment,” “bullying,” and “slander” by a City of Colfax elected official as described by the complainant on their completed Placer County Grand Jury Confidential Complaint Form. The citizen first addressed these concerns with the Placer County Assistant to the Undersheriff, was directed to the Colfax city manager, and then told to bring the concern to city council members or the grand jury. This was also detailed on the complainant’s grand jury complaint form.

California Penal Code § 919(c) states, in part, “The grand jury shall inquire into willful or corrupt misconduct in office of public officers of every description within the county.” The grand jury determined after interviews with the complainant and witnesses that the alleged behavior did not rise to the level of “willful or corrupt misconduct.” As a result of information uncovered in the course of this investigation, the grand jury instead focused on the city’s complaint process and not the alleged misconduct activity by any public official.

Cybersecurity - Is Placer County Prepared for Cyber Threats?

Government entities and private businesses face the daily risk of cyber attacks. In the Sacramento region, both the Lodi School District and Sierra College experienced system shutdowns in 2021 due to unauthorized access with resulting sabotage. The Placer County Grand Jury investigated the exposure that Placer County information systems might be facing. The grand jury found that the Placer County Information Technology (PCIT) department has an excellent program to protect their information systems. The effort is well staffed and well managed. The grand jury did identify some improvements that should be evaluated for adoption.

Homelessness in Placer County

In Placer County, on any given night, approximately seven hundred unhoused men, women, and children sleep in tents, cars, shelters, or on sidewalks. Point-in-time (PIT) reports, together with Placer County Health and Human Services (HHS) data, indicate that the majority fall into the category of chronic homelessness of one year or more.

Since 2019, the DeWitt Center in Auburn has been home base for a group of individuals living on these county owned grounds. This tent encampment is home to approximately one-hundred men and women, and thirty pets. The impromptu campground consists of over sixty occupied informal tent-like homesteads, twenty abandoned tents, five porta-potties, a dumpster, mounds of trash, used drug paraphernalia, and deposits of human and animal waste. The DeWitt Center is also the headquarters for county services such as HHS and The Welcome Center, as well as the non-profit program The Gathering Inn Mid-Placer’s one-hundred bed shelter (currently housing ninety-two due to COVID-19 restrictions). Placer County Animal Services (PCAS) is located less than a half mile away. Although the DeWitt Center is the focal point of this investigation, it is an indicator of a county-wide problem. The grand jury set out to investigate the challenges experienced by the homeless and the barriers for individuals entering shelters and utilizing services available to them.

Lincoln, California – A City in Transition

The city of Lincoln is a rapidly growing city. Its population increased 282.1 percent between 2000 and 2010, making it the fastest growing city with over 10,000 people in the United States. As a result of this significant growth, Lincoln is at a crossroads.

The confluence of events potentially impacting Lincoln's financial stability are (1) citizen mistrust of its government, and (2) urban sprawl that has farmers at odds with city council. A 2019 state auditor's report on the city of Lincoln, titled *Fiscal Mismanagement, Insufficient Accountability and Lax Oversight Threaten the City's Stability* (the state auditor's report), pinpoints many issues of this fast-growing city.

In the past few years, Lincoln has made noticeable changes to its city government with the election of new city council members, a commitment to greater government transparency, and more recently, hiring a new, experienced city manager. Despite these advances, some residents and a few generational farmers are at odds with the Lincoln City Council (LCC) and the Lincoln Planning Commission (LPC). Other citizens have pointed out continuing concerns that have not been addressed. These include financial issues, lack of transparency, prior grand jury reports, the current city plan, and overall approach to growth and other governing problems.

Livestreaming of Classes

Rapid Response from Schools During the COVID-19 Pandemic

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

Placer County Grand Jury conducted required inspections at the seven Placer County jails and holding facilities in Roseville, Rocklin, Auburn, and Tahoe City between the months of July and November 2021. The grand jury found these facilities to be secure, orderly, and well-run.

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

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.

Truckee Tahoe Airport District - A Model Airport

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

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.



City of Colfax

Citizen Complaint Process



Photo Credit: Bill Oudegeest



City of Colfax Citizen Complaint Process

Summary

The 2021-2022 Placer County Grand Jury received a citizen complaint alleging “harassment,” “bullying,” and “slander” by a City of Colfax elected official as described by the complainant on their completed Placer County Grand Jury Confidential Complaint Form. The citizen first addressed these concerns with the Placer County Assistant to the Undersheriff, was directed to the Colfax city manager, and then told to bring the concern to city council members or the grand jury. This was also detailed on the complainant’s grand jury complaint form.

California Penal Code § 919(c) states, in part, “The grand jury shall inquire into willful or corrupt misconduct in office of public officers of every description within the county.” The grand jury determined after interviews with the complainant and witnesses that the alleged behavior did not rise to the level of “willful or corrupt misconduct.” As a result of information uncovered in the course of this investigation, the grand jury instead focused on the city’s complaint process and not the alleged misconduct activity by any public official.

Background

The grand jury began the investigative process in September 2021. By law, grand jury proceedings are confidential. Findings and recommendations are published in its annual report, which will not be available to the public until June 2022, a full nine months after the initial complaint was received. It is the opinion of the grand jury that a timelier review would have been in the best interest of the complainant and the City of Colfax. In this case, in an August 2021 email to the city manager (copy received by the grand jury), a citizen described alleged misconduct of an elected official. The city manager acknowledged to the grand jury receipt of the email. These incidents allegedly occurred while the elected official was acting as a private citizen. The official was still bound by the Code of Ethics while acting as a private citizen.¹

In the grand jury’s interview of the city manager, he acknowledged that he directed the complainant to city council or the grand jury. He commented that he felt it was out of the scope of his authority to chastise the elected public official at issue. The citizen was provided all names and email addresses of council members and a date for the next council meeting. The city manager stated to the complainant that staff or the council would have little ability to address their concerns. The city manager provided copies of the related email exchange to the grand jury and acknowledged the discussion took place.

¹ City of Colfax Responsibilities of Public Office, accessed May 20, 2022, [Chapter 2.44 - CODE OF ETHICS | Code of Ordinances | Colfax, CA | Municode Library](#)

Methodology

The grand jury:

- Interviewed the complainant, the Colfax city manager, and several Colfax citizens
- Interviewed the Colfax city attorney
- Contacted several other non-elected Placer County city officials regarding internal policies and procedures
- Reviewed Colfax internal policies and procedures:
 - Code of Ethics Chapter 2.44.020—Responsibilities of Public Office
 - Chapter 2. City Manager, Code of Ordinances: Citizen Complaints
 - City of Colfax online Confidential Complaint Form. See Appendix A.
- Reviewed relevant email communications

Discussion

If a complaint is filed against a public official, a course of action could be to conduct a preliminary investigation. With respect to the City of Colfax policies as they relate to a citizen complaint, the grand jury found there were existing written policies, a complaint process (Appendix B), and a complaint form accessible online (Appendix A).

As he disclosed in his interview, the city manager did not direct the complainant to the complaint form. The city manager stated there have been no other citizen complaints regarding council members during his tenure. It was difficult for the grand jury to find the complaint form. The grand jury discovered it only by conducting a search on the City of Colfax website. It was not available in the site's main drop-down menu. Further, the grand jury found that the complaint form is missing instructions and the process itself is lacking initiation and closure steps and setting expectations about timeliness of the process. The form can only be printed out and submitted via fax or mail, versus submitted electronically online.



Photo Credit: Bill Oudegeest

The grand jury interviewed the city attorney regarding the complaint process. The city attorney was apprised of the citizen's complaint by the city manager. The city attorney stated that the City of Colfax policy is informal when dealing with issues related to elected city officials, with no requirement to follow-up, with no clear guidance for the citizen, nor formal training for city employees.

Conclusion

The Placer County Grand Jury received and investigated a complaint regarding inappropriate conduct by a City of Colfax elected official. In the course of its investigation the grand jury determined the City of Colfax has an ineffective citizen complaint process. This conclusion stems from written and oral evidence gathered in the course of the jury's investigation. The complaint process in question is based on a form available on the city's website, but which is difficult to locate. Also, while the form is accessible online, it required the complainant to print and send the form to the city rather than submitting it online. The complaint process itself is incomplete, with little guidance provided to the complainant and no process resolution or conclusion. While this complaint process may technically and legally comply with relevant city and state codes, it does not promote civic transparency for the City of Colfax.

Findings

The grand jury found that:

- F1:** The City of Colfax has an incomplete complaint process.
- F2:** The City of Colfax does not provide training on its complaint process to city employees.
- 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.
- F4:** The city manager stated that he lacked knowledge of the city's citizen complaint process, as he disclosed in his interview with the grand jury.

Recommendations

The grand jury recommends that:

- 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.
- 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.
- 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.
- 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.
- R5:** By November 1, 2022 all complaints shall follow a written complaint process utilizing the confidential complaint form.

Request for Response

Pursuant to Penal Code § 933.05, the Placer County Grand Jury requests a response from the following governing bodies:

	<u>Recommendations Requiring Response</u>	<u>Response Due Date</u>
Wes Heathcock City Manager City of Colfax P.O. Box 702 Colfax, CA 95713	R1, R2, R3, R4, R5	October 1, 2022
Trinity Burruss Mayor City of Colfax P.O. Box 702 Colfax, CA 95713	R1	September 1, 2022

Copies Sent To:

Alfred Cabral, Esq.
City Attorney
City of Colfax
P.O. Box 702
Colfax, CA 95713

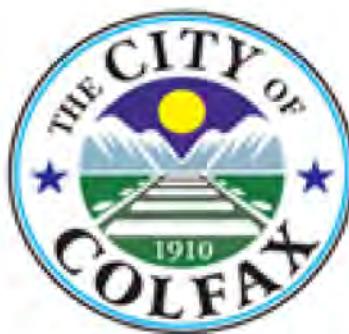
Appendix A

	Confidential Complaint Form		Number: _____	
		PO Box 702 33 S. Main Street Colfax CA 95713		Phone: (530) 346-2313 Fax: (530) 346-6214 www.Colfax-CA.gov
APN: _____ - _____ - 000		Received By: _____		City Staff Number: _____
				Office/Department: _____ Date: _____
				Date Logged: _____ By: _____
Complaint Type				
<input type="checkbox"/> Street/Roadway <input type="checkbox"/> Sewer <input type="checkbox"/> Code Enforcement <input type="checkbox"/> Safety <input type="checkbox"/> City Council <input type="checkbox"/> Employee <input checked="" type="checkbox"/> Miscellaneous (Describe): _____				
Individual Submitting Complaint				
Name: _____		Date: _____		
Physical Address: _____				
Mailing Address (if different from Physical): _____				
Phone Number: _____		Email Address: _____		
Have you submitted a complaint about this issue in the past? <input type="checkbox"/> -No <input type="checkbox"/> -Yes When? _____				
Do you require a phone call? <input type="checkbox"/> -No <input type="checkbox"/> -Yes, ASAP <input type="checkbox"/> -Yes, After resolution				
Complaint Information and Details				
Address of Issue/Violation: _____				
Name of Individual/Business (if applicable): _____				
Description of the issue and/or violation for which you are submitting this complaint: _____ _____ _____ _____ _____				
Signature Required				
Due to legal requirements, your signature is required to allow the City of Colfax to process.				
Signature: _____		Date: _____		
This Section to be Completed by City Staff Only				
Duplicate Issue/Violation by Complainant <input type="checkbox"/> -No <input type="checkbox"/> -Yes, Number(s): _____				
Similar Issue/Violation on File? <input type="checkbox"/> -No <input type="checkbox"/> -Yes, Number(s): _____				
<input type="checkbox"/> Civil Matter <input type="checkbox"/> Not City Jurisdiction <input type="checkbox"/> Referred To: _____				
Date	Status/Action			Initials
<i>Additional Rows Available Backside of Page</i>				
Date	Corrected/Resolved/Closed	Reporting Party Contacted	Closed By	Log Updated

Appendix B: Confidential Complaint Form Process

VERSION 01.19

03/2019



CITY OF COLFAX

33 S. MAIN ST
PO BOX 702
COLFAX, CA 95713

PROCESS - PROCEDURE

CONFIDENTIAL COMPLAINT

Use this guide to receive, log, check the status, and process a confidential complaint.

Complaints will remain confidential unless a court order requires the information to be released

FILING A COMPLAINT

When someone comes in to file a confidential complaint, provide them with a Confidential Complaint Form. The reporting party is required to complete the following sections:

Complaint Type – Check the appropriate box

Individual Submitting Complaint – Information about the reporting party

Complaint Information and Details – Information about the issue/violation

Signature – Reporting party MUST sign and date in order for the complaint to be processed

RECEIVING – LOGGING A COMPLAINT

The city employee who receives the complaint from the reporting party must:

Write their name in the *Received By* section

Date stamp received date in designated area (top right)

Log the complaint on the Confidential Complaint Log

(Shared Drive/Z – Complaint Log – Confidential Complaint & Issues Log)

Enter the following information using data from the form: (Example Below)

Complaint Number: C – 2-digit year – 3-digit complaint number (ex. C19022)

Complaint Status: New

Priority: Urgent or leave blank

Issue Type: Enter data from form

Description/Address/Notes: Enter information pertaining to the complaint from form

Received Date: Date the complaint was received (see date stamp, top right)

Reporting Party: Enter from form

Reporting Party Contact Info: Phone number or email address from reporting party

Follow Up: Enter from form – No or ASAP or After Resolution

Date Logged: Date the complaint was entered into the log by the City employee

Entered to Log By: City employee who entered the complaint into the complaint log

Save the updated log

(EXAMPLE)

Complaint #	Status	Priority	Issue Type	Description/Address/Notes	Rcvd Date	Reporting Party	Contact Info	Follow Up	Entered By
C19022	New		Street/Roadway	Potholes at 33 S. Main Street	02/18/20	Any Persons	346-2313	No	City Employee
C19023	New	Urgent	Safety	Tire down in roadway	02/21/20	City Resident	346-2313	ASAP	City Employee
C19024	New		Maintenance	Depot restrooms need cleaning	02/22/20	Aim Concerned	346-2313	No	City Employee

REVIEW FOR DUPLICATE OR SIMILAR COMPLAINTS

Review the Confidential Complaint & Issues Log for duplicate complaints about the same violation/issue. If the same complaint has been received, note the prior complaint number(s) on the new confidential complaint form so they can be referenced by the person the recent complaint is assigned to.

SENDING A COMPLAINT FOR ASSIGNMENT

Once a complaint has been received, logged, reviewed for duplicates, and you have noted the information on the received complaint form, scan the document and save it to 'Open Complaint Forms'

(Shared Drive/Z – Complaint Log – Open Complaint Forms) Name will be the Complaint Number assigned

Send an email to the Community Services Director with the subject as 'New Complaint' and attach the scanned complaint form to the email. If applicable, note the claim numbers (that should be referenced while handling the complaint) in the email. File the hard copy of the complaint in the Confidential Complaint Form Binder located in the front office.

COMPLAINT ASSIGNMENT

The Community Services Director will receive the Complaint via email titled 'New Complaint'. Upon receipt, the Community Services Director will review the complaint and determine the following;

Is the complaint a Civil Matter or Not City Jurisdiction?

If Yes, to either, note the agency in which the complaint was referred to and email the Customer Service Representative who and/or where the complaint is being referred to so they can update the log and filed hard copy.

If the reporting party requested to be contacted, the Community Services Director will either contact them or request the Customer Service Representative do so.

The Customer Service Representative will update the log by entering in the information of who/where the complaint was referred to, whether or not the reporting party was contacted and any other pertinent information.

If No, the Community Services Director will determine who/what department the complaint will be assigned to and complete the following process to properly assign the complaint:

Update the log to show the name of the employee/department the complaint has been assigned to, the date it was assigned and update the Status to "Assigned". The Community Services Director will then forward the 'New Complaint' email, with the Complaint Form attached, to the employee/department it is being assigned to in order to handle the complaint.

COMPLAINT PROCESSING

The employee who the complaint is assigned to will process the complaint and update the complaint form to show actions occurring (repairs, phone calls, requests) so the log showing what was done can be referenced. If you are unable to update the electronic log, email the Customer Service Representative what action(s) were taken and the date and time the action(s) occurred so the electronic and hardcopy logs can be updated. Once the complaint has been processed, the log needs to show the Status as "Complete" and the appropriate areas of the log need to be updated. You can email the Customer Service Representative to complete this step as long as information needed is provided.

Cybersecurity

Is Placer County Prepared for Cyber Threats?



Cybersecurity

Is Placer County Prepared for Cyber Threats?

Summary

Government entities and private businesses face the daily risk of cyber attacks. In the Sacramento region, both the Lodi School District and Sierra College experienced system shutdowns in 2021 due to unauthorized access with resulting sabotage. The Placer County Grand Jury investigated the exposure that Placer County information systems might be facing. The grand jury found that the Placer County Information Technology (PCIT) department has an excellent program to protect their information systems. The effort is well staffed and well managed. The grand jury did identify some improvements that should be evaluated for adoption.

Glossary

SaaS (Software as a Service) – allows users to connect to and use cloud-based apps over the Internet. Common examples are email, calendaring, and office tools (such as Microsoft Office 365).²

Cloud storage – a model of computer data storage in which the digital data is stored in logical pools, said to be on "the cloud." The physical storage spans multiple servers (sometimes in multiple locations), and the physical environment is typically owned and managed by a hosting company. These cloud storage providers are responsible for keeping the data available and accessible, and the physical environment secured, protected, and running.³

Phishing – a type of social engineering where an attacker sends a fraudulent (e.g., spoofed, fake, or otherwise deceptive) message designed to trick a person into revealing sensitive information to the attacker or to deploy malicious software on the victim's infrastructure like ransomware.^{4, 5}

Ransomware – a type of malicious software that infects a computer and restricts users' access to it until a ransom is paid to unlock it. Ransomware variants have been observed for several years and often attempt to extort money from victims by displaying an on-screen alert. Typically, these alerts state that the user's systems have been locked or that the user's files have been encrypted.⁶

Enterprise (Network) – the IT infrastructure that midsize and large organizations use to provide connectivity among users, devices, and applications. The goal is to support the

² Azure, "What is SaaS? Software as a service", accessed on April 22, 2022, <https://azure.microsoft.com/en-us/overview/what-is-saas/>

³ Wikipedia, "Cloud storage", accessed on April 22, 2022, https://en.wikipedia.org/wiki/Cloud_storage

⁴ Phishing.org, "What is Phishing?", accessed on April 22, 2022, <https://www.phishing.org/what-is-phishing>

⁵ Wikipedia, "Phishing", accessed on April 22, 2022, <https://en.wikipedia.org/wiki/Phishing>

⁶ UC Berkeley, "Frequently Asked Questions – Ransomware", accessed on April 22, 2022, <https://security.berkeley.edu/faq/ransomware/>

organizations' objectives by consistently delivering connected digital services reliably and securely to workers, partners, customers, and, increasingly, also things.⁷

Hack – an act or instance of gaining or attempting to gain illegal access to a computer or computer system.⁸ A hardware or software change not approved by the manufacturer or developer that makes it do something it wasn't intended to do. For example, with software updates and modifications, users can make their Xbox gaming console more of a media center. Because the developer does not support these modifications, hacks void your warranty and prevent you from getting manufacturer support.⁹

Whitelisting – a cybersecurity strategy under which a user can only take actions on their computer that an administrator has explicitly allowed in advance. Instead of trying to keep one step ahead of cyber attackers to identify and block malicious code, IT staff instead compiles a list of approved applications that a computer or mobile device can access. In essence, the user has access to only a limited set of functionality, and what they can access has been deemed safe by the administrator.¹⁰ Whitelisting only allows an approved list of applications, programs, websites, Internet Protocol (IP) addresses, email addresses, or IP domains, to run in a protected computer or network.¹¹

Data theft – The unauthorized taking or interception of computer-based information.¹²

Sabotage – deliberate attack intended to disable or modify computers or networks for the purpose of disrupting operations or transactions, accessing or destroying files, or otherwise compromising an organization.¹³

NCSR – The Nationwide Cybersecurity Review is a no-cost, anonymous, annual self-assessment designed to measure gaps and capabilities of state, local, tribal, and territorial governments' cybersecurity programs. The NCSR data is tabulated by the Center for Internet Security, Inc. (CIS®), which is a community-driven nonprofit, responsible for the CIS Controls® and CIS Benchmarks™, globally recognized best practices for securing IT systems and data.¹⁴

⁷ Cisco, "What Is an Enterprise Network?", accessed on April 22, 2022, <https://www.cisco.com/c/en/us/solutions/enterprise-networks/what-is-an-enterprise-network.html>

⁸ Merriam-Webster, "hack" (Entry 2.6.a), accessed on April 22, 2022, <https://www.merriam-webster.com/dictionary/hack>

⁹ ComputerHope, "Hack", accessed April 22, 2022, <https://www.computerhope.com/jargon/h/hack.htm>

¹⁰ CSO, "Whitelist meaning and definition", accessed on April 22, 2022, <https://www.csoonline.com/article/3562429/whitelisting-explained-how-it-works-and-where-it-fits-in-a-security-program.html>

¹¹ Webopedia, "Whitelisting", accessed on April 22, 2022, <https://www.webopedia.com/definitions/whitelisting/>

¹² Cybercrime.org.za, "Data Theft Definition", accessed on April 22, 2022, <https://cybercrime.org.za/data-theft#:~:text=Data%20Theft%20Definition%20The%20unauthorized%20taking%20or%20interception.intent%20f%20compromising%20privacy%20or%20obtaining%20confidential%20information.>

¹³ Santa Barbara County Grand Jury, "CYBER-ATTACKS THREATEN SANTA BARBARA COUNTY", accessed on April 22, 2022, <http://www.sbcgj.org/2020/CyberSecurity.pdf>

¹⁴ Center for Internet Security, "Nationwide Cybersecurity Review (NCSR)", accessed on April 22, 2022, <https://www.cisecurity.org/ms-isac/services/nCSR>

Background

Recent reports¹⁵ show that in the United States hackers attack and disable a computer system every thirty-nine seconds, affecting millions of people. Government-run organizations can be shut down and services denied to citizens. An article in *Forbes* magazine¹⁶ stated that businesses and government agencies face over four thousand attempted attacks every day using ransomware alone.

Cyber attacks can be motivated by money, revenge, mischief, politics, or terrorism. The cost to respond and recover can be significant. These attacks can be in the form of data theft, ransomware, and/or sabotage.

Examples of ransomware attacks in California in 2021:

- Ransomware group Vice Society leaked Los Angeles-based Barlow Respiratory Hospital's patient data onto the dark web after an August attack according to a September 11th *ZDNet* report.¹⁷
- In April, the University of California issued a warning to its students and staff that a ransomware group might have stolen and published their personal data.¹⁸ The cybersecurity attack targeted a vulnerability in Actelion, a third-party vendor that is used to transfer files.
- On May 21st, Sierra College, located in Rocklin, confirmed that the outage of the college website and online systems was the result of a ransomware attack.¹⁹
- On October 4th, the phone lines were down for three days at the Lodi Unified School District after a cybersecurity incident disabled their network, computers, and phone lines.²⁰

Methodology

The grand jury investigated the PCIT readiness and preparation against cyber attacks. This investigation included interviewing knowledgeable Placer County information systems managers and reviewing the reports and documents they provided. The following reports were reviewed:

- Countywide Information Security Charter
- Placer County Nationwide Cybersecurity Review 2021

¹⁵ A. James Clark School Study, University of Maryland, "Study: Hackers Attack Every 39 Seconds", accessed on April 13, 2022, <https://eng.umd.edu/news/story/study-hackers-attack-every-39-seconds>

¹⁶ Lee, Mathews, "City of Atlanta Computers Hit by Ransomware Attack", *Forbes*, March 23, 2018

¹⁷ ZDNet, "Ransomware groups continue assault on healthcare orgs as COVID-19 infections increase", accessed on April 13, 2022, <https://www.zdnet.com/article/ransomware-groups-continue-assault-on-healthcare-orgs-as-covid-19-infections-increase/>

¹⁷ Los Angeles Times, "University of California victim of nationwide hack attack", accessed on April 13, 2022, <https://www.latimes.com/world-nation/story/2021-04-02/university-of-california-victim-of-nationwide-hack-attack>

¹⁹ Sacramento Bee, "Ransomware attack shut down Northern California community college's computer system", accessed on April 13, 2022, <https://www.sacbee.com/news/local/article251564398.html>

²⁰ DataBreaches.net, "CA: Lodi schools lose internet access due to 'cyber security' issue", accessed on April 13, 2022, <https://www.databreaches.net/ca-lodi-schools-lose-internet-access-due-to-cyber-security-issue/>

- Placer County Enterprise System Catalog
- Information Technology 2021 Strategic Plan
- Placer County Emergency Operations Plan – Cyber Annex
- Security Incident Reports
- Cyber Insurance Application
- Information Security Working Committee Charter

One juror was fully recused from the investigation.

Discussion

Organization and Responsibilities

The Placer County Information Technology department provides IT services to most county departments and employees; however, three departments have their own IT employees (help desks): Sheriff, Elections, and Child Support Services. Although these IT teams are separate, they maintain data that are part of Placer County's data center and networks and utilize the remote backup protection.

Cities in Placer County are not in the cybersecurity protection program managed by the county IT team. In the event of a cyber attack on a city-managed application, PCIT would provide consulting assistance to cities if requested.

Information Security Charter

The Placer County Information Technology Department has created an Information Security Charter. This charter was approved by the Placer County Board of Supervisors on May 29, 2019. The most recent update to this charter was completed on May 3, 2021. Six major themes of the Information Security Charter are:

- Information Security Policies
- Risk Assessment
- Data Classification
- Business Continuity and Operational Recovery Planning
- Security Awareness Training
- Monitoring and Assurance

The 2019 charter also established an information security officer position. Under general direction from the chief information officer, the information security officer position plans, organizes, and directs the countywide Information Security Program, including security awareness, risk assessment, business impact analysis, disaster recovery, and business continuity. This position is also responsible for the day-to-day management of the county IT security team and countywide information security functions. The information security officer has a team of five employees among the eighty-one employees in the Information Technology Department. On January 11, 2022, the Placer County Board of Supervisors approved the re-evaluation of the information security officer to Chief Information Security

Officer (CISO). The re-classification was triggered by the Placer County Human Resources Department to recognize the responsibilities of the position.

Nationwide Cybersecurity Review

Every year, PCIT completes a self-assessment of cybersecurity called the Nationwide Cybersecurity Review (NCSR). This questionnaire is quite detailed and uses a model to evaluate organization cybersecurity that has five categories – identify, protect, detect, respond, and recover. A score is assigned to each category based on the answers. All California counties perform this same assessment. The NCSR is submitted to the Multi-State Information Sharing and Analysis Center which is an arm of the Department of Homeland Security. Completion of the NCSR is now required from all entities that are eligible for Federal Emergency Management Agency (FEMA) funds. The NCSR results are delivered to the United States Congress every other year to report on cyber security preparedness. The graphs from Placer County's most recent NCSR assessment are displayed in Appendix 1. These graphs were obtained from Placer County's Information Security department. They were created by the department to provide a visual way to represent the changes in cybersecurity maturity scores over time.

Information Technology Strategic Plan

Placer County Information Technology produces an annual report called the Information Technology Strategic Plan. This plan sets the strategic direction for the department and county. The 2021 plan identified five initiatives to improve information security. One of the initiatives was to enhance service access and improve user authentication because more employees are working remotely.

Placer County Emergency Operations Plan

Placer County maintains an emergency operations plan. The emergency operations plan is used to guide efforts when significant emergencies occur, such as forest fires and floods. One of the sections of the emergency operations plan documents how to respond to a cyber attack. This response plan is extensive with seventeen pages presenting the organization, responsibilities, actions, and policies for a coordinated, multi-disciplinary approach to prepare for, respond to, and recover from cyber related incidents.

Placer County Security Incident Report

The Placer County Information Technology department maintains a log of all reported security incidents. Examples of security incidents include lost laptops and employees responding to phishing emails. Each incident is documented, reviewed, and potential prevention tactics detailed. In 2021, Placer County decided to increase password security by requiring passwords of at least fourteen characters. This action was taken, in part, from the review of security incidents that occurred in 2020. Recurring incidents, such as phishing attacks, are used to update security awareness training that all county employees are required to complete.

Annual Cyber Insurance Application

Like most counties, Placer holds an insurance policy to mitigate any losses resulting from a cyber attack. This policy provides Placer County with twenty-five million dollars in general

liability coverage. A requirement for annual coverage is to submit an application which includes documentation of Placer's assessment of cybersecurity preparedness maturity. Placer County uses the information from the NCSR to complete the insurance application. Placer County pays lower insurance premiums as a direct result of its current state of cybersecurity readiness.

Placer County Enterprise System Catalog

Placer County uses over six hundred software applications. These applications are run from a Placer County owned data center. Each night, all data are backed up and stored in a separate data center managed by Microsoft. If a ransomware attack were to occur, the only risk to Placer County is that day's transactions. A potential strategy would be to restore all data to the previous night's backup. Microsoft provides this service to many governments and businesses to address cybersecurity and disaster (fire, flood, etc.) risks.

Back Up Methodology

The Microsoft data center that PCIT has contracted with, uses a delivery strategy called "Software as a Service" (SaaS). Many of Placer County's applications are deployed on SaaS. If a cyber attack or disaster impacted an SaaS application, the vendor (Microsoft) would address the issue and fix the application in the cloud. With SaaS, it is the vendor's responsibility to maintain the application. PCIT maintains a backup of all county data, and once Microsoft has resolved the software issue, PCIT would work with Microsoft to load the backup data onto the repaired application.

Some of the PCIT applications are not hosted as an SaaS but are installed in the county-owned data center. PCIT maintains backup servers in a cloud disaster recovery site. In the event of a failure or cyber attack, PCIT would follow their disaster recovery procedures to switch over to the cloud disaster recovery server. PCIT tests their disaster recovery procedures for the different applications that they manage. They have run two successful switchover disaster simulations in the past twelve months.

Penetration Testing

The industry best practice for assessing cybersecurity preparedness is to run penetration tests. The penetration tests that PCIT conducts are also called "security assessments." PCIT utilizes multiple reputable third-party vendors, who conducted enterprise-wide penetration tests in Spring 2019 and Spring 2020. They elected to rotate vendors (rather than utilizing only one) to get different viewpoints and attack techniques. The penetration tests include an external test (attempting to hack into the network), an internal test (when the tester puts a device on the network inside a facility and attempts to steal credentials and access confidential files), and an email phishing test. In 2021, PCIT engaged a vendor to assess the Placer County Child Support Services network (which is separate from the Placer network) and in January 2022, PCIT conducted a penetration test specifically on the Placer County Elections Department applications. PCIT is currently scoping the 2022 enterprise-wide assessment from a new, nationally recognized vendor.

Application Failure History

Although PCIT applications have experienced attempted hacks from external agents, none have been successful. PCIT has only had to utilize its Disaster Recovery Procedure for an

actual disaster once in the past five years. On Sunday, February 27, 2022, the environmental controls in the data center failed in the early morning. PCIT utilized its Critical Incident Response Procedure. On-call facilities staff and electricians responded to remedy the situation. All services were restored by noon.

Examples of Best Practices

The Placer County Information Technology department utilizes industry-leading methodology to protect the assets of the county. Some of the controls are based on restricting the behaviors of the county employees, while others use automated processes that monitor specific activities. For example, every employee is required to take Security Awareness Training and is subjected to practical exercises like social engineering that simulate actual cyber attacks. The PCIT department utilizes special software to trap possible breaches that were intentional or accidental. Some of these tools include:

- detection of changes to software and firmware
- whitelisting of applications that only allow specific software that has been approved to be installed
- spam protection that monitors emails to trap incoming and outgoing messages
- auto-detection of sensitive information being sent out of the protected network via email and data devices, such as USB memory sticks

Information Technology Governance

The Placer County Chief Information Officer leads a committee composed of executives from many county departments (Auditor-Controller, Sheriff, County Executive Officer, Probation, Health and Human Services, Community Development and Resources, Human Resources, Treasurer/Tax Collector, and County Counsel). This committee is called the Leadership Committee and has the following responsibilities:

- reviews and updates the IT Strategic Plan
- reviews and provides endorsement to the Board of Supervisors for projects under \$250,000
- receives and reviews system requests, project status reports, and project workload reports from working committees
- reviews and advises the working committees on any issues with multi-departmental efforts on shared and integrated system selection, implementation, and maintenance
- prioritizes and recommends approval of proposed key projects

There is a separate committee called the Security Working Committee (SWC) that reports to the Leadership Committee. The Chief Information Security Officer leads the SWC, which is comprised of county department representatives. The SWC was formed in 2020, meets quarterly, and has made two reports to the Leadership Committee since its inception. The report's format and content are not standardized. As such, these reports did not include a roster of attendance of the department representatives who participated in the quarterly

meetings, nor is attendance required. As a result, there are county departments that did not have a representative attending these meetings.

Shift to Laptops Triggered by COVID-19

Starting in 2020, the CEO provided direction that all county employees should be on a laptop unless there was a specific need to have a workstation. This was done for business continuity and disaster recovery and to allow for social distancing. This shift has provided significant flexibility but has also increased cyber risks as many employees are accessing Placer County information systems from remote networks instead of logging directly onto the county network.

The shift to laptops and more people working from home has increased information security risks. Some employees may have unsecured Wi-Fi at home. The Placer County information security team educated users on how to change the password on their home internet router. The county's web proxy service can detect unsecured networks and has blocked some users from accessing Placer County web services until they can secure their home network. Placer County Information Technology also mitigates the security risk by only allowing county-issued laptops to access the network. An employee-owned laptop cannot access Placer County networks. PCIT controls the configuration on all county-issued devices to ensure there is advanced and up-to-date antivirus protection.

The Placer County Information Technology department launched additional security training in 2020 and 2021 in the form of "Lunch and Learn" events. The workshops provided valuable information on home Wi-Fi risks and recommended actions to secure home networks. These improvement actions are also communicated in the employee newsletters.

Conclusion

Placer County information systems are well protected from cyber attacks. The Information Technology department has invested significant resources in protection and personnel training.

Findings

The grand jury found:

- 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.
- 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.
- F3:** Placer County data, infrastructure, and applications are well protected from cybersecurity attacks.

Recommendations

The grand jury recommends:

- 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.
- 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.

Request for Response

Pursuant to Penal Code § 933.05, the Placer County Grand Jury requests a response from the following governing bodies:

	<u>Recommendations Requiring Response</u>	<u>Response Due Date</u>
Jane Christenson Acting County Executive Officer 175 Fulweiler Ave. Auburn, CA 95603	R1	October 1, 2022
Jarrett Thiessen Chief Information Officer 3091 County Center Dr. Suite 160 Auburn, CA 95603	R2	October 1, 2022

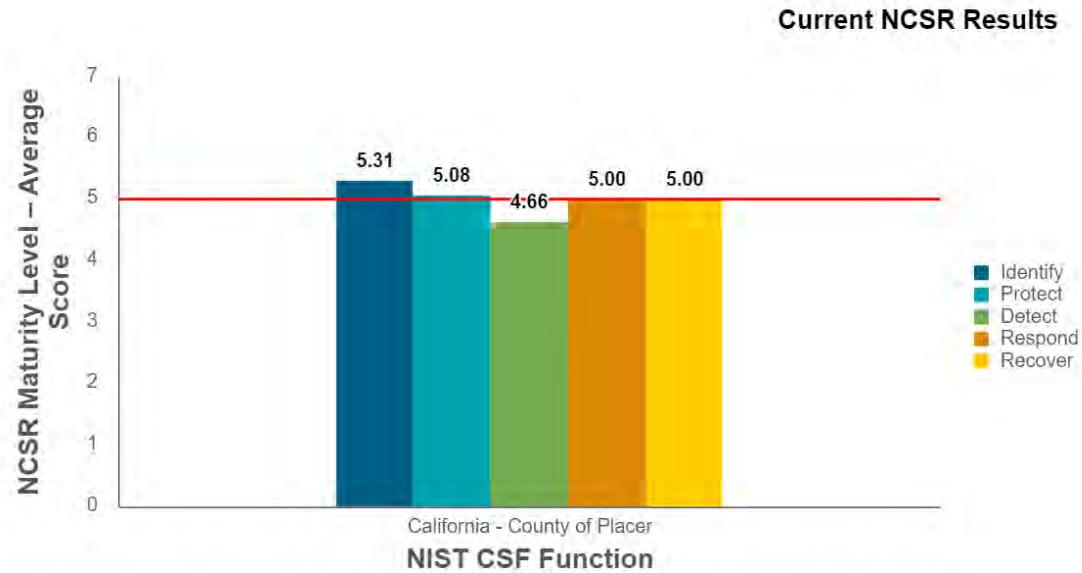
Copies sent to:

**Deborah Curtis
Chief Information Security Officer
2986 Richardson Dr.
Auburn, CA 95603**

Appendix 1

Graph 1 – Maturity results for the five categories

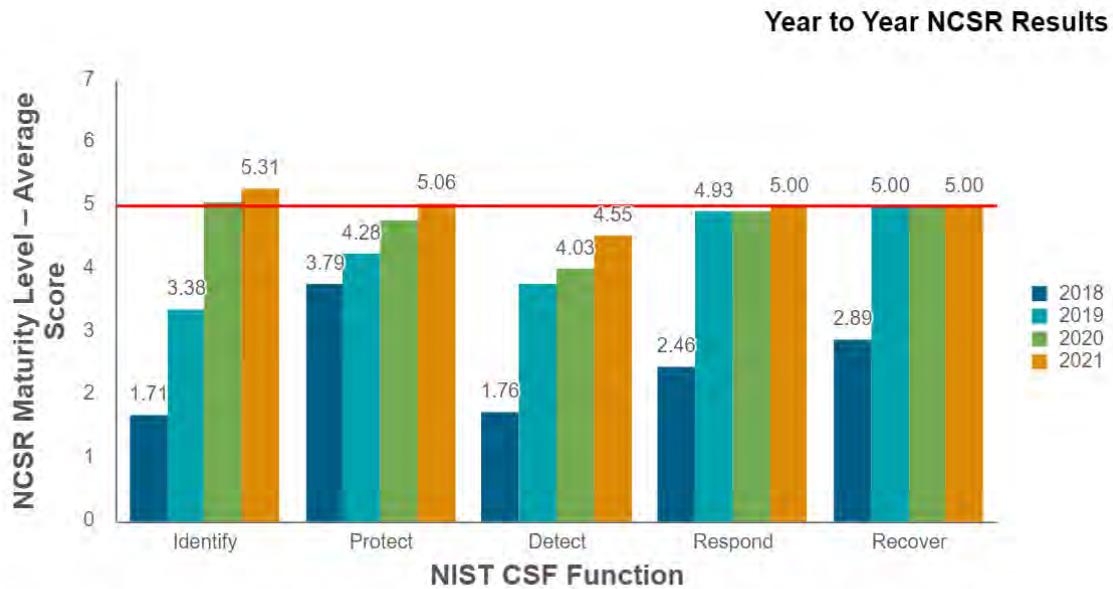
Five categories of cybersecurity from Placer County 2021



California - County of Placer NCSR Scores

Graph 2 – Steady progress in cybersecurity maturity from 2018 to 2021

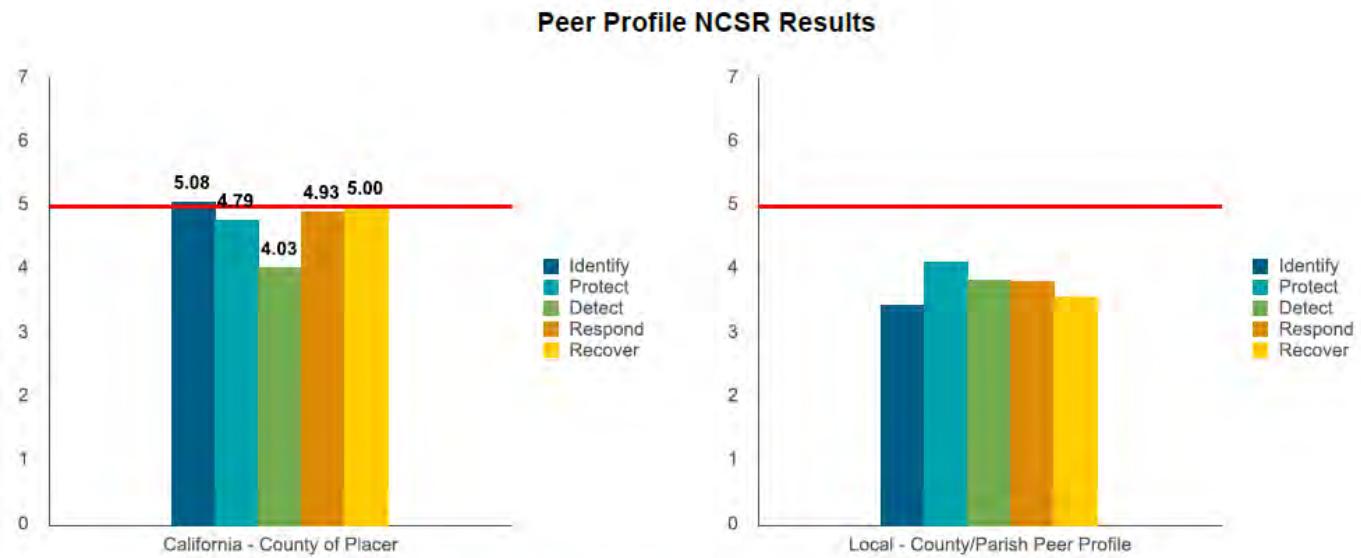
The chart below shows that Placer County has demonstrated steady improvement in all measured areas: identify, protect, detect, respond, and recover.



The red line indicates an average score of 5, which is designated as the recommended minimum maturity level

Graph 3 – Placer County NCSR scores to scores of peer counties

One interesting use of the results is to compare Placer County cybersecurity maturity to the average of other California counties. Placer County's scores are much higher than the average of other counties. See graph and table below:



The red line indicates an average score of 5, which is designated as the recommended minimum maturity level

California - County of Placer NCSR Scores

Name	Average-Identify	Average-Protect	Average-Detect	Average-Respond	Average-Recover
California - County of Placer	5.08	4.79	4.03	4.93	5.00

Peer Profile NCSR Scores

Peer Profile	Average-Identify	Average-Protect	Average-Detect	Average-Respond	Average-Recover
Local - County/Parish Peer Profile	3.47	4.13	3.85	3.81	3.61

Homelessness in Placer County



Photo Credit: Norma J. Worley



Homelessness in Placer County

Summary

In Placer County, on any given night, approximately seven hundred unhoused men, women, and children sleep in tents, cars, shelters, or on sidewalks. Point-in-time (PIT) reports, together with Placer County Health and Human Services (HHS) data, indicate that the majority fall into the category of chronic homelessness of one year or more.

Since 2019, the DeWitt Center in Auburn has been home base for a group of individuals living on these county owned grounds. This tent encampment is home to approximately one-hundred men and women, and thirty pets. The

impromptu campground consists of over sixty occupied informal tent-like homesteads, twenty abandoned tents, five porta-potties, a dumpster, mounds of trash, used drug paraphernalia, and deposits of human and animal waste. The DeWitt Center is also the headquarters for county services such as HHS and The Welcome Center, as well as the non-profit program The Gathering Inn Mid-Placer's one-hundred bed shelter (currently housing ninety-two due to COVID-19 restrictions). Placer County Animal Services (PCAS) is located less than a half mile away. Although the DeWitt Center is the focal point of this investigation, it is an indicator of a county-wide problem. The grand jury set out to investigate the challenges experienced by the homeless and the barriers for individuals entering shelters and utilizing services available to them.



Photo Credit: Norma J. Worley

Glossary

Camping by necessity: Camping at a time where there is no available shelter for an individual to utilize.²¹

CEO: County Executive Officer.

CoC: A Continuum of Care is the group organized to carry out the responsibilities prescribed in the CoC Program Interim Rule for a defined geographic area.²²

²¹ Placer County CEO Memorandum, March 8, 2022, www.placer.ca.gov/DocumentCenter/View/58893/04A , Accessed April 18, 2022

²² HUD, Exchange What Is A Continuum of Care? Date Published: July 2014, WWW.HUDEXCHANGE.INFO/FAQS/PROGRAMS/CONTINUUM-OF-CARE-COC-PROGRAM/PROGRAM-ADMINISTRATION/GENERAL/WHAT-IS-A-CONTINUUM-OF-CARE/?MSCLKID=5FB1F99CC11311EC8556F559750802E1, Accessed April 20, 2022

Chronic homeless: Either (1) an unaccompanied homeless individual with a disabling condition who has been continuously homeless for a year or more, or (2) an unaccompanied individual with a disabling condition who has had at least four episodes of homelessness in the past three years.^{23, 24}

Emergency shelter: Housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person. No individual or household may be denied emergency shelter because of an inability to pay.²⁵ For example, a local non-profit operates a nomadic nightly dinner and bed program facilitated by local churches.

High barrier shelter: Also referred to as abstinence-based or dry shelter. High barrier shelters place requirements on their guests.²⁶

Homeless: Individual or family who lacks a fixed, regular, and adequate nighttime residence, meaning: (1) Has a primary nighttime residence that is a public or private place not meant for human habitation; (2) Is living in a publicly or privately operated shelter designated to provide temporary living arrangements (including congregate shelters, transitional housing, and hotels and motels paid for by charitable organizations or by federal, state, and local government programs); or (3) Is exiting an institution where an individual has resided for 90 days or less and who resided in an emergency shelter or place not meant for human habitation immediately before entering that institution.²⁷

Homeless Management Information System (HMIS): A local information technology system used to collect client level data, and data on the provision of housing and services to homeless individuals and families, and persons at risk of homelessness.²⁸

HUD: Federal Department of Housing and Urban Development.

Low/no-barrier shelter: An overnight or temporary housing accommodation for individuals who are homeless, provided directly by or through contracted service agencies, for the purpose of providing shelter to individuals without the imposition of identification, time limits, or any other program requirements.²⁹

²³ CoC At A Glance Chronic Homelessness Status <https://files.hudexchange.info/resources/documents/virtual-binders-at-a-glance-chronic-homelessness-status.pdf>, Accessed April 18, 2022

²⁴ Hud's Homeless Assistance Program "Defining Chronic Homelessness: A Technical Guide For Hud Programs" Hud's Homeless Assistance Program September 2007

<https://files.hudexchange.info/resources/documents/definingchronichomeless.pdf>, Accessed April 18, 2022

²⁵ Law Insider, Emergency Shelter Definition www.lawinsider.com/dictionary/emergency-shelter, Accessed April 18, 2022

²⁶ UGM Impact Blog, Low Barrier Vs. High Barrier Shelter, Barbara Comito, July 12, 2021,

<https://blog.uniongospelmission.org/the-impact/low-barrier-vs.-high-barrier-shelter>, Accessed April 18, 2022

²⁷ Hud Homeless Definition

https://files.hudexchange.info/resources/documents/homelessdefinition_recordkeepingrequirementsandcriteria.pdf?m_sclid=d2095ac6c11811eca0ace3d3c55dfba4, accessed April 20, 2022

²⁸ Hud Exchange, Homeless Management Information System (HMIS),

<https://www.hudexchange.info/programs/hmis/>, Accessed March 7, 2022

²⁹ Law Insider, Low barrier shelter definition, www.lawinsider.com/dictionary/low-barrier-shelter, accessed April 20, 2022

Martin v. Boise: The United States Court of Appeals for the Ninth Circuit ruling held that a city ordinance in Boise, Idaho violated the Eighth Amendment by imposing criminal sanctions against homeless individuals for sleeping outdoors on public property, when no alternative shelter was available to them. Six current or formerly homeless residents brought this suit alleging that the issuance of citations under the city's camping and disorderly conduct ordinances constituted cruel and unusual punishment, because they had no home or other shelter to go to. Agreeing with their arguments, the Ninth Circuit affirmed in part and reversed in part the district court's summary judgment order.³⁰

NIMBY: Not In My Back Yard.

Ninth Circuit: The United States Courts for the Ninth Circuit is comprised of the following judicial districts: Alaska, Arizona, Central District of California, Eastern District of California, Northern District of California, Southern District of California, Guam, Hawaii, Idaho, Montana, Nevada, Northern Mariana Islands, Oregon, Eastern District of Washington, Western District of Washington.³¹

PCGC: Placer County Government Center.

PC § 290: California Penal Code statute that makes it a crime for certain convicted sex offenders to fail to register with local authorities. The state requires sex offenders to register (1) every year within five working days of their birthday, and (2) every time they move to a new address.³²

PIT: Point-in-time count is a head count conducted on one night, typically in January, of sheltered and unsheltered individuals experiencing homelessness.³³

Transitional housing: A supportive type of accommodation that is meant to bridge the gap from homelessness to permanent housing by offering structure, supervision, support for addictions and mental health, life skills, and, in some cases, education and training.³⁴

³⁰ FindLaw for Legal Professionals, United States Ninth Circuit, <https://caselaw.findlaw.com/summary/opinion/us-9th-circuit/2018/09/04/284140.html>, accessed April 18, 2022

³¹ United States Courts for the Ninth Circuit, "What is the Ninth Circuit?", www.ca9.uscourts.gov/judicial-council/what-is-the-ninth-circuit/, accessed April 18, 2022

³² Robert Miller and Associates, "Failure to Register as a Sex Offender Penal Code 290", www.expertlawfirm.com/failure-to-register-as-a-sex-offender-pc-290-penal-code, accessed April 18, 2022

³³ HUD Exchange, "Point-in-Time Count and Housing Inventory Count", www.hudexchange.info/programs/hdx/pit-hic/, accessed April 18, 2022

³⁴ Homeless Hub, Solutions, Supporting communities to prevent and end homelessness, Transitional Housing, www.homelesshub.ca/solutions/housing-accommodation-and-supports/transitional-housing, accessed April 18, 2022

Background

A yearly point-in-time count is conducted by the Homeless Resource Council of the Sierras. Homeless individuals are counted across the county from Roseville to North Lake Tahoe.³⁵

Year	Number of Homeless Individuals
2018	584
2019	617
2020	744
2021	708

These counts are not a broad comprehensive measure of an area's homeless population, but rather snapshots of a single day used to approximate trends. Typically, they are viewed as undercounts of a community's yearly overall homeless population, given that individuals may move in and out of homelessness during the year. Also, individuals may intentionally avoid being counted, and some are not locatable. This report bases its findings on the 2021 count. The results of the most recent count, completed on February 24, 2022, are expected to be available in the summer timeframe. PIT counts are used to determine funding allocated to counties from various sources.

More than 80 percent, or thirty-seven of California's forty-four Continuums of Care (CoCs) did not conduct a January 2021 PIT count after receiving approval from HUD. This was based on safety precautions related to the COVID-19 pandemic. Three CoCs, Placer County, Sutter County, and Nevada County, are using their "by-name" list or "active" list, that is updated, at least monthly, to conduct a modified unsheltered PIT count. This was required if a CoC wanted to submit their unsheltered data to HUD through the Homelessness Data Exchange.³⁶

Along with grant funding received based on the PIT count, the Fiscal Year 2021-2022 Placer County budget, adopted at \$1,020,071,376, funds the HHS department. Current HHS funding is \$243,065,397 which comprises 24 percent of the total county budget. This amount is then allocated to nine departments within HHS, an undetermined amount of which goes to homeless services. No county official was able to articulate in grand jury interviews the amount spent directly on homeless programs.

³⁵ County of Placer, Health and Human Services, State of Homelessness, Study on Homelessness, www.placer.ca.gov/4002/State-of-Homelessness, accessed April 18, 2022

³⁶ Joe Colletti, PhD for Urban Initiatives Homeless and Housing Strategies for California February 2021, www.hudhdx.info, accessed March 9, 2022

HHS Service/Agency	FY 2021-2022 County Funding by Department
Adult System of Care	\$69,081,806
Children's System of Care	\$55,615,345
Public Health	\$19,382,878
HHS Administration	\$3,330,501
Human Services	\$44,199,902
Client Aid	\$37,549,343
Environmental Health	\$7,327,292
Animal Services	\$5,769,284
Veteran Services	\$809,046
HHS Budget TOTAL	<u>\$243,065,397</u>

These nine departments administer programs that provide services for many of the needs of the homeless. In addition, a large portion of these estimated seven hundred homeless individuals receive help from various grant funded programs and private non-profit entities, including but not limited to:

Private or Non-profit Program	Year	Revenue
Acres of Hope	2019	\$1,408,636
Advocates for the Mentally Ill Housing, Inc.	2019	\$4,106,553
The Gathering Inn	2019	\$3,226,117
Lazarus Project Roseville	2019	\$215,172
Roseville Home Start Inc.	2018	\$703,479

Private or Non-profit Program	Year	Revenue
Stand Up Placer	2019	\$4,918,830

Methodology

The grand jury conducted numerous interviews with county officials as well as non-profit executives. The goals of these interviews were:

- To identify who in Placer County takes ownership of and acknowledges full responsibility for the strategies used in supporting the homeless
- To understand the challenges and barriers the homeless experience in entering shelters and utilizing the services available to them
- To gain an insight into the day-to-day personnel and operations that work directly with the homeless

Besides the interviews, three consultant reports contracted by HHS were also reviewed. The 2020-2021 Placer County Grand Jury Report detailing housing resources and funding of supporting programs was referenced for background information. Additionally, grand jury members attended several public forums.

Discussion

Encampments vs. Shelters

In 2018, the United States Court of Appeals for the Ninth Circuit ruled in *Martin v. Boise*³⁷, that persons experiencing homelessness, cannot be cited, or arrested for sleeping outdoors when no shelter is available. A petition to the United States Supreme Court was made and was denied in 2019. This decision made it unconstitutional to criminalize homelessness in the Ninth Circuit jurisdiction until the criteria of availability of a low barrier shelter has been met. In contrast, while being homeless is not a criminal offence, the illegal behaviors of homeless individuals can be found to be criminal, such as public intoxication.



Photo Credit: Norma J. Worley

³⁷ FOR PUBLICATION UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT, No. 15-35845 D.C. No. 1:09-cv-00540- REB OPINION, ROBERT MARTIN; LAWRENCE LEE SMITH; ROBERT ANDERSON; JANET F. BELL; PAMELA S. HAWKES; and BASIL E. HUMPHREY, Plaintiffs-Appellants, v. CITY OF BOISE, Defendant-Appellee Argued and Submitted July 13, 2017 Portland, Oregon Filed September 4, 2018, <https://cdn.ca9.uscourts.gov/datastore/opinions/2018/09/04/15-35845.pdf>, accessed March 9, 2022

The percentage of those homeless in Placer County is the fourth lowest in the state³⁸, at 18.7 per 10,000 of general population. Despite this low amount, homelessness is a visible and ongoing problem.

It is not unusual to see one or two tents set up in random areas throughout the county. At the DeWitt Center in Auburn, however, what started out as a small number of tents has now grown into a tent city. Because counts are sporadic and population is fluid, there is no hard data about the actual count of the inhabitants at this location. Based on the number of tents erected, a conservative estimate given by Placer County Sheriff's Office (PCSO), in February 2022, was roughly one hundred campers - approximately 14 percent of the total homeless population in Placer County.

The grand jury found it difficult to understand why many of the homeless are not taking advantage of available high barrier transitional housing. Through interviews, grand jurors learned there are several factors why campers refuse to enter. One is that many of the homeless have social, medical, and mental health issues which may impede their ability to make healthy, wise decisions that would improve their overall well-being. Another factor is that most campers don't want to conform to authority, maintain a schedule, or assume any responsibilities, as would be required in a clean and sober high barrier shelter. By comparison, low barrier shelter programs could receive persons ineligible for high barrier shelters, either through law enforcement placement or self-placement.

Complicating the homeless issue is the fact that there is no one person in Placer County providing guidance, leadership, direct oversight, and governing direction to the myriad of disparate homeless programs. This lack of oversight could lead to possible overlap and duplication of services within the nine departments of HHS, resulting in wasted energy, time, and money.

Currently, the PCSO takes responsibility for policing and enforcing laws and regulations within the encampment, monitoring it daily. Placer County Facilities Department provides and maintains fencing, porta-potties, and grounds maintenance. The Adult System of Care and PCAS units within HHS provide outreach services, attempting to enroll campers in county assistance programs. These outreach personnel also encourage residents to seek assistance from the many non-profit organizations that work with the homeless. Placer County Animal Services offers vaccinations for the pets in the encampment. While these entities deal with the immediate needs of the homeless, their efforts do not address the issue of the lack of appropriate transitional low barrier shelters needed to relocate the homeless away from county property and out of encampments.

Placer County Sheriff's Homeless Liaison Team

In April 2021, the BOS voted to allocate up to \$667,000 in additional funding for a daily PCSO Homeless Liaison Team (HLT) presence at the DeWitt Center and additional PCAS patrol. This funding also assisted with temporary fencing, cameras, portable toilets, trash

³⁸ National Alliance to End Homelessness; State of Homelessness, <https://endhomelessness.org/homelessness-in-america/homelessness-statistics/state-of-homelessness-dashboards/?State=California>, accessed April 18, 2022

receptacles, and towing of unlawfully parked vehicles. To gather insight into the make-up of the encampment, members of the grand jury accompanied the HLT to visit the campers.

The Homeless Liaison Team regularly interacts with the homeless population and has established a rapport and trust within the encampment community. The liaison deputy escorted grand jurors throughout the encampment to observe interviews between the deputy and the residents.

The deputy stated that the residents started arriving at the site in March 2020. By October 2020, the combination of the COVID-19 pandemic and the Martin v. Boise court decision resulted in the number of homeless campers increasing substantially. The deputy also mentioned there has been a recent influx of residents from Nevada County who learned they could camp at the DeWitt Center “without any hassle.” In a separate interview, PCSO indicated approximately 44 percent of encampment residents come from outside of Placer County.

The current population of the encampment was estimated by the deputy as approximately one-hundred persons, 60 percent male and 40 percent female. The day of the tour there were no families with children residing at the encampment. If a family does appear, PCSO and HHS act quickly to ensure the family is moved to temporary housing or an appropriate shelter.

Per the deputy, drugs and alcohol are prevalent in the encampment and are usually brought in by outsiders and then sold within the camp by the residents. Drugs include heroin, methamphetamine, fentanyl, and alcohol. Of the drug users, approximately 50 percent use alcohol exclusively and 50 percent primarily use one of the other three drugs. There is a small percentage of individuals who mix alcohol with the other drugs. On average, one overdose occurs weekly, however, many additional overdoses go unreported.

During the tour of the DeWitt Center encampment, the grand jury witnessed a few examples of behavioral health issues. One person was vigorously polishing a bag of valuable “diamonds” (quartz crystals) he had found. Another camper they encountered was asked, “Are you ready to go to a shelter?” His reply? “NO!” When asked, “Why not?” he stated, “The shelters are just like jail. I would rather live here.” When asked by the deputy if he was willing to talk with an HHS staff member, who was also on site, he said he would. This resident wants to move out but wants to skip the shelter and HHS process and go straight into a county provided home. In a separate interview PCSO estimated that when HHS, during their twice weekly visits, makes an offer of shelter and services, 98 percent decline.

Animals are not immune from the behavioral issues of their owners. According to PCSO, some pet owners see no harm in “partying” with their animals. Recently, three dogs had to be confiscated and treated for drug overdose and abuse by their owners.

As the grand jury walked around the encampment, they observed that some campsites were neat and orderly without much in the way of personal property. Others appeared to be inhabited by hoarders. Some had a fence around their homestead clearly indicating “Keep Out.” A few dogs were noted. The premises were observed to be tidier than in the

past but not clean by any standard. There were five porta-potties and a huge dumpster available. Even with these basic accommodations, some residents continue to insist on using the ground for depositing human waste and trash.

The grand jury was told in interviews that crime is prevalent on the property, mainly assaults, thefts, drugs, and public intoxication. Most crimes go unreported through fear of retaliation and distrust of the law enforcement system.

A member of the PCSO command staff informed the grand jury there has been a large increase of complaints within the encampment. These grievances include assault, battery, sales of narcotics, animal cruelty, and domestic violence. This increase of criminal behavior has resulted in additional non-HLT deputies responding thus taking them away from community needs. The staff member also related that many weapons, including more than twenty replica guns, have been confiscated and removed from the encampments.

To help curtail crime, the sheriff's department recently installed two camera trailers with four cameras each and three trailers with lights at the DeWitt Center. The property is now on CCTV twenty-four hours a day, seven days a week. The cameras show a nearly 100 percent view of the encampment. Cameras are not monitored but everything is recorded for review by the sheriff's staff. The large lights are on all night.

The following statistics were provided by the PCSO liaison team:

March 2021-February 2022	Calls for Service	Transient Related Calls	Citizen Initiated Calls	Deputy Initiated Contact
Placer County (excluding North Auburn)	28,830	2,034 7% of PCSO response due to transient related calls	59%	41%
North Auburn (includes DeWitt Center)	13,374	4,335 30% of PCSO response due to transient related calls	56%	44%

There are six deputies assigned to the HLT to patrol 24/7, either on foot or by vehicle, all occurrences of homelessness throughout unincorporated Placer County. Looking at the statistics provided, the grand jury questions how only six deputies can be expected to cover the entire county without drawing other deputies away from their assigned communities and duties.

Placer County Sheriff's Office command staff stated that permanent, low barrier shelters located in local jurisdictions would make it easier for the sheriff's department, local law enforcement, and HHS to monitor and interact with their residents. These shelters are not intended to be used as permanent residences, but a starting point in the journey towards rehabilitation and permanent housing.

Currently, there are no low barrier shelters in Placer County. In fact, the grand jury learned that there are very few low barrier shelters in the State of California. Per several interviewees, the reason for the lack of low barrier shelters is that most communities don't want this type of shelter in their neighborhoods. The public has concerns about the eyesore of homeless shelters, increased crime, and the visible behavioral and mental health issues of some shelter residents. Most citizens want the problem to be dealt with as out-of-sight, out-of-mind, or NIMBY.

Low barrier vs. high barrier shelters

The following matrix helps to define the many differences between low barrier and high barrier shelters.³⁹



Placer County Sheriff's Office Homeless Liaison Team 2022. Photo Courtesy of PCSO



Photo Credit: Norma J. Worley

³⁹ Connecticut Coalition to End Homelessness (cceh.org) <https://cceh.org/wp-content/uploads/2015/12/Shelter-Philosophy-Matrix.pdf>, accessed March 9, 2022

	Lower Barrier, Housing Focused Shelter Philosophy	Practices	High Barrier, Transitional Shelter Philosophy	Practices
Safety and Order	<p>Consider the safety of households.</p> <p>Believes excessive rulemaking can be traumatizing to some survivors of domestic violence.</p> <p>Violating rules not necessarily cause for discharge.</p>	<p>Very few criteria for people they will not accept.</p> <p>Staff trained in conflict resolution and de-escalation techniques.</p> <p>Try to avoid discharge for out-of-control behaviors.</p>	<p>Consider the safety of clients and staff in shelter.</p> <p>Addresses safety concerns by minimizing loss of control over environment.</p> <p>Violation of rules are grounds for discharge.</p>	<p>Restrictive criteria that require sobriety.</p> <p>Clients discharged because they are not able to follow the rules, sometimes not allowed to return for long periods of time.</p>
Substance Use	<p>Believe temptation for people in recovery is everywhere and that shelter cannot protect anyone from it.</p> <p>Believes it is not necessary for households to be clean and sober to obtain or maintain permanent housing.</p>	<p>Accepts people who are intoxicated.</p> <p>Staff are trained in harm reduction, recognize signs of a health crisis when people are intoxicated.</p>	<p>Believe allowing intoxicated people in shelter will threaten the sobriety of people in recovery.</p> <p>Believe they are better able to help who are clean and sober.</p>	<p>Does not accept people who are intoxicated.</p> <p>Conducts breathalyzer or drug tests.</p>

	Lower Barrier, Housing Focused Shelter Philosophy	Practices	High Barrier, Transitional Shelter Philosophy	Practices
	See people using substances as more vulnerable to harm if unsheltered.			
Case Management and Services	Case management in the shelter is focused on connecting people to housing as quickly as possible.	<p>Services in shelter are minimal and focused on obtaining housing services once households exit to housing.</p> <p>Housing is homebased and focused on housing stability.</p> <p>Clients drive their own case plans and develop their own goals for obtaining housing</p> <p>Continued stay in shelter is not</p>	<p>Case management in shelter is focused on helping people obtain employment, increase income, and learn life skills.</p>	<p>Services in shelter are robust as funding allows.</p> <p>Some “after care” services once households exit shelters, but these are minimum.</p> <p>Case plans are standardized and may be linear regardless of client’s unique situation.</p> <p>Clients may be discharged for not participating in case management or accomplishing</p>

	Lower Barrier, Housing Focused Shelter Philosophy	Practices	High Barrier, Transitional Shelter Philosophy	Practices
		contingent on participation in case management.		goals on case plan.
Access	Weighs the expense of longer hours of operation against the increased time to engage with clients and the safety of the clients during the day. Believe people who are more difficult to accommodate are least likely to find shelter elsewhere and more likely to sleep outside if	<p>Shelter access is 24/7.</p> <p>Clients are not required to pay for shelter beds.</p> <p>Allow people to store belongings.</p> <p>People are not turned away because they have pets that are not service animals.</p>	<p>Believe clients should be out working towards goals such as employment and should not remain in the shelter.</p> <p>Limitations on space, staff time, and other concerns make it impossible to accommodate everyone.</p>	<p>Clients must leave shelter during the day.</p> <p>Cannot accommodate people with pets.</p> <p>Sleeping areas are not conducive to couples without children remaining together.</p>

	Lower Barrier, Housing Focused Shelter Philosophy	Practices	High Barrier, Transitional Shelter Philosophy	Practices
	not accommodated.	Couples without children can remain together.		

The grand jury asked multiple HHS management personnel as to whom could be contacted to respond to questions regarding the implementation of low barrier shelters in Placer County. No one was able to answer that question or identify to whom to go for an answer. One high level HHS manager, when pressed, stated that the Homeless Council of the Sierras, a non-profit organization, is the key government oversight for homeless services in the county.

Funding for Homeless Services

The grand jury sought to determine total funding spent on homeless programs by the county as part of the HHS quarter-billion-dollar budget. County officials interviewed were not able to expound on this subject because of their lack of knowledge of the financial aspect relating to homeless services. One member of the Board of Supervisors (BOS) stated that Placer County does not allocate any general fund monies specifically for the homeless. Rather, funding for services is through the HHS budget. At a public forum, an HHS staff member was asked by a citizen whether the amount of money the county expends on homeless services was eleven million dollars. HHS staff could not confirm this amount but remarked that that figure seemed a little low.

County officials' lack of transparency or knowledge about budget and expenditures hindered the grand jury's investigation. Because this financial information for homeless services is not available for review, neither the grand jury, nor the public, have any basis for understanding whether funds are being spent responsibly or effectively. In contrast, non-profit programs' funding and expenditures information is accessible online. The grand jury gathered data from IRS Form 990s filed by several local non-profits receiving grant monies. Funding amounts and sources are reported on these forms, including, but not

limited to, grants, private donations, and independent fundraising. Expenditures are also listed and categorized.

The grand jury's investigation discovered that a lack of transparency on this subject is not just a Placer County issue. California Assembly Bill 2630 was introduced on February 18, 2022, by California State Representative Patrick O'Donnell.⁴⁰

This bill would require each city, county, and city and county that has used funds from any source to assist in addressing homelessness to submit a report to the council providing specified information, thereby imposing a state-mandated local program.

SECTION 1.

Section 8257.3 is added to the Welfare and Institutions Code, to read:

8257.3.

A city, county, or city and county that has used funds from any source to assist in addressing homelessness shall submit a report on or before July 1, 2023, and annually thereafter, to the California Interagency Council on Homelessness that includes all the following:

- (a) A list of each agency of the city, county, or city and county that has received or spent funds to assist in addressing homelessness.
- (b) The name of each program under which the city, county, or city and county received or spent funds to assist in addressing homelessness.
- (c) For each program identified pursuant to subdivision (b), all the following:
 - (1) The amount of funding received.
 - (2) The amount of funding spent.
 - (3) A description of every service provided.
 - (4) The number of individuals experiencing homelessness that were housed as a result of the program.
 - (5) The number of individuals experiencing homelessness that occupied a bed funded by the program.

⁴⁰ California Assembly Bill 2630, Housing: California Interagency Council on Homelessness: report, <https://legiscan.com/CA/text/AB2630/id/2523688>, accessed April 18, 2022

- (6) The number of individuals experiencing homelessness that received services funded by the program.
- (7) The number of permanent housing units created with funding from the program.
- (8) The number of new shelter beds created with funding from the program.

The goal of AB 2630 is to bring accountability, as well as answers, to the many funding and expenditure questions posed by local citizens and this grand jury. It would require all cities and counties to declare all homeless funds received and how those funds are spent.

Multiple Consultant Reports

In 2021, the Placer County BOS authorized a \$195,000 expenditure to hire Moore Iacofano Goltzman (MIG) to provide facilitation, planning, and technical assistance to a regional workgroup composed of inter-jurisdictional elected and appointed officials. MIG was tasked with reviewing data from existing programs and services that currently assist people experiencing homelessness throughout the county. It must be noted that this is the third independent consultant report on homelessness authorized in the past eighteen years, spanning three decades.

Moore Iacofano Goltzman will facilitate a series of regional and community engagement meetings to gather additional input for their recommendations report. The BOS stated that the multi-phase report will address needs related to shelter capacity, staffing, and facilities. The report will evaluate potential operating models and include estimated capital and operating costs along with possible funding sources.

The Regional Working Group was established to help guide the effort. This group consists of two representatives from each of the county's jurisdictions. This effort is intended to build on past accomplishments and recommendations initiated in the 2014 Marbut Consulting report. There are two committees within the Regional Working Group. The first is comprised of county employees and the second is an ad hoc committee composed of elected officials.

The MIG report called for completion of Phase One by December 2021. On February 15, 2022, an HHS manager was asked if the report could be released to assist the grand jury. The response was that the report was not yet available. The HHS manager stated that the report had not yet been approved by the ad hoc committee of elected officials and therefore could not be released. On March 15, the grand jury discovered on the Placer County web site that the initial report had been released. The following chart lists the key findings and/or recommendations from two previous Placer County consultant reports, along with the latest suggestions from the MIG Phase One report.⁴¹

⁴¹ Potential strategies emerge from Placer's regional effort to respond to homelessness, published March 11, 2022 <https://www.placer.ca.gov/7875/Strategies-emerge-from-Placers-regional>, accessed April 18, 2022

Placer Consortium on Homelessness and Affordable Housing: Ten-Year Plan to End Homelessness in Placer County 2004-2014⁴² HomeBase/The Center for Common Concerns Consultants 2003	Homeless Needs Assessment and Action Plan for Placer County⁴³ Marbut Consulting March 30, 2015	Placer Regional Homelessness Response—Emerging Strategies Phase One Report⁴⁴ MIG Consultants March 2022
FINDINGS RECOMMENDATIONS	FINDINGS RECOMMENDATIONS	FINDINGS RECOMMENDATIONS
If we build a sufficient number of units to house every homeless person—but do not offer barrier-free, appropriate supportive services (as well as sufficient transitional and other short-term housing)—we will never end homelessness.	Open a 24/7/168/365 Come-As-You-Are Services (CAYA) Center in Auburn for single homeless men and women... co-locating and integrating adult homeless services at one location.	Explore the possibility of growing the amount of supportive interim housing by converting hotels/motels into interim housing by siting criteria. Renew conditional use permit for North Auburn emergency shelter. Explore Safe Park and/or Safe Camp locations.
Establish a <i>safe haven</i> , providing a low-demand, less structured environment in which to provide mentally ill homeless people immediate	There is a critical need for 24/7 emergency services and sheltering/housing in Auburn.	Explore the potential of a <i>Sobering Center</i> (short-term center for people experiencing intoxication or mental health crises) with

⁴² Placer Consortium on Homelessness and Affordable Housing: Ten-Year Plan to End Homelessness in Placer County 2004-2014

https://b.3cdn.net/naeh/bc565b27f9926bfcb8_zwm6ib1ui.pdf, accessed April 18, 2022

⁴³ Homeless Needs Assessment and Action Plan for Placer County Prepared by Robert G. Marbut Jr., Ph.D., Written Report - March 30, 2015, www.placer.ca.gov/DocumentCenter/View/10397/Homeless-Needs-Assessment-and-Action-Plan-PDF?bidId=, accessed April 18, 2022

⁴⁴ Placer Regional Homelessness Response Emerging Strategies Phase One Report, March 2022, www.placer.ca.gov/DocumentCenter/View/59123/Final-Placer-Homelessness-Response-Emerging-Strategies-Phase-One-Report, accessed April 18, 2022

Placer Consortium on Homelessness and Affordable Housing: Ten-Year Plan to End Homelessness in Placer County 2004-2014⁴²	Homeless Needs Assessment and Action Plan for Placer County⁴³	Placer Regional Homelessness Response—Emerging Strategies Phase One Report⁴⁴
FINDINGS RECOMMENDATIONS	FINDINGS RECOMMENDATIONS	FINDINGS RECOMMENDATIONS
access to safety, stability, permanent housing referral, and treatment.	Relative to the rest of the USA, the overall number of people experiencing homelessness per capita is low. However, the number of people experiencing chronic and street-level homelessness is nearly TRIPLE the national average, and this situation is getting worse.	appropriate services and support. There is a need to provide more options for people who do not meet current entrance requirements for sheltering and other services. Benefit: Low barrier shelters will allow people to gain access to safe housing who would otherwise remain on the streets or camping on public lands.
Develop a multi-service center (MSC) that would offer and coordinate the delivery of basic need and therapeutic services. Comprehensive services would be available at this “one-stop” site. Coordinating services in this way will often lead to a more effective and	Longer term, more suitable sites and options should be researched, such as a mini-campus model that has been promoted at times by the Lazarus Project. Beyond affordability, availability and good community buffers, a new location should allow for a true 24/7/168/365 come-as-	Continue to explore need for emergency shelter in south Placer outside of residential neighborhoods with on-site services or proximate access to services.

Placer Consortium on Homelessness and Affordable Housing: Ten-Year Plan to End Homelessness in Placer County 2004-2014⁴²	Homeless Needs Assessment and Action Plan for Placer County⁴³	Placer Regional Homelessness Response—Emerging Strategies Phase One Report⁴⁴
FINDINGS RECOMMENDATIONS	FINDINGS RECOMMENDATIONS	FINDINGS RECOMMENDATIONS
accelerated path toward housing and stability, as outreach, shelter, support services and permanent housing all can be provided to clients in a coordinated manner that makes success more likely.	you-are center to be created with holistic and comprehensive services.	
Develop accountability measures that enable us to manage our efforts and track our outcomes and progress.	There is no integrated-strategic level decision making process. There is not a connected “system” of care. Service providers are largely working in their own isolated silos. The existing HMIS and PITC data is “thin” and does not allow policy makers to make meaningful strategic decisions.	Homeless Management Integrated System (HMIS) provides a coordinated platform for multiple agencies to assess and serve unhoused people. Evaluate and strengthen Coordinated Entry/211 Coordinated Entry System (CES)

The recommendations of all three reports emphasize the need for low barrier shelters.

Low barrier shelters act as a starting point in addressing the visible needs of those in the encampments. Shelter workers and HHS employees work with the temporary residents, assessing their needs, and directing them to services available through the county and non-profit organizations. Sheriff deputies and law enforcement who now patrol the encampments would be able to continue their communication and interactions with the campers but in an entirely safer and healthier environment.

Low barrier facilities strive to create an atmosphere of trust between the residents and service providers, guiding homeless persons towards improving their life issues with the end objective of obtaining a permanent housing placement. Ideally, per PCSO, there should be a low barrier facility established near every law enforcement agency in the county, allowing each jurisdiction to handle their local encampment issues.



Photo Credit: Norma J. Worley

Placer County Camping Ordinance

On January 11, 2022, the county CEO's staff introduced a proposed ordinance to repeal and replace the previously proposed county code that would have banned all camping on the PCCG between the hours of 7:00 a.m. and 10:00 p.m. The proposed ordinance directed CEO's staff to explore service alternatives during the hours when camping would be prohibited.

On February 8, 2022, the BOS received public comment on the code change. Staff was also asked to solicit additional community input concerning the PCCG encampment and the proposed ordinance.

On February 23, 2022, staff from the PCSO, HHS, Probation, and the CEO's office held a two-hour community roundtable to share information on county-provided homeless services, discuss concerns regarding the campsite, and solicit public input on the new proposed ordinance.

This meeting produced many viewpoints including:

- Attendees agreed that the current condition of unhoused encampments and accumulation of personal property on the PCCG is unacceptable and that action by the BOS is warranted

- The current encampments of unhoused individuals present health and safety concerns to county employees and the public who have experienced vandalism, theft, confrontations, threats, and additional offensive behavior from unhoused individuals residing at the PCGC
- Putting time and place restrictions on encampments will encourage unsheltered individuals to engage in services and find housing
- A daytime camping ban which required daily breakdown and set up of camps would create a hardship, particularly for elderly or disabled individuals

On March 8, 2022, the CEO's office presented modifications to the proposed ordinance based on community input. The revised proposed ordinance stated:

- Those camping by necessity, meaning no low barrier beds are available, will be allowed to stay on county property; however, they will be expected to assume a reasonable degree of responsibility for the condition of their camp and for their behaviors
- Camping on county property will only be prohibited where and when ordinance referenced signage is posted
- Elimination of the daytime camping ban, allowing campers to remain on property 24 hours a day
- New "clean and clear" provisions allow the county to provide housekeeping services for residents of encampments by addressing rodent infestations, removing soiled furniture, rotten food, and resolving other unsafe or unsanitary conditions

Upon implementation of the proposed ordinance, CEO staff will create and develop an additional task force. Their duties will be to monitor and routinely clean areas where individuals are known to be camping by necessity. This is intended to help ensure the health and safety of the public.

The CEO's office stated that there would be a one-time allocation of \$150,000 from the general fund for clean-up efforts at the government center for debris removal, temporary storage, and signage installation. Ongoing costs for future clean-up efforts are unknown. The BOS then voted to repeal the current camping ordinance and replace it with the CEO's recommendations.



Photo Credit: Norma J. Worley

Possible Future Solutions

On May 11, 2021, the BOS adopted the Placer County Housing Element 2021 – 2029⁴⁵. In that report, a new program/allowance for neighborhood shelters was established and states, in part:

HE-41 [Zoning Code Amendments for Emergency and Supportive Housing] was established to amend the zoning code to allow for low barrier-navigation center developments by right in mixed-used zones and nonresidential zones permitting multifamily uses. Low-barrier navigation centers are temporary service enriched shelters, focused on helping homeless individuals and families obtain permanent housing.

The grand jury interviewed a staff member from a local homeless services provider. This agency is a multifaceted entity that at any given time serves over 185 homeless men, women, and children in Placer County through programs at four separate locations. The organization operates a one-hundred bed, high barrier emergency housing and services program located at the DeWitt Center in Auburn. Due to COVID-19, the current maximum capacity is ninety-two. This facility accommodates Placer County residents eighteen years or older. The entry requirements include, but are not limited to, residents being clean and sober and not a Penal Code § 290 registered sex offender. A limited number of support animals are allowed at this facility. None of these shelters, however, are classified as low barrier facilities.

A local non-profit organization is in the process of obtaining grant and private funding to build a large, multi-level facility. If approved, this would be a controlled environment facility offering subsidized rental housing, emergency housing, low barrier shelter, health care, and support services in a single location. The proposed facility, with a fifty-bed low barrier section, is one feasible option offered to Placer County to help alleviate the encampment problem. If a campus-type homeless facility is approved, the current one hundred-bed high barrier shelter at the DeWitt Center could then be repurposed into a fifty-bed low barrier facility. These two proposed low barrier shelters would be able to house most of the homeless campers who are now residing on county-owned property.

Another suggested option to housing the homeless is to continue acquiring hotel properties for Project Homekey. Homekey is the state's competitive grant program that followed Project Roomkey, which urgently sheltered vulnerable people experiencing homelessness in trailers, motels, and hotels to prevent the spread of COVID-19.⁴⁶

On April 28, 2022 this option became a reality when Placer County announced that they were awarded \$23,516,978 in funding for the intended purchase of a Roseville hotel to be converted as permanent supportive housing for people experiencing homelessness. The

⁴⁵ County of Placer, 2021-2029 Housing Element, <https://www.placer.ca.gov/7394/Goals-Policies-and-Programs>, accessed March 22, 2022

⁴⁶ www.placer.ca.gov/7979/Placer-County-awarded-235-million-to-con#:~:text=Homekey%20is%20the%20state's%20competitive%20grant%20program%20that,anticipation%20of%20state%20funding%20coming%20to%20an%20end, accessed 5/26/2022

former Hampton Inn & Suites in Roseville is the proposed Roomkey site to be converted to permanent supportive housing under the new Homekey grant, with eighty-two residential units which will be managed a local nonprofit provider.

Previously the county acquired a fourteen-unit motel in Kings Beach during the first round of Homekey, which is currently undergoing renovations. Like at the Kings Beach site, the Roseville Homekey site would have an onsite house manager and additional services. Clients would be referred through the waitlist from the homeless resource helpline and expected to adhere to house rules and pay a percentage of their income as rent. Continued personalized case management could keep them engaged in employment or vocational activities, mental health, medical, and other services as needed.

There are concerns, however, of continuing with this hotel-type of shelter service. Some local government officials say Roomkey's high cost makes it difficult to sustain long-term. Roomkey typically costs \$4,000 per room each month, including services like security, case management, food, and laundry. The federal government is reimbursing those costs to local governments through at least September 2022.⁴⁷

Conclusion

The grand jury's investigation uncovered the fact that there is no single owner or leader in county staff overseeing the homeless issue. The lack of information from HHS made it difficult to compile specific facts and figures needed to accurately report the number of homeless currently residing in Placer County. In addition, HHS lacks knowledge as to the specific amount of funds available, allocated to the homeless, and how it is spent on remedying the problem. The attempt by the grand jury to gather financial information was an act of futility because county officials were not able to provide answers.

There is a common sentiment that homeless individuals are being excluded from services and shelters due to their complex needs. The grand jury learned that many individuals are, in fact, self-excluding because they choose not to conform to prescribed rules as a requirement to be admitted into the available high barrier shelters. These individuals choose not to follow societal norms that ensure everyone's safety that promote shelter and community harmony. Shelters without rules are not realistic. It calls into question what and how much should reasonably be invested in services and shelters for individuals who will not or cannot enlist in them.

Despite the public's negative perception and antagonism towards implementation of low barrier shelters, this type of facility could help resolve the problem of the encampment at DeWitt, as well as those that have sprung up throughout the county. If low barrier shelter beds are available, the county would be able to relocate campers to a facility in compliance with Martin v. Boise.

Placer County can be a leader for change by proactively building a better system of care for those who are chronically homeless. It is just a matter of county agencies, private entities,

⁴⁷ www.ijpr.org/poverty-and-homelessness/2021-05-04/project-roomkey-sheltered-thousands-of-californias-homeless-residents-will-the-model-live-on-post-pandemic Accessed 5/26/2022

and non-profit organizations creating and incorporating low barrier shelters into the services and housing that are already offered.



Photo Credit: Norma J. Worley

Findings

The grand jury found:

- 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.
- F2:** Placer County officials were repeatedly unable to provide the grand jury with requested detail and information about the homeless problem, resulting in a lack of transparency.
- F3:** No Placer County official was able to provide the grand jury with accurate statistics related to costs, funding, and population of the homeless, making analysis of the homeless issue difficult.
- F4:** The Placer County Board of Supervisors allocated a \$195,000 contract with Moore Iacofano Goltzman to provide facilitation, planning, and technical assistance to a regional workgroup. Despite repeated requests for information gathered by the consultants, the grand jury was refused access to the draft report, revealing a lack of transparency.
- 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.
- 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.
- F7:** A local non-profit entity proposes a facility that, if approved, might address some of the needs of the homeless in Placer County.
- 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 were spent, which would force Placer County executives to be transparent about funding received and spent.
- F9:** The approved camping ordinance is inadequate in discouraging the continued use of encampments. As written, the “clean and clear” provision will allow the campers’ homesite to be improved with no cost or responsibility placed on the camper. Allowing the campers to remain without accountability deters them from seeking help through county services.
- F10:** The passing of this revised camping ordinance does not resolve the issue of how to reduce the number of campers and encampments in Placer County.

- F11:** Campers migrate to Placer County due to the lax camping ordinance. Only 55-60 percent of the campers in the PCGC encampment at the DeWitt Center are from Placer County, placing a burden on local taxpayers and public safety.
- 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.
- F13:** Not all homeless individuals make the choice to accept support services or enter shelters due to mental health or behavioral anomalies.
- F14:** There is a lack of leadership, responsibility, and accountability among Placer County officials in dealing with the homeless situation.
- 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.
- F16:** The Placer County Sheriff's Office Homeless Liaison Team would be strengthened with the addition of more deputies.
- F17:** All three of the previously contracted consultant reports, across nearly three decades and costing taxpayers hundreds of thousands of dollars, address the same issues and appear to have similar findings and recommendations, and have been ignored by previous and current county officials.

Recommendations

The grand jury recommends that:

- R1:** By January 1, 2023, 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.⁴⁸
- R2:** By January 1, 2023, the Placer County Board of Supervisors shall implement the provisions of proposed Assembly Bill 2630, requiring all unincorporated areas and cities in Placer County to be transparent on all funding received and expended on homelessness.
- R3:** By January 1, 2023, the Placer County Executive Officer shall create a transparent homeless expense report for the public. This report must include all county costs, expenses, and funding for all county programs relating to the homeless population. This report shall be published semi-annually on January 1 and July 1 of each year and shall be placed prominently on the county website.
- R4:** By January 1, 2023, and to meet the obligations of the 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.
- 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.
- 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.
- 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.
- 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.

⁴⁸ It should be noted that the 2020 - 2021 Grand Jury Report recommended “By January 1, 2022, Placer County Health and Human Services will take steps to add a division or reorganize the department, to create a single designated division to manage all homeless programs in the county.”, www.placer.courts.ca.gov/grandjury/2020-2021/2020-2021Final%20Report%20FINAL%20VERSION.pdf, accessed April 20, 2022

R9: By October 1, 2022, the Placer County Board of Supervisors shall compare and evaluate the two prior homeless consulting reports (2004 and 2015) with the current 2022 report to determine why little or no action has been taken on the previous and almost identical report recommendations. No further consultants should be hired or compensated until previous recommendations have been implemented.

Request for Response

Pursuant to Penal Code § 933.05, the Placer County Grand Jury requests a response from the following governing bodies:

	<u>Recommendations Requiring Response</u>	<u>Response Due Date</u>
Cindy Gustafson Chairperson Placer County Board of Supervisors 175 Fulweiler Avenue Auburn, CA 95603	R1, R2, R4, R6, R7, R8, R9	September 1, 2022
Devon Bell Sheriff Placer County Sheriff's Office 2929 Richardson Drive Auburn, CA 95603	R8	September 1, 2022
Jane Christenson Acting County Executive Officer Placer County Executive Office 175 Fulweiler Avenue Auburn, CA 95603	R1, R3	October 1, 2022
Dominick Casey City Manager City of Roseville 316 Vernon St Roseville, CA 95678	R5	October 1, 2022
Aly Zimmerman City Manager City of Rocklin 3970 Rocklin Rd Rocklin, CA 95677	R5	October 1, 2022

Sean Scully City Manager City of Lincoln 600 Sixth Street Lincoln, CA 95648	R5	October 1, 2022
John W. Dunlevy, Jr. City Manager City of Auburn 1225 Lincoln Way Auburn, CA 95603	R5	October 1, 2022
Sean Rabé Town Manager Town of Loomis P.O. Box 1330 Loomis, CA 95650	R5	October 1, 2022
Wes Heathcock City Manager City of Colfax P.O. Box 702 Colfax, CA 95713	R5	October 1, 2022

Copies sent to:

Dr. Robert Oldham
Director
Placer County Health & Human Services
3091 County Center Dr. #290
Auburn, CA 95603



Photo Credit: Norma J. Worley



Lincoln, California

A City in Transition



Photo Credit: Bob Bettencourt



Lincoln, California

A City in Transition

Summary

The city of Lincoln is a rapidly growing city. Its population increased 282.1 percent between 2000 and 2010, making it the fastest growing city with over 10,000 people in the United States.⁴⁹ As a result of this significant growth, Lincoln is at a crossroads.

The confluence of events potentially impacting Lincoln's financial stability are (1) citizen mistrust of its government, and (2) urban sprawl that has farmers at odds with city council. A 2019 state auditor's report on the city of Lincoln, titled *Fiscal Mismanagement, Insufficient Accountability and Lax Oversight Threaten the City's Stability*⁵⁰ (the state auditor's report), pinpoints many issues of this fast-growing city.

In the past few years, Lincoln has made noticeable changes to its city government with the election of new city council members, a commitment to greater government transparency, and more recently, hiring a new, experienced city manager. Despite these advances, some residents and a few generational farmers are at odds with the Lincoln City Council (LCC) and the Lincoln Planning Commission (LPC). Other citizens have pointed out continuing concerns that have not been addressed. These include financial issues, lack of transparency, prior grand jury reports, the current city plan, and overall approach to growth and other governing problems.

Glossary

Assembly Bill (AB) 2257 Brown Act: The Ralph M. Brown Act is an act of the California State Legislature, passed in 1953, that guarantees the public's right to attend and participate in meetings of local legislative bodies.

Agriculture Overlay (AG): A zoning plan that allows current farmland to be maintained in areas of development. The AG overlay is subject to change by the city council.

Lincoln City Council (LCC): An elected five-member board that governs the municipality. The position of mayor is filled by the LCC on a rotational basis.

Lincoln city plan: Adopted by the LCC in March of 2008. It is the document that is used to guide the city's growth and development.

Lincoln Planning Commission (LPC): A seven-member board appointed by the city council that oversees and approves the city's development plans.

⁴⁹Table 5, page 11, "Population Distribution and Change: 2000 to 2010" U.S. Census Bureau, dated March 2011, <https://www.census.gov/content/dam/Census/library/publications/2011/dec/c2010br-01.pdf> accessed April 22, 2022

⁵⁰Report: "City of Lincoln Financial Mismanagement, Insufficient Accountability, and Lax Oversight Threaten the City's Stability March 2019" <https://www.auditor.ca.gov/pdfs/reports/2018-110.pdf> Recommendations and responses, <https://www.auditor.ca.gov/reports/responses/2018-110/all>, various document dates, accessed April 22, 2022

State auditor's report: In March of 2019, the California State Auditor issued a report about the City of Lincoln, titled, "Fiscal Mismanagement, Insufficient Accountability and Lax Oversight Threaten the City's Stability."

Village 5: A proposed development of 8,100 new homes along the Highway 65 corridor.

Background

The 2021-2022 grand jury received two complaints regarding the Lincoln city government. One of the complaints could not be investigated. The other complaint involved the practices of the LPC. As the grand jury investigated this complaint, it decided to expand the scope of the investigation to include the LCC and the city government.

Methodology

The grand jury conducted interviews with current and former Lincoln city officials, city council members, and concerned citizens; viewed city council meetings on recorded video, and reviewed the LCC and LPC agendas and minutes. Internet research was conducted utilizing open-source inspection of social media. As part of customary due diligence, the grand jury reviewed previous grand jury reports. The Placer County Grand Jury (PCGJ) also conducted an in-depth review of the 2019 state auditor's report. This investigative process led the grand jury to a variety of findings.

Two jurors have been fully recused from this investigation.

Discussion

Previous Investigations and Audits

The first resource the grand jury reviewed was the March 2019, state auditor's report. The scope of the report highlighted irregular practices of the city's governing body. These practices included making questionable loans, transfers and allocations, over-charging utility ratepayers, not following established policies and procedures, alleged conflict of interest by a councilmember, and not following protocol in town meetings.

Lincoln agreed with the state auditor's report findings and committed to resolving the issues. City officials stated to the grand jury that two recommendations by the auditor remain outstanding and are in process for correction. One is the update to the Public Facility Element and the other is the interfund loan accounting cleanup.

The second resource the grand jury reviewed was the PCGJ 2019-2020 report stating Lincoln did not provide a prominent online link to current city council meeting agendas in non-compliance with the Brown Act. That report recommended that Lincoln update its website by making the link to the current city council agenda prominent. Lincoln disagreed partially with the recommendation but has subsequently complied and enhanced its website for easier and more efficient user navigation.

Thirdly, the 2020-2021 grand jury reported that Lincoln had significant issues in the management of its airport. Lincoln has failed to implement any of the changes recommended in that report.

The March 11, 2022 edition of the *Lincoln News Messenger* pointed out concerns with the airport and reported that the airport's management has resulted in unrealized revenue. The *Lincoln News Messenger* article also stated "... the city could receive about 40 percent of the margin price that it costs in order to fuel a plane. For example, fueling an average jet costs about \$17,000, according to the pilots. This means the city could earn an estimate of \$6,800 for the General Fund every time an average jet fuels up." The article stated that the city is looking at the issues.⁵¹



Photo Credit: Bob Bettencourt

Ongoing Financial Management Concerns

Lincoln continues to deal with financial issues. A review of the budget for the fiscal year ending June 30, 2021, showed that Lincoln's sales tax revenues covered about 8.6 percent of the city's budget and property tax revenue covered 22.2 percent.

In comparison with nearby Roseville, 41.9 percent of Roseville's budget is covered by sales tax and 32.4 percent of it is covered by property tax. A recent PUBLICCEO web article entitled, "A primer on California city revenues, Part two: Major city revenues,"⁵² stated that, "sales and use tax revenue provides on average 30 percent of general-purpose revenue and often as much as 45 percent." The article also stated, "Property tax revenue accounts for more than one-third of general revenue for the average full-service city." Lincoln falls well short in both areas.

As pointed out by almost all the individuals the grand jury interviewed, this lack of revenue is a major problem and accounts for many of the city's difficulties in recruiting and retaining staff. The police and fire departments are understaffed based on comparison with other neighboring jurisdictions. As one point of comparison, the city of Auburn has a headcount of twenty-eight police staff and twenty-two fire fighters.⁵³ Lincoln, with more than three times the population, has a police headcount of twenty-five—eighteen officers, half a chief, one lieutenant, and four-and-one-half sergeants. Lincoln fire district has twenty-and-one-half headcount—half a chief, two battalion chiefs, nine fire captains, and nine fire fighters.⁵⁴

As disclosed in interviews with some city officials, the city's shortfall in revenue is the major factor in understaffing of the police and fire departments. Placer County has also

⁵¹ Lincoln pilots respond to airport recommendations update, Dana Harrison, March 11, 2022 3:00 PM, Gold Country Media, <https://goldcountrymedia.com/news/215339/lincoln-pilots-respond-to-airport-recommendations-update/> accessed April 22, 2022

⁵² "A primer on California City Revenues, Part Two: Major City Revenues", Michael Coleman, December 1, 2016 <https://www.westerncity.com/article/primer-california-city-revenues-part-two-major-city-revenues> accessed April 22, 2022

⁵³https://www.auburn.ca.gov/DocumentCenter/View/1840/FY-20-21-Budget_2020-2021_page_2 Preliminary Operating Budget, accessed April 22, 2022

⁵⁴Data from Auburn and Lincoln 2021 Budget page 141 and 144, <https://www.lincolnca.gov/en/our-government/resources/Documents/Finance/Budgets-AnnualOperatingandCapital/Budget-FY-2020-2021-compressed.pdf> accessed April 22, 2022

recognized this shortfall, as indicated below. On October 28, 2020 the Placer County website published an article titled, “Placer County set to share more tax revenue with City of Lincoln to enhance public safety.” According to the article:⁵⁵

The Board of Supervisors (BOS) has approved a resolution authorizing an agreement that could provide the City of Lincoln up to \$11.7 million to enhance public safety for city residents. The jointly drafted agreement allows for a two-year extension if Lincoln voters approve a supplemental sales tax or transaction tax measure by 2028 to augment the city’s safety services budget. This temporary funding increase will aid Lincoln over the next few years, but a more permanent solution will be needed.

Current and former Lincoln officials, who spoke to the grand jury, stated that for the city to become fiscally healthy, it needs to grow its retail and commercial base. One city official stated that Costco would be an ideal candidate to increase the city’s revenue with sales tax proceeds. Costco’s site criteria⁵⁶, per Gallellire.com and other sites, states that Costco requires a population of 200,000+ within a five-mile radius and a median family income of \$75,000+. While Lincoln’s median income is sufficient, at nearly \$89,000, the population of Lincoln is less than 50,000. The prospects of a Costco opening in Lincoln are not favorable. These same demographics also make attracting other large box retailers problematic.

Because of its inability to draw large box retailers, Lincoln has opted to build more homes. In some of the developments, retail space has been reduced in favor of more homes. If all 8,100 homes are built in Village 5, at an average home price of one million dollars, the city of Lincoln would net about \$4.5 million dollars annually (5.6 percent, the city’s share, of eighty-one million dollars in property tax). While this seems to be a large amount, it still does not meet the percentage of yearly income revenue needed to support city operations.

Lincoln’s sales tax rate is 7.25 percent, of which the city gets 1 percent.⁵⁷ If one looks at the sales tax rate in the other cities in Placer County, Roseville charges 7.75 percent, Loomis charges 7.50 percent, while Rocklin, Auburn and Colfax all charge 7.25 percent. Cities can



Photo Credit: Bob Bettencourt

⁵⁵ Placer County set to share more tax revenue with City of Lincoln to enhance public safety
Published on Oct. 28, 2020, <https://www.placer.ca.gov/6928/County-shares-more-tax-revenue-with-Linc> accessed March 18, 2022

⁵⁶ https://www.gallellire.com/images/client_flyers/Costco.pdf, accessed April 22, 2022

⁵⁷“A primer on California City Revenues, Part Two: Major City Revenues”, Michael Coleman, December 1, 2016, , <https://www.westerncity.com/article/primer-california-city-revenues-part-two-major-city-revenues> accessed April 22, 2022

increase their sales and use taxes in increments of .125 percent with two-thirds city council approval and majority voter approval for a general tax. A special tax requires a two-thirds voter approval. The combined rate of these taxes is capped at two percent in most counties. This may be one way Lincoln could raise additional funds for police and fire. The temporary funding granted by Placer County also points to this and states that Lincoln needs to do this by 2028 to continue to receive the additional county revenue.

Agriculture Overlay Concerns

For most of its existence, Lincoln has been a farming community. Today, this small town has grown to become a bedroom community as well as a destination retirement community: Sun City Lincoln Hills (6,783 existing homes), Esplanade at Turkey Creek (850 homes under construction), and Twelve Bridges: Nature's Master-Planned Community, all contribute to this rapid growth. Village 5, part of Lincoln's general plan to increase single family housing, is in the planning/review stages. This project seeks to build 8,100 homes along Highway 65.



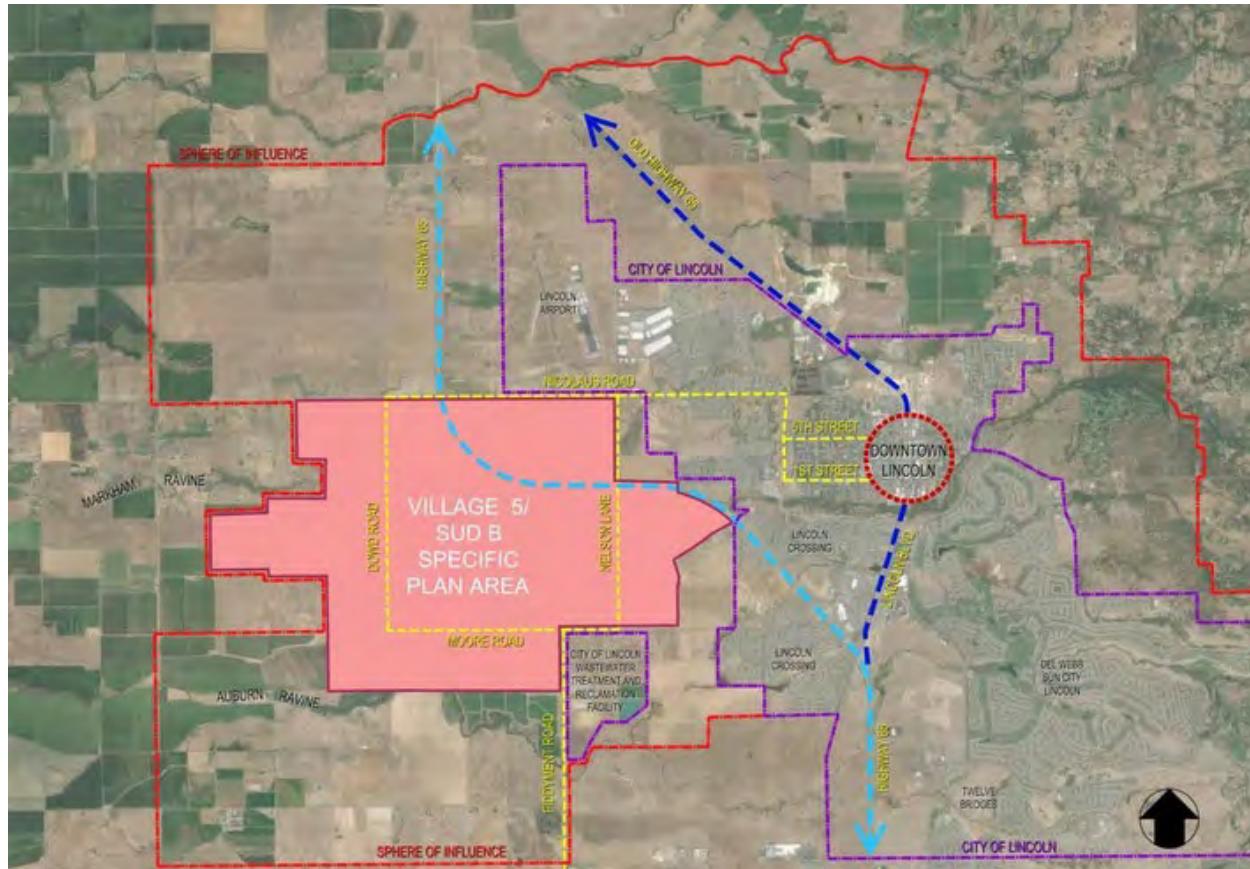
Photo Credit: Bob Bettencourt

The grand jury learned during its interviews that concerns exist about the Village 5 project. Specifically, the issue pertains to rezoning of farmland to meet the need of the builders of this project, with or without the landowners' consent. This is, in fact, within the city council's powers. In September 2021, the city council approved, on recommendation of the planning commission, consideration for rezoning for annexation of 4,785 acres as part of Village 5.

During interviews, the grand jury learned that some farmers plan to continue to farm their properties. A concession from the LPC to the landowners was proposed—an AG overlay. The grand jury took a deeper look into exactly what an AG overlay is and learned that this may not benefit the farmers in the long run, as it is not a permanent allowance and is subject to change by current or future city councils.

The Lincoln general plan shows that farmlands along the Highway 65 corridor are intended for future residential and commercial use.⁵⁸ When questioned by the grand jury as to the validity of this provision in the AG overlay agreement, council members did state that there is no guarantee that the AG overlay will remain for any significant time and that they are unable to establish an "in perpetuity" type of agreement with farmland owners. Given the mistrust that some of these individuals have with the city council, it is a cause of concern for the farmers.

⁵⁸[Lincoln General Plan - Technical Appendices \(lincolnc.gov\)](https://www.lincolnc.gov/en/business-and-development/resources/Documents/technical-appendices.pdf) March 2008, <https://www.lincolnc.gov/en/business-and-development/resources/Documents/technical-appendices.pdf> accessed April 22, 2022



The Village 5 Specific Plan <https://www.lincolnvillage5.com/>

Open Space Issues

The City of Lincoln has planned its residential and commercial developments to ensure the presence of ample “open space.” Open space is generally defined as undeveloped land that is open to the public. Lincoln has identified two different types of open space, as defined in their Village 5 planning documents, and used for zoning purposes:

1. Village 5 open space preserve: coinciding with the Auburn and Markham Ravine corridors. Zoning is applied to natural resources, including creeks, and seasonal wetlands as well as oak trees and natural vegetation.
2. Natural open space: this designation is applied to areas adjacent to open space preserves. These areas are set aside to preserve wetland and “aquatic resource features that contribute to the integrity of the watersheds” contained within the Village 5 open space areas.

The issue of open space was not raised in the initial citizen complaint received by the grand jury. The topic did come up during the grand jury interviews. One of the interviewees discussed the zoning of open space and the financial impact that it could have on property owners in areas being zoned as open space.

Lincoln’s stated intention is to enable property owners to continue to use their property for agricultural purposes. If the property owners choose to sell their property at some time in

the future, the land will be subject to new zoning requirements. Property zoned for open space usage will not be available for development. From the farmers' perspective, this zoning could impact the sale value of this land and make it more difficult to sell in the future. Some interviewees suggested that the open space designations were protective of the developers' land and interests and not the farmers.

Outdated City Plan

Citizens and stakeholders complained that Lincoln, which has an approved city plan, doesn't follow it when it conflicts with development ideas that are presented to the LPC and LCC.

The LCC is primarily responsible for following the 2008 city plan in recommending whether to approve new development. Those persons interviewed indicated that at the current time, the LCC doesn't seem to follow the plan. This has resulted in controversial developments and further breached the trust of some citizens. The grand jury learned that, per state law, plans can be amended up to four times a year.

It was stated during multiple interviews that the general plan should be updated to reflect the city's current situation. A city official made a statement that changes are made "arbitrarily." This comment was substantiated during multiple interviews. Without an updated and workable plan, there can be no long term look at what is best for the city.

Lack of trust in city leadership

Some of the interviewees stated that they have a lack of trust in city leadership. The grand jury was not able to quantify how widespread this is and decided only to note it here. Some of these concerns were in response to the state audit, some mentioned the aura of secrecy surrounding city officials, and some stated that Lincoln would disregard whatever the grand jury reports.

Although unable to quantify the number or percentage of Lincoln citizens that lack trust in government, it came up enough during interviews with citizens, past and present Lincoln officials, and on social media, for the grand jury to believe that it is still a significant issue. For the city to move forward, city officials need to be open and transparent. The new city manager has stated that he is planning to hold open forums to build trust. The council also needs to work to build the trust of the citizens.

It is notable that despite the fact that in 2020 Placer County granted Lincoln up to \$11.7 million to address public safety issues, not one Lincoln official mentioned this in grand jury interviews. Some of that money is conditional based on Lincoln increasing their sales and use tax rate, which would require LCC approval and a citizen vote. To begin to establish trust, concerns must be dealt with in an open and honest manner.

Conclusion

Lincoln has addressed some of the issues uncovered by previous investigations and is in the process of resolving some of those that are outstanding. Despite their efforts, there are still areas of concern that need to be rectified. These include the ongoing revenue shortfall,

a general plan that is out-of-sync with the rapid growth of the city, and the perception of a lack of transparency and openness in the LCC.

Findings

The grand jury found that:

- F1:** Lincoln has significant financial issues and needs to find additional ways to increase revenue
- F2:** City government has failed to act on previous recommendations.
- 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.
- 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.
- F5:** Lincoln is attempting to resolve some of the problems caused by past mismanagement.
- F6:** The new city manager seems capable and aware of the issues facing the city.
- F7:** Lincoln lacks sufficient commercial and retail establishments needed to increase its tax base.
- F8:** Lincoln lacks the demographic parameters that draw large retailers to a city.
- F9:** The city has had significant turnover in city management positions including city manager, police chief, and fire chief.
- F10:** The police and fire departments are greatly understaffed for the current population of the city.
- F11:** The city's general plan needs to be updated to reflect population growth and the state of the city.
- F12:** Lincoln's sales tax rate is 7.25 percent.
- F13:** Building more houses will not generate enough property tax revenue to solve the city's financial issues.

Recommendations

The grand jury recommends that:

- R1:** By October 1, 2022, the Lincoln City Council shall approve a raise in the sales tax.
- 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.

- 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.
- 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.

Request for Response:

Pursuant to Penal Code § 933.05, the Placer County Grand Jury requests a response from the following governing bodies:

	<u>Recommendations Requiring Response</u>	<u>Response Due Date</u>
Holly Andreatta, Mayor City of Lincoln Lincoln City Hall 600 Sixth Street Lincoln, CA 95648	R1 ,R2, R3, R4, R5, R6	September 1, 2022
Sean Scully, Lincoln City Manager Lincoln City Hall 600 Sixth Street Lincoln, CA 95648	R1, R2, R3, R4, R5, R6	October 1, 2022



Livestreaming of Classes

Rapid Response from Public Schools During the COVID-19 Pandemic

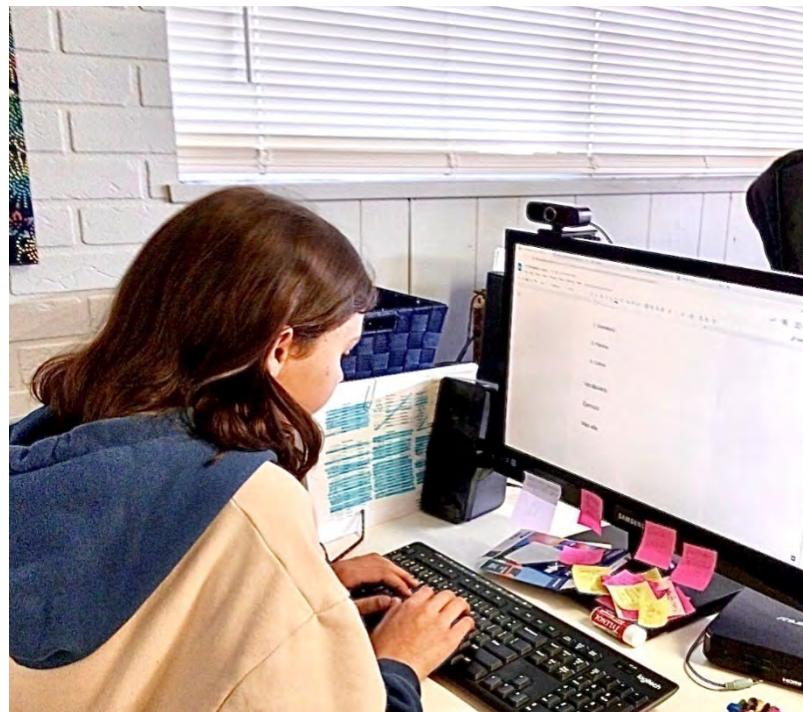


Photo Credit: Monica Gavia



Livestreaming of Classes Rapid Response from Public 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.

Background

The Placer County Grand Jury investigated the Placer County Office of Education's (PCOE) and several local school districts' responses to the pandemic. The grand jury also investigated if any of the knowledge and practices utilized during the pandemic could be applied to current and future school challenges. The grand jury chose to research this topic while the experience was still fresh in educators' minds.

Methodology

The Placer County Grand Jury investigated distance learning by interviewing Placer County educators and through internet research.

Discussion

On March 11, 2020, the World Health Organization declared COVID-19 a pandemic. Two days later, President Trump declared the pandemic a national emergency. Placer County responded as follows:

- **Friday, March 13, 2020**—Placer County Superintendent of Schools, Gayle Garbolino-Mojica, announced all public schools in Placer County would be closed for three weeks in response to the COVID-19 outbreak.

- **Monday, March 16, 2020**—Placer County Office of Education⁵⁹ temporarily closed over 100 schools across nineteen districts, affecting at least 74,900 students and 4,370 staff (according to figures from the California Department of Education).⁶⁰
- **Tuesday, March 17, 2020**—Governor Gavin Newsom stated that schools (including Placer County) could remain closed until summer. “Don’t anticipate schools are going to open up in a week,” Newsom said. “Please don’t anticipate in a few weeks. I would plan and assume that it’s unlikely that many of these schools, few, if any, will open up before the summer break.”⁶¹
- **Friday, April 3, 2020**—All public-school buildings in Placer County closed for the remainder of the academic year.

Placer County public school districts responded to this shutdown by shifting from in-class learning to livestreaming neighborhood campus classes as their teaching/learning platform. Schools distributed thousands of computers to students to facilitate this new learning mode. Hot spots (internet connection devices) were also distributed to families with limited internet access. Utilizing a personal computer and the internet to access learning portals established by each school allowed students to continue their education.

Teachers received emergency on-the-job training on the technology of streaming and conducting a virtual classroom along with information on how to keep students engaged. Depending on the school district, teachers received staff development training for online teaching as early as March 2020. This training included applications such as Google Classroom, Canvas, Microsoft Teams, and Zoom. Virtual instructional materials were also provided to guide and enhance the development of course materials.

Throughout the summer of 2020, Placer County school districts developed extensive plans to return safely to in-person instruction. While school districts had hoped to return to in-class/in-person instruction at the beginning of the 2020-2021 school year, the return was delayed by the state based on the number of COVID-19 cases reported in the county. Fourteen continuous days of declining cases were needed before schools could begin to transition back to in-class instruction.

The 2021-2022 school year began with livestreaming of neighborhood campuses. It would not be until mid-September or later before some districts started in-class instruction. Parents who did not want their child to return to in-school learning had the option of enrolling them in an independent study program, some of which also offered a virtual (remote) school setting. Many schools had soft openings, having just a few grades and small

⁵⁹ The Placer County Board of Education, also known as the County Board, serves a vital role as the elected governing body for the Placer County Office of Education (PCOE) that operates under the authority of the California Constitution, the Legislature, California Education Code and the State Board of Education.

www.placercoe.org/Pages/PCOE/About/Board-of-Education/Board-of-Education.aspx

⁶⁰“Parents scramble for daycare plans as schools are scheduled to close for three weeks”, Van Tieu, March 13, 2020, www.abc10.com/article/news/health/coronavirus/parents-scramble-plans-as-schools-are-scheduled-to-close-for-three-weeks/103-1b3cfb66-2147-46e9-aa13-77666aa3fd21, accessed April 20, 2022

⁶¹ California schools likely to be closed for rest of school year, governor says, March 17, 2020; From CNN's Jon Passantino www.cnn.com/world/live-news/coronavirus-outbreak-03-17-20-intl-hnk/h_db93f61179be21e3f7f3c1c3b887552a, accessed April 20, 2022

groups starting at alternating times. School programs evolved as the year progressed using various hybrid methods, such as attending in person on alternate days, half-days (half morning/half afternoon), and working independently at home.

Students, parents, caretakers, and educators learned to navigate and benefit from the use of livestreaming. This fostered innovation in the continuing use of this technology, post-pandemic. Many teachers now offer parents the opportunity to participate in parent/teacher conferences remotely via video conferencing. Some schools have the capability to offer an online version of “Back to School” night for those parents who are unable to physically attend. Additionally, many teachers continue to utilize skills gained during the pandemic by posting lectures and homework assignments on school web sites, allowing absent students to keep up with the class.

Once schools were back in session, livestreaming of neighborhood school classes was discontinued. Placer County Office of Education interviews revealed that PCOE’s “hands are tied” as to continuing livestreaming of neighborhood school classes. California legislation does not allocate funds for a hybrid teaching system (simultaneous classrooms). Districts have the capability and option to continue with livestreaming of actual classes but without the ADA financial support. The longstanding accepted format for schools to receive attendance funding has been that students must be in a “butts-in-seats”⁶² type of classroom setting.

Conclusion

Placer County public school districts rose to the challenge of how to continue to teach and reach students during the COVID-19 pandemic shutdown. The implementation and use of livestreaming technology of neighborhood classrooms and classes enabled students to attend their local campus, virtually. After the reopening of schools, the continued use of this technology for teaching at-home students ceased to be used. Many instructors, however, continue to employ this technology to reach parents and caretakers who might not be able to attend school functions or parent meetings.

The pandemic restrictions for public schools also applied to the Placer County Grand Jury. Jury member meetings took place via ZOOM or TEAMS much like the students who attended classroom sessions by way of a livestreaming application. Once the pandemic was over, however, the grand jury still had the option to livestream meetings and classes. Unfortunately, Placer county public schools do not have the same option.

⁶² This is a type of program whose purpose is to simply fill up seats, or it refers to a metric based on participation and attendance. Beyond Butts in Seats: Building an Elite Program, June 11, 2007, by cmadmin, certmag.com/beyond-butts-in-the-seats-building-an-elite-program, accessed April 20, 2022

Findings

The grand jury found that:

- F1:** Placer County school districts are commended for their swift response to the pandemic shutdown of in-class learning. Their quick implementation of live-streaming classes, the educators' willingness to embrace a new way of instructing students, and the districts' generosity in providing laptops to ensure that no student is left behind, shows the dedication of all those involved in the educational field.
- F2:** While technology is available to livestream neighborhood classes for students who must quarantine or for those students who might desire to attend neighborhood school classes via livestreaming, funding is not available to support the continuation of this type of teaching method. Average Daily Attendance funding is only allotted to Independent Study students and those that have "butts-in-seats."

Recommendations

The grand jury recommends that:

None. There are no recommendations.

Copies sent to:

Gayle Garbolino-Mojica
Placer County Superintendent of Schools
Placer County Office of Education
360 Nevada Street
Auburn, CA 95603

Placer County Jails and Holding Facilities

**Annual Inspection Report
2021-2022**





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

Summary

Placer County Grand Jury conducted required inspections at the seven Placer County jails and holding facilities in Roseville, Rocklin, Auburn, and Tahoe City between the months of July and November 2021. The grand jury found these facilities to be secure, orderly, and well-run.

Glossary

Bill Santucci Justice Center: Located in Roseville, it includes the South Placer Adult Correctional Facility, Placer County Minimum Security Facility, Howard G. Gibson Courthouse, Placer County Probation Department, and Placer County Coroner's Office.

BSCC: Board of State and Community Corrections

Detainee: Any person detained in a lockup, regardless of adjudication status.

Holding Facility or Cell: A cell in a police station or courthouse in which an inmate is held temporarily, pending charge, trial, or sentencing.

Inmate: A person confined to an institution such as a prison or hospital.

Jail: A confinement facility of a federal, state, or local law enforcement agency whose primary use is to hold persons pending adjudication of criminal charges.

Pods: Smaller, separate, and self-contained housing units known as pods or modules are designed to hold sixteen to sixty inmates and are arranged around exercise yards or support facilities in a decentralized campus pattern. A small number of prison officers, sometimes a single officer, supervise each pod.

Sally Port: A secure, controlled entry way to an enclosure.

Background

California Penal Code § 925 mandates that the grand jury shall investigate and report on the operations, accounts, and records of the officers, departments, or functions of the county. Penal Code § 919(b) specifically mandates the grand jury to inspect jails within the county.

Methodology

The grand jury visited each facility, interviewed staff, and observed inmates in housing, work, and activity areas.

One member of the grand jury was fully recused from the investigation.

Placer County Sheriff's Office (PCSO) staff facilitated inspections in the following locations:

Jails:

1. Placer County Main Jail (PCMJ) in Auburn (October 25, 2021)
2. South Placer Adult Correctional Facility (SPACF) in Roseville (October 22, 2021)
3. South Placer Minimum Security Facility (SPMSF) in Roseville (October 22, 2021)

Holding Facilities:

1. Howard G. Gibson Courthouse holding cells in Roseville (November 9, 2021)
2. Historic Courthouse in Auburn (August 30, 2021)
3. Placer County Sheriff's Substation in Tahoe City - Burton Creek (September 28, 2021)
4. Rocklin Police Department Holding Cells (July 30, 2021)

Discussion

Placer County Main Jail

The grand jury inspected the Placer County Main Jail located at the Placer County Government Center in North Auburn. Jail staff escorted the team through the facility and provided needed information.

This facility, managed and operated by PCSO, was built in 1985 for 108 inmates and has since been expanded twice, once in the 1990s and once in the 2000s. The capacity now is about 380 although that number is fluid given the current COVID-19 pandemic and the needs of individual inmates.



Photo Credit: Joe Sledge

Much of the operation of the main jail and the programs offered match the operations and programs in the South Placer facilities. Those commonalities in procedures and programs are:

- Booking procedures
- Types of cells
- Visitation policies
- Medical evaluation and continual COVID-19 testing
- COVID-19 responses (about 15% of Auburn inmates are vaccinated according to staff)
- Incentives to vaccinate

- Shifts for jail personnel
- Clothing
- Commissary
- Tablets for inmates
- Inmate welfare fund
- Classification
- Staff training, initial and continuing

There are some differences between the two facilities. The Roseville facility programs come to the inmates since they are housed in self-contained pods. In the earlier designed PCMJ, inmates move to the programs and so the hallways are in constant use as inmates are moving from area to area. This makes traffic control at the Auburn facility critical to maintain inmate physical separation while moving about the facility. This movement is monitored and coordinated through the Central Control station. From time to time, inmates from other jurisdictions are housed in Auburn. For example, El Dorado County inmates spent time in an area set aside exclusively for them, after they'd been evacuated due to the Caldor Fire.

The medical facility at the PCMJ is substantially smaller (six beds compared to thirty-eight) than the SPACF. When medically necessary, the inmates are transferred to SPACF or to a local hospital depending on degree of need. The same contractor, WellPath, manages the medical, dental, and behavioral health care needs of inmates at both facilities. Jail personnel teleconference on a weekly basis with the Placer County Health Department providing COVID-19 data for inclusion on the county COVID-19 dashboard. The grand jury observed inspirational messages painted on the walls of the main corridor saying things such as, "Change your thoughts and you change the world."

Meals are prepared at the SPACF facility and transported to the PCMJ. Meals are reheated in Auburn and are then dispensed to inmates who eat in their pods.

Important to management of the Placer County jails is the implementation of AB109 (Public Safety Realignment Act of 2011). The grand jury learned that AB109 has had a profound impact on county jails. Auburn staff reports two major effects. First, inmates with less serious felonies have been transferred to county jails from state prisons. This has affected the make-up of local jail populations as well as the environment of the jail. The second effect has been the release from custody of inmates with lesser offenses and time remaining on their sentences.

According to jail staff there are almost no low-level inmates in the Placer County jails. The decision on whom to release is based on the classification system of inmates and time remaining to be served. Inmates are classified upon entry into the system. According to staff, those inmates who have been moved from state prison facilities would prefer to return to the state prisons rather than spend their time in Placer County jails. Staff further

related that inmates have remarked that the rules are stricter in county facilities than in state prisons.

With the closing of the Deuel Vocational Institution in Tracy, California, which was the corrections department inmate transfer station, PCSO deputies are now required to transport inmates to Kern County, the new inmate transfer station. This removes deputies from their normal duties for up to two days.

In the holding cells at this facility, cleaning is carried out by inmates each time a cell is vacated. In one cell, there was an accumulation of toilet paper wads on the walls, the video monitoring camera, and floor. In another cell there were brown streaks on the wall. It was further noted that in some cells there was an accumulation of debris where walls and floors intersect.

South Placer Adult Correctional Facility and South Placer Minimum Security Facility

South Placer Adult Correctional Facility

The grand jury inspected the SPACF and the SPMSF. Both facilities are co-located on Go For Broke Road in Roseville, a part of the Santucci Justice Center. The inspection team met with command staff. All staff encountered were polite, engaging, and forthcoming with information. According to a member of the command staff, "we are here to keep them safe," and when asked what keeps him awake at night his immediate response was "the safety of staff and inmates."



Photo Credit: Joe Sledge

The facilities are operational twenty-four hours per day, 365 days per year. Correctional staff work twelve-hour shifts, seven to seven, four days on and three days off, subject to an alternating schedule. Current staffing is generally twelve to eighteen deputies, depending on available personnel, correctional officers, and support staff. Coverage at night is considerably lower. All training, such as first aid and automated external defibrillator (AED), is up to date.

Construction for both facilities was completed in 2015. The population, at the time of this inspection, consisted of 332 male inmates at the SPACF and 120 male and female inmates, which is maximum capacity, at the SPMCF. Female inmates (other than minimum security) are housed in the PCMJ in Auburn.

The public counter area, located inside the main entrance, provides access to the inmate visiting area. Inmates are allowed up to two visits, for a maximum of one hour per week for family members or other authorized contacts. The visits are through video equipment with no physical contact possible. Additional video visits are available for a fee. Attorney visits and mental health visits are unlimited and conducted elsewhere within the facility.

This part of the facility also houses administrative offices which deal with visitors, warrants, bail payments, and other administrative issues. As a result of AB109, some arrestees are released without cash bail and are given a Promise to Appear in Lieu of Bail citation. There are also staff facilities for meetings, shift changes, exercise, and locker rooms. All are clean, neat, and well organized.

The grand jury inspected the intake area, booking area, visitor video area, kitchen, and laundry facilities. The medical services unit, the medium and high security detention pods, and the recreational areas were inspected during the same visit. In the booking area, the grand jury observed several workstations for doing intake interviews, medical screening, fingerprinting, and sobriety evaluations.

Arrestees are brought into the facility through a sally port. The arresting officer processes paperwork and notifies the correctional staff, medical staff, and Central Control that a new inmate has arrived. Part of the intake process includes a complete body search by using a full body scanner. Body cavity searches are also conducted as deemed necessary. There are many signs in the intake area explaining procedures, for example, "Arresting Officers Do Not Remove Handcuffs."

Once inmates have been evaluated, tested for COVID-19, and assessed, they are turned over to correctional personnel. For low level crimes, some arrestees qualify for either a Promise to Appear in Lieu of Bail citation or cash bail and are released. Arraignments are held within two days, except during weekends when arraignments can be done over the phone.

Inmates are assessed based on gender, classification of past criminal convictions, prior assaults on inmates and staff, behavior or psychological problems, escape risk, prison history, and those requiring protective custody. The assessment results determine where the inmate will be housed. New arrivals are not placed with those close to release.

Inmates are then issued color coded jumpsuits. Jumpsuits, footwear, underwear, and bedding are all issued to inmates by the clothing department. There is a weekly schedule for exchanging soiled clothing and bedding. When holding cells are vacated, they are cleaned by inmates from the minimum-security facility.

If problems are noted during medical screening, inmates may be sent to a local hospital for further evaluation. Detainees who are extremely intoxicated due to alcohol or drugs, or suffering from significant behavioral health issues, are housed in special sobriety or mental health appropriate cells. Every fifteen minutes, staff physically check on inmates occupying cells in the medical and psychiatric observation area. Inmates on suicide watch are under constant staff observation.

The staff is particularly proud of the medical and dental wing which has cells for inmates, exam rooms, dental facilities, and negative pressure rooms reducing disease transmission.

The medical unit also administers the Jail Based Competency Treatment Program⁶³ which is aimed at preparing inmates with mental health problems for court proceedings.

The permanent housing facilities are divided into pods, which can hold either thirty or sixty individuals based on configuration. Pods are self-contained with a recreation area and communal television. Inmates are issued a radio receiver with headphones for listening to television and radio, and communicating with staff, thus reducing noise within the pod.

There are also showers, a commissary kiosk, attorney rooms, monitors for video visits, classrooms, and common areas. Each pod contains cells which hold one or two inmates. Library services, meal delivery, and minor medical attention are also included in the pods. Video communication equipment is available, allowing inmates to communicate with approved contacts on the outside. Inmates share tablets which are used for various functions such as ordering commissary items, filing complaints, and remote education. There is no general internet access through these tablets.

All meals for Placer County adult and juvenile detention facilities, as well as some community-based charities, are prepared at the SPACF and delivered to the correctional facilities. Meals are prepared in the cook-chill method, allowing for the transport of prepared food to be reheated at the offsite facilities. Attention is paid to individual dietary requirements, such as religious or medical needs.

Another program the Sheriff's department provides to inmates is educational instruction, administered by the Placer School for Adults. These educational opportunities are held via distance learning or educational packets. Inmates can partake of lessons or programs such as anger management, life skills, parenting, Alcoholics Anonymous, Narcotics Anonymous, employment seeking skills, GED, math, and reading. Inmates receive one day off their sentences for every eight days of participation in the educational programs. This same formula is used to encourage inmates to work within the facility including laundry operations, facility cleaning, food preparation, and other chores.

To access the Howard G. Gibson Courthouse, inmates are escorted using a tunnel that connects the courthouse to the jail. The courthouse and the jail both contain holding cells that have heavy doors, benches, toilets, and cameras. Inmates remain in these holding cells for only a short amount of time while awaiting court appearances.

This area consists of several one or two person cells plus a few group cells that can hold up to thirty inmates. Male and female inmates are held in separate cells. The entire area is under video surveillance except for the toilets. At the time of the grand jury inspection, the tunnel linking the jail with the courthouse was closed due to flooding. Until repairs are complete, inmates are transported by van from the jail to the courthouse.

⁶³ Jail Based Competency Treatment Program is a partnership between the California Department of State Hospitals, Placer County Sheriff's Office, and the county contracted medical provider to restore competency to Penal Code § 1368 offenders deemed incompetent to stand trial.

South Placer Minimum Security Facility

The grand jury inspected the SPMSF located adjacent to the SPACF. Construction of this modern facility was completed in 2015. Approximately sixty male and sixty female minimum security inmates are housed in this stand-alone building.

The South Placer Minimum Security Facility, while a separate building, is within the Santucci Justice Center. The main differences between the SPACF and the SPMSF are that minimum security inmates are housed in barracks and can work in the kitchen or laundry areas. COVID-19 has removed the opportunity to work off-site. Female inmates work in the laundry and sewing areas and male inmates staff the kitchen. These inmates receive modest compensation and can work time off their sentences. The facility was clean, well maintained, and orderly at the time of the inspection.



Photo Credit: Joe Sledge

A new facility that will provide classroom space for vocational education and mental health services is in the planning stages. This facility will include fifteen beds for inmates with greater mental health needs, along with thirty beds for inmates without special needs. This building will be located immediately adjacent to the SPMSF.

Howard G. Gibson Courthouse

The grand jury conducted its annual inspection of the Howard G. Gibson Courthouse holding facility. The facility opened in July 2008, and is clean, secure, well maintained, and modern. Jail staff provided a briefing and guided tour of this facility.

The largest holding area, located in the courthouse basement, is connected to the jail by an underground tunnel. Normally, when inmates are scheduled for their court appearance, they are collected from their jail cell and escorted to the holding cell via the underground tunnel. They are then held in this area until summoned to the actual courtroom. Once summoned, inmates travel by elevator, one inmate at a time, to the appropriate courtroom upstairs and are held in a courtroom holding cell until their case is called. The tunnel is currently under construction to correct a flooding issue; therefore, inmates from all Placer County jails and holding facilities are securely transported by vehicle to the courthouse. They enter the courthouse basement through the sally port. Inmates headed to court from other jails and holding facilities also enter the tunnel through this sally port.



Photo Credit: Joe Sledge

There are twelve holding cells in the courthouse basement capable of detaining up to fifty inmates. The cells allow for the separation of inmates by age, gender, gang affiliation, special needs, and alleged crimes. Multiple inmates may be put in the same cell if they are

in a corresponding category. All cells have water and toilet facilities. The toilet is out of direct view of staff and security cameras. Each cell door has heavy black window coverings to prevent interactions between cells. The entire space has a central control surveillance operation and is staffed by at least two deputies. During times of peak usage, usually Wednesday and Thursday, an additional deputy will be assigned.

Holding cells are arranged so that there are cells and attorney rooms located near each courtroom. There are two elevators dedicated to transporting inmates to and from the proper floor and courtroom when called. Inmates are then met by a deputy who escorts them to the proper courtroom holding cell. The elevators, for security reasons, hold just one inmate; a deputy does not ride in the elevator unless the inmate requires special attention. Communication between deputies and courtroom bailiffs alerts control officers as to which inmate will be needed next and in which courtroom.

Attorney-client consultation rooms are located throughout the basement holding area as well as outside each courtroom. Attorney rooms are separated by glass partitions and allow for confidential attorney-client discussions. There are lock-controlled slots available for sliding documents back and forth between attorney and client and every document passed is first inspected by a deputy.

Should an inmate require emergency medical attention, staff will call 911. For general medical or behavioral attention, SPACF healthcare professionals are called to evaluate the inmate. Staff are trained and certified in first aid, CPR, and AED. All first aid equipment is readily available for use by staff. The cells are thoroughly cleaned at the end of the day by janitorial staff, including disinfecting for COVID-19.

Once inmates are finished with court proceedings, transport is called to move the inmates back to their jail. Inmates held through lunchtime are provided a sack lunch and beverage.

Historic Auburn Courthouse

The Auburn Historic Courthouse, which was dedicated on July 4, 1898, has two areas of operation. The first area is the main floor for public tours and the security checkpoint for visitors entering the courthouse. The Placer County Museum is located on this level. The second area of operations, located on the second floor and above, contains the courtrooms, which are full-service, providing for arraignments, preliminary hearings, and trials.



Photo Credit: Joe Sledge

The Placer County Sheriff's Office is the agency responsible for security at the courthouse. Staff provides security at the main entrance, courtrooms, holding cells, and sally port. The holding cells are for inmates with scheduled court appearances and are used weekdays during normal business hours only; they are not used for overnight confinement. Inmates are transported by a deputy sheriff to the Auburn Historic Courthouse from either the South Placer or Auburn facilities. Transported persons arrive at the courthouse with a sack lunch prepared at the South Placer facility. Inmates

requiring narcotic medication are not held at this location. Approximately three or four inmates per week are held in the holding cells.

The holding cells were functional and clean. They are cleaned daily by janitorial staff and by jail personnel after each use. Jail staff are well trained and annually certified in first aid, CPR, and AED. All first aid equipment is readily available for use. Deputies are armed since this facility is open to the public. Additional weapons are secured in a locker located near the first aid equipment. The sally port was clean and functional with the exception of a small pile of rocks and brick and a volunteer walnut tree. A black fabric tarp was installed this past year which provides privacy for the inmates. At the grand jury's first inspection, staff's main concern was the upgrading of the old camera security system as recommended in previous grand jury reports. A new and upgraded system had been approved and budgeted. Installation was tentatively scheduled for September 2021. It was noted that the security camera monitoring was done on a single screen at the point of entry on the main floor. There was no back up monitor anywhere else in the building.

On November 1, 2021, a small grand jury team returned to the Auburn Historic Courthouse to view the newly installed security camera system. Staff showed the team the new system. Rather than only one monitoring station, the new system was installed with three monitoring locations: main floor entrance, and second and third floor control areas. Several cameras were installed around the exterior perimeter of the building as well as throughout the interior. The exterior cameras provide an overview of the entire exterior of the courthouse property to include walkways, stairs, and parking areas. Interior cameras now provide monitoring of activity in all interior areas, courtrooms, secure and public stairways, public and secure hallways, and the holding cells. The only negative comment by the deputies was that the new system is unable to read vehicle license plates.

Placer County Sheriff's Office Tahoe Substation

The grand jury performed its annual inspection of the PCSO Tahoe Substation, also known as Burton Creek. Upon arrival, the grand jury found the outside appearance of the facility to be clean and well maintained. The parking lot had a very recent seal applied along with fresh striping.



Photo Credit: Bill Oudegeest

This facility was built in 1959, in preparation for the 1960 Winter Olympics, to be used as a temporary sheriff's substation. The location continues operations as a Placer County Sheriff's substation, housing a holding facility, Superior Court, and several related offices. The building has been painted and repaired over the years. It does not meet the accessibility requirements of the Americans with Disabilities Act. Despite the upkeep and cleanliness, the facility appears to have outlived its usefulness and ability to be modernized. Currently, grounds maintenance is performed by the deputies assigned to the facility. Prior to COVID-19, this function was carried out by a minimum security inmate from Auburn Jail who was transported to Burton Creek on a weekly basis.

The costs to upgrade the building would be prohibitive. Once upgrades exceed a certain dollar amount, the BSCC requires the facility be upgraded to the next category. This upgrade would be extremely costly and physically impossible. There are environmental concerns to be considered at the current location which further inhibit the ability to make any meaningful structural improvements.

The grand jury was told this location is currently understaffed. A total of twelve deputies and six sergeants are assigned while the PCSO has allotted eighteen patrol deputies and eight sergeants. Understaffing is due to the general lack of applicants and because of the high cost of living in this area.

Employee and visitor vehicles are parked in the open parking lots in front and on the sides of the building. The rear parking area is reserved for official vehicles and is posted as a secure area. No fence or gate was evident at the time of this inspection. Personnel on site stated they feel there is a need for at least security gates at each end of the restricted parking area. Deputies voiced concern about security for department equipment, vehicles, and personnel. Trespassing has become an issue.

Site security was recently upgraded with the installation of a state of the art CCTV security system. The new system, installed in June 2021, shows the exterior of the building, all cells, the court room, hallways, and the front desk. A large monitor resides in the administrative sergeant's office and is clearly visible to all who enter. The deputies on duty were happy with the new system.

There are three holding cells in the Tahoe Substation. Two cells are for male inmates and one is for female inmates. Each cell has two single bunks, a sink, and toilet. Security cameras have been installed in each cell, allowing for monitoring of the inmates. The cameras are aimed so that they do not view the toilet area, maintaining privacy for the inmates. The grand jury observed the cells, floors, walls, bunks, sinks, and toilets to be very clean and free from graffiti or other damage. Once a cell is no longer occupied, it is cleaned by jail staff who then place a strip of blue tape adjacent to the door indicating to others that the cell has been cleaned in accordance with COVID-19 guidelines.

There are no inmates housed at this facility overnight. In most situations, persons being held are transported to the PCMJ in Auburn. It was noted that it takes a deputy off the street for four hours or more to make the round trip to Auburn from Tahoe City. Transport to the PCMJ is generally done during regular business hours (7:00 a.m. to 5:00 p.m. Monday through Thursday). Outside normal business hours at Burton Creek, or when the roads to Auburn are impassable due to snow, fire, mudslide, or other issues, detainees are then transported to the Nevada County Jail in Truckee.

Information regarding the booking and jail services contract between PCSO and Nevada County Sheriff's Office was provided to the grand jury. This ongoing flat rate contract is currently \$488,009 annually, subject to an automatic 3 percent adjustment per year. This contract amount is paid regardless of the number of bookings involved. According to the deputies on duty at the time of the inspection at Burton Creek, there were 135 Placer County inmates, arrestees, and detainees transported to and housed at Truckee Jail in

2020. There were an additional twenty-six inmates rejected by Nevada County for various reasons, such as a medical condition, behavior problem, or potential for violence. Rejected inmates are transported to a medical facility or returned to Burton Creek. The transporting officer must then supervise the detainee until transport to the Auburn Main Jail is possible. Staff indicated that an inspection by BSCC was performed on August 19, 2021.⁶⁴ ⁶⁵

Rocklin Police Department Adult Temporary Holding Facility

Historically, the Rocklin Police Department (RPD) holding cells have experienced underutilization. Only two detainees have been held at this facility in the past twenty-four months. As a result, the RPD requested BSCC to decommission this facility, effective July 1, 2021.

Agreement⁶⁶ was reached and the BSCC has officially decommissioned the Adult Temporary Holding Facility as requested. In that agreement, the juvenile detention holding cells will continue to be inspected by BSCC but that is not a subject of this report. As such, the adult facility will no longer be subject to future grand jury inspections.



Photo Credit: Joe Sledge

Conclusion

All facilities inspected were found to be secure, clean and well maintained, and professionally staffed. Each facility adheres to CDC guidelines to prevent the spread of COVID-19. Staff at all three detention facilities strive to offer inmates improved educational and vocational opportunities, as well as expanded mental and physical health care.

⁶⁴ www.bscc.ca.gov/s_fsolocaldetentionfacilityinspectionreports

⁶⁵ <https://drive.google.com/drive/folders/19v8NZZyEFhMeXDMj4tDovIWdIUKMRoN9>

⁶⁶ BSCC letter - Appendix 1

Findings

The grand jury found:

- 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.
- F2:** Jail personnel are well-trained, take pride in their work, and are very professional.
- F3:** Inmate health care appears to be well managed by WellPath.
- F4:** Staff is cooperative, knowledgeable, and courteous.
- 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.
- F6:** The state deactivation of the inmate transfer facility at Deuel Vocational Institution has placed additional burdens on the county jail system.
- F7:** Debris in the sally port at the Auburn Historic Courthouse poses security and safety issues.
- F8:** A new security camera system at the Auburn Historic Courthouse has been installed and is completely operational. The system is unable to focus on vehicle license plates that were located in the parking lots, which is a potential security risk.
- F9:** The restricted parking area at Burton Creek is not secure, leaving it open to trespassers and potential loss of county property.
- F10:** The Burton Creek facility has outlived its functionality for the number of sheriff's personnel working in it.
- F11:** The Rocklin Police Department holding cells have been significantly underutilized over the past several years. As a result, the facility was requested to be decertified by the Board of State and Community Corrections.
- F12:** Placer County Main Jail is to be commended for the inspirational messages painted on various walls throughout the facility. These demonstrate a management attempt to maintain positive tone for inmates and staff alike.
- F13:** Implementation of AB109 has had an adverse effect on the inmate population and management of the Placer County jail system.

Recommendations

The grand jury recommends:

- R1:** By September 1, 2022, the Placer County Sheriff will institute improvement in the cleaning of the holding cells at the Auburn Main Jail.
- 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.
- R3:** By January 1, 2023, the Court Administrative Officer and Placer County Sheriff shall enable the camera system to read license plates on vehicles in and around the parking lots at the Auburn Historic Courthouse.
- R4:** By May 1, 2023, the Court Administrative Officer, Placer County Sheriff, and the Placer County Board of Supervisors shall approve and fund the construction of a security fence and gates enclosing the restricted parking area at Burton Creek.
- 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.

Request for Response

Pursuant to Penal Code § 933.05, the Placer County Grand Jury requests a response from the following governing bodies:

	<u>Recommendations Requiring Response</u>	<u>Response Due Date</u>
Cindy Gustafson Chairperson Placer County Board of Supervisors 175 Fulweiler Avenue Auburn, CA 95603	R4, R5	October 1, 2022
Jake Chatters Court Administrative Officer P.O. Box 619072 Roseville, CA 95661	R2, R3, R4	October 1, 2022
Devon Bell Sheriff Placer County Sheriff's Office 2929 Richardson Dr. Auburn, CA 95603	R1, R2, R3, R4	September 1, 2022

Copies sent to:

Rustin Banks
Chief
Rocklin Police Department
4080 Rocklin Road
Rocklin, CA 95677

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

Annual Inspection Report 2021-2022



Photo Credit: Joe Sledge



Placer County Juvenile Detention Facility and Rocklin Police Department Juvenile Holding Cells Annual Inspection Report 2021-2022

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.

Background

The mandate to inspect county juvenile facilities comes from the California Penal Code, § 919(b), "The grand jury shall inquire into the condition and management of public prisons within the county." This includes the juvenile detention facilities. The PCJDF is operated by the Placer County Probation Department and the Rocklin Juvenile Detention Facility is operated by the Rocklin Police Department. Both are pursuant to Title 15, Division 4, of the California Code of Regulations, and Chapter 2 of the Welfare and Institution Code, specifically §§ 636.2 and 852.

Methodology

On September 15, 2021, the grand jury visited and inspected the Rocklin Police Department's juvenile detention facility. The jury members did a visual inspection of the holding facility and were informed about how the facility operates and how juveniles are managed.

On October 6, 2021, the grand jury interviewed two members of the Placer County Juvenile Detention facility's staff who oversee the County Juvenile Detention Program and the PCJDF. The staff members described how the Placer County juvenile detention system works, various programs, and the philosophy behind their programs. On November 4, 2021, the grand jury visited the PCJDF. This visit consisted of a visual inspection and a complete tour by facility staff. Because the facility is operating under capacity, the grand jury was able to visit all parts of the facility; there was no possibility of the jurors coming into contact with detainees. Due to COVID-19 restrictions, the grand jury was not able to interview detainees. One juror was fully recused from the investigation.

Discussion

Placer County Juvenile Detention Facility

On November 4, 2021, the grand jury inspected the PCJDF. The detention facility was built in 2000 and was found to be clean, neat, orderly, and well-organized. It is divided into two sections: The Department Twelve courtroom for adjudicating juvenile offenders and the juvenile detention section.

The grand jury was told that these facilities are cleaned every four hours by staff or detainees, with professional cleaning happening once per day. Interview rooms are wiped down after each use. Staff told the grand jury this facility was last inspected by Board of State and Community Corrections (BSCC)⁶⁷ during the month of November 2020 and is inspected by the local fire department every two years.

At the time of the interview, in October, there were eleven inmates and at the time of the inspection visit on November 4, 2021, there were fifteen: nine males and six females. Total facility capacity is sixty in three pods, A, B, and C, plus an additional unit referred to as the Max. To enter each pod the doors are secured by either a large brass key or electronically released by a central control staff member. Currently one pod is not in use, which allowed the visiting team access to view the types of housing available to residents. Privacy rules for juveniles precluded the grand jury visiting occupied pods. The Max unit also has self-contained rooms which include toilet facilities. The pods consist of simple rooms containing bunks and shared toilet and shower facilities. Detainees have call buttons in their rooms so they may contact staff when locked down or at other times as needed. Since detainees were in their housing units, the visiting team was able to view all the other areas of the facility including the sally port⁶⁸, entry and classification area, holding cells for the court, recreation areas, kitchen, and nurse's office.

The grand jury was told that in the past, the detention facility did hold up to the maximum occupancy of sixty youths as was intended, but current occupancy is less. Staff attributes this to a change in juvenile detention philosophy that evolved over the years. The goal now is for youth to be reunited with their families, referred to community and services support and therefore held for shorter periods of time in the facility. Additionally, youth are provided access to many support programs either through the Placer County Probation Department or the court system. These programs are designed and implemented for rehabilitation and to be preventative rather than reactive. Most detainees are held for no more than four or five days, although there are some who are held longer, including one transferee from the now closed California Youth Authority.

There are twenty-eight Juvenile Institute Officers (JIOs), plus extra-help staff which cover either scheduled or unexpected absences. Assigned JIOs work either eight- or twelve-hour shifts with the number of days per week varying. The facility is in operation around the clock, year-round. The graveyard shift has four or five JIOs on duty and the day shifts have seven to nine support personnel. The nurse works twelve-hour shifts four days a week,

⁶⁷ BSCC Report: https://drive.google.com/drive/folders/1RdhJDxK3-H2ttlwn7_qcOWTT7NLLDH5z, Accessed June 7, 2022

⁶⁸ Sally port – A secure, controlled entry way to an enclosure, e.g. a fortification or prison.

with weekend and Friday shifts covered by the medical assistant. If there are medical needs after hours, medical personnel are called from the nearby Placer County Main Jail. The number of staff is regulated by BSCC.

New detainees enter the facility through the sally port, then into the processing area where they are fingerprinted, searched for contraband, classified, tested for COVID-19, allowed to call their parents, issued detention facility clothing, and given a medical evaluation by the nurse. There are two holding cells in the in-processing area; both were clean as was the entire processing area. After entry, detainees are allowed unlimited calls to family.

Juveniles are each assigned an account into which money may be placed by the inmate or their family. These funds can then be used for telephone calls or other incidentals.

Detainees must pay for phone use; if a family does not have the money, they may use office phones free of charge. Postage is provided and detainees may send unlimited letters. There is a staff review of all incoming mail.

Upon entry into the juvenile detention facility and to prevent possible COVID-19 exposure, detainees are placed in quarantine for fifteen days in the Max unit. Since the average stay is less than that, detainees are often released from the facility without having entered the general population. At the time of the visit, there were seven detainees in the Max under quarantine.

Detainees at risk of suicide are placed on suicide watch where they are continuously observed and are identified by special colored clothing. After a short continual observation period ruling out suicidal behavior, they can graduate to being checked every five minutes and then later given regular facility clothing and admitted to the Max unit.

The facility has a behavioral plan focused on positive attributes or actions. One aspect of this is the Positive Behavioral Intervention and Support (PBIS)⁶⁹ program. Detainees receive points each day, which can be accumulated and exchanged for privileges such as time away from their rooms, snacks, more recreation time, and even work assignments that help maintain the facility. Those detainees who do the best and reach the highest level are issued green shirts in place of the ordinary gray shirts and serve as examples to others. Misbehavior results in the subtraction of points and possible downgrade of status. Good behavior is acknowledged by staff as opposed to focusing on the negative.

Detainees have access to educational programs, behavioral health care, and religious services. Computers are made available to do schoolwork, but there is no internet access. There are four credentialed teachers, including one special education teacher, providing 240 minutes daily of instruction. There is also the opportunity for detainees to take college level courses.

Detainees are allowed up to four hours of free time each day which can include outdoor recreation. For large muscle activities, there are opportunities to play frisbee golf, basketball, and volleyball in the sport court. There is also a large outside recreation area for

⁶⁹ Placer County 2018/2020 Biennial Inspection Pursuant to Welfare and Institutions Code Section 209, November 12, 2019

soccer or running. Any time detainees are out of their rooms, they are supervised by staff. The outdoor recreation area is surrounded by an approximately twenty-foot-high chain-link fence topped with circular rolls of concertina wire for perimeter security.

Visitations are on Saturdays or Sundays, depending on the pod or the Max unit detainees are occupying. Adjustments can be made if parents or guardians cannot come on the assigned days.

Juvenile Institution Officers are required to possess at least an Associate of Arts Degree and undergo five weeks of initial specialized training with an additional twenty-four hours of training per year. First aid training is refreshed every other year. Although staff JIOs carry pepper spray and radios, their most important skills are communication and rapport building.

Jurors also learned about the Placer Youth Center Program (PYC), of which the facility staff is particularly proud. It provides the same services that might be expected in a boot camp or group home but are provided at the facility. Staff explained that this is much better than transferring youth from their home communities to away-from-home programs. The program is individualized for each youth, offering work skills, life skills, completion of educational requirements, counseling including Family Functional Therapy, behavioral health, substance abuse programs, vocational training, and online community college courses. Staff also works with families to help youth develop successful habits for re-entering regular society. It is a proactive program aimed at prevention rather than an exclusively punitive program aimed at reacting to bad behavior. The PYC is designed to serve as a transitional program for youth on their way to adulthood.

Perhaps the best way to encapsulate the philosophy of dealing with youth in the juvenile justice system comes from the October 6, 2021, interview with detention facility staff, who stated, essentially:

Placer County's philosophy regarding youth in the Juvenile Detention Program is aimed at returning youth to their homes as soon as possible. Youths make mistakes and should be helped to learn so they do not repeat the mistakes. The Juvenile Detention Program serves as a reset or time-out rather than as a punitive institution and is in the business of second chances and how to encourage change. Instead of punishment, the idea is to improve youth through treatment and get them back on the right track ahead of problems. To encourage and enable change, the program focuses on relationships and being positive. Program personnel work with the youth's entire family because many obstacles are family related.

Staff concluded the inspection by emphasizing that the thrust of the programs in the juvenile detention system is to provide youth with the ability to assimilate into society successfully when they leave the facility.

Rocklin Juvenile Detention Facility

The Rocklin Police Department facility was built in 2005. The building is clean and orderly inside and out. The grand jury observed no graffiti on the outside walls; the parking lot and landscape were also well maintained.

The inspection team learned that the two adult holding cells within the Rocklin Police Department building have been decertified by the BSCC. The two remaining holding cells are used exclusively for juveniles who are brought in for brief periods of time before being released to parents, guardians, a medical facility, or sent to the PCJDF in Auburn.

Public entrances may be used when juveniles are brought into the holding cells. There is a log that is completed by officers who place them into custody. The log reflects the date, time, and name of the juveniles being held along with charges and dispositions.

There are no security cameras inside or outside the juvenile holding cells, however, an officer is present when there is a juvenile detained. Glass observation windows in the cell doors make constant observation possible. According to staff, there has only been one juvenile detained during the past year.

The grand jury observed the cells to be clean and orderly. Furniture consisted of one padded bench bolted to the floor. There are no toilets, sinks, or water in the cells. Juveniles are escorted down the hall to the restroom by a gender-appropriate officer. The cells are cleaned by the facilities department when needed. If the cells are contaminated by hazardous waste, they are cleaned by a professional cleaning service on an on-call basis.

An automated external defibrillator (AED) was located on the wall outside the holding cells. All Rocklin Police Department personnel are trained and certified annually in the use of the AEDs, first aid, and CPR. If a juvenile is in medical distress, an ambulance is called to transport the juvenile to the nearest medical facility. The juvenile is released to his or her guardians' custody at the hospital. Intoxicated juveniles are transported directly to the hospital.

The most recent BSCC inspection was completed on March 2, 2021. The most recent county health, fire, and safety inspections were conducted on December 10, 2019. Medical, mental health, and environmental health inspections were performed on December 13, 2019.



Photo Credit: Joe Sledge

Conclusion

The grand jury was impressed by the PCJDF maintenance and operations, programs for juveniles, and philosophy behind the programs. Staff is well-trained, dedicated, and compassionate, working to integrate the youth back into regular society.

Findings

The grand jury found:

- F1:** The Placer County Juvenile Detention Facility is well-run and well-organized by a dedicated, well-trained staff.
- F2:** Juveniles in the Placer County system have programs tailored by staff to their individual needs and aimed at helping them re-enter regular society, which is commendable.
- F3:** The Placer County Youth Program, keeps juveniles in or near their home communities, which is intended to make the transition at the end of their sentence easier. The inclusion of families in this program is also to be commended.
- F4:** The Positive Behavioral Intervention and Support program, focuses on the positive rather than the negative, and offers detainees some opportunity to control their lives within the rules of the system. There are rewards for good behavior and immediate consequences for negative behavior.
- 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.
- F6:** The Rocklin Juvenile Detention Facility is underutilized and, therefore, is a waste of resources and space.

Recommendations

The grand jury recommends:

- R1:** By January 1, 2023, the Rocklin Police Department close the two cells that are maintained to hold juveniles and re-allocate the space as they did when the adult detention cells were closed.

Request for Response

Pursuant to Penal Code § 933.05, the Placer County Grand Jury requests a response from the following:

	<u>Recommendations Requiring Response</u>	<u>Response Due Date</u>
Rustin Banks Chief Rocklin Police Department 4080 Rocklin Rd. Rocklin, CA 95677	R1	October 1, 2022

Copies sent to:

Marshall Hopper
Chief Probation Officer
Auburn Justice Center
2929 Richardson Drive, Suite B
Auburn, CA 95603

Joseph Netemeyer
Assistant Chief Probation Officer
Auburn Justice Center
2929 Richardson Drive, Suite B
Auburn, CA 95603

Eric Guerra
Juvenile Detention Facility Manager
Placer County Probation Juvenile Detention Facility
12260 B Ave.
Auburn, CA 95603



Truckee Tahoe Airport District

A Model Airport



Photo Credit: Norma J. Worley



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.

Glossary

FAA: Federal Aviation Administration, a division of the Department of Transportation that inspects and rates civilian aircraft and pilots, enforces the rules of air safety, and installs and maintains air-navigation and traffic-control facilities.

Special District: A political subdivision of the state, established to provide a single public service within a specific geographic area.

Taxiway: A route along which an aircraft can taxi when moving to or from a runway.

Background

The Truckee Tahoe Airport District was established in 1958 by vote of the citizens within the TTAD itself, in accordance with the California Airport Districts Act. The TTAD straddles both Placer and Nevada Counties, as does the airport.

In 2011, the board of the TTAD, with input from the Airport Community Advisory Team (ACAT), instituted the TTAD Strategic Plan. This plan serves as the blueprint for how the airport will operate and is part of the overall master plan. The master plan was last updated in 2000 and will expire at the end of 2025.

The Truckee Tahoe Airport is managed by a general manager, has twenty-five full-time employees, and five seasonal employees. The general manager oversees a budget of approximately \$19 million and reports to the board of directors. The board is elected by the citizens within the Truckee Tahoe special district and consists of five members who serve four-year, alternating terms.

The board of directors for the TTAD meets monthly, on the third Wednesday of the month. Monthly meetings and agendas are posted on the TTAD website.

The Truckee Tahoe Airport District is the only airport in Placer County that receives property taxes. The other Placer County general aviation airports are Auburn and Lincoln.

These two airports are funded via services, fuel sales, and city taxes. There are eight airport special districts within California that receive property tax funding (see Appendix 1).

Methodology

The grand jury interviewed multiple persons involved in the governing of the airport. The jury also reviewed information available on the airport's user-friendly website. The website includes an independent auditor's report.

Discussion

Airport Community Team

The general manager established an Airport Community Team (ACT) as a monthly virtual public forum. The board of directors receives input from the ACT. The team's purpose is to gather interested airport users and district constituents to discuss items of public interest and provide information regarding activities and programs of TTAD. The ACT is meant to be a free flow of ideas and information among the district, airport users, and the general public. The ACT is intended to inform and advise on policy and is not intended to set policy of the district. Setting district policy is reserved for the board of directors. The ACT is a vehicle for the district to convey information to stakeholders and a means to receive, consider, and convey public comment and sentiment regarding topics of interest to the board of directors at their monthly meetings. Activities and information from the ACT forums are reported monthly to the board of directors.

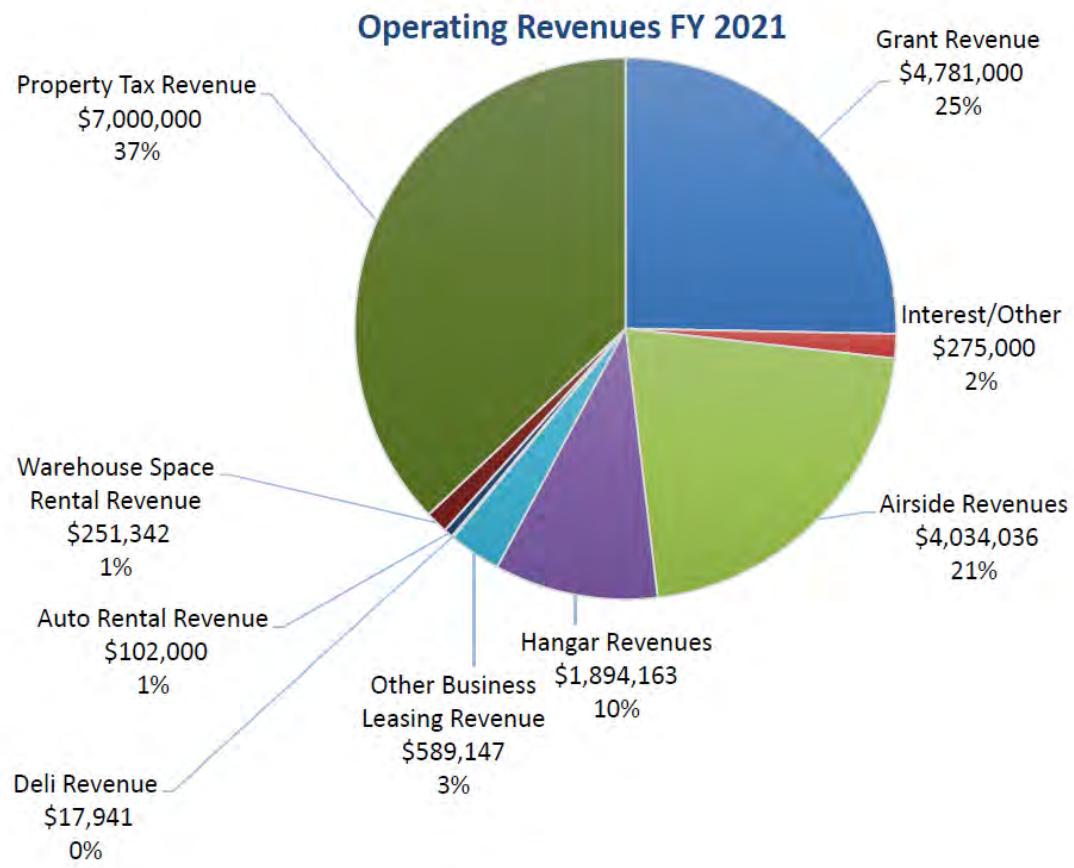


*Photo Credit:
Norma J. Worley*

Timeline and transparency of 2022 budget process

At the August 25, 2021 special meeting, the TTAD initiated the 2022 budget process. This workshop consisted of gathering input from management, the ACT, and the public. At the regular meeting on September 22nd, the TTAD had an extensive discussion about the budget. This particular meeting addressed jet fuel pricing, hangar rentals, and staff levels. At the October 27th regular meeting, the main focus was on the Revenue and Cost Allocation Study Report. This report focuses mainly on creating the airport's rates for services. At the regular meeting on December 1st, the board adopted the budget for the TTAD. The board scheduled an additional budget workshop in January 2022 to review more of the study and, if need be, vote to amend the budget at a regular board meeting. The board conducted the workshop to allow for more public comment and understanding of the Revenue and Cost Allocation Study Report.

The chart below represents the operating revenues for FY 2021:

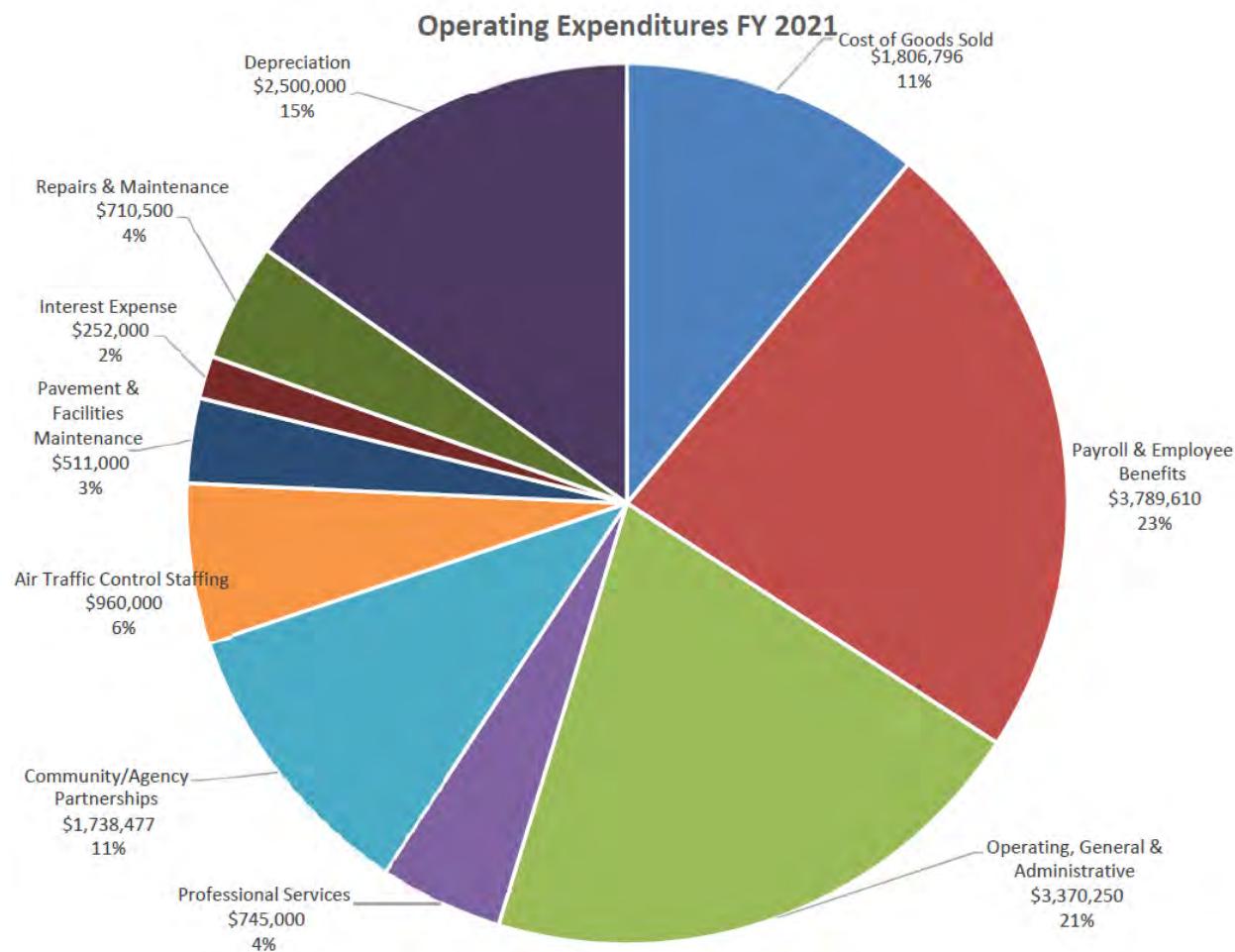


Source: FY 2021 Approved Budget

The three largest portions of revenue that the TTAD receives are:

- Property tax revenue: Received from taxpayers in both Placer and Nevada Counties. This money accounts for about 37 percent of the revenue for the airport. There is no requirement for these monies to be used for any specific purpose.
- Grant revenues: Received primarily from the FAA and constitutes about 25 percent of the operating revenue. The grant revenue from the FAA is specified to be used for airport infrastructure and maintenance projects.
- Airside revenue: Includes items such as jet fuel and transient use fees and makes up about 21 percent of the revenue for the airport.

The chart below represents the operating expenditures for FY 2021:



Source: FY 2021 Approved Budget

The three largest expenditures are:

- Payroll and employee benefits
- General operating costs including day-to-day operations, such as:
 - Annoyance reduction programs
 - Airport security and safety
 - Airshow
 - Equipment rental
 - Office lease
 - Grounds maintenance/landscaping
- Depreciation: buildings and equipment

In FY 2021 the board allocated 11 percent of the budget for community outreach/partnerships. The board of directors recognizes that property taxes received by the airport should benefit all residents not just pilots. Examples include multi-year commitments, such as the Tahoe Area Rapid Transit Free Fare Project, Lizzando Housing Project, Free Night Rider Service, and Highway 267 Year-Round Service. The board allocates these non-aviation related expenditures as recognition that not all taxpayers utilize the airport. During the annual budget process, citizens are allowed to make suggestions about how the funds should be distributed.

As noted earlier in this report, expenditures made using funds received from FAA grants are specified to be used for airport infrastructure and maintenance. These grant fund expenditures are not delineated as such in the actual airport expenditures, which could confuse the public (See Appendix 2).

Noise Abatement

The board of directors acknowledges that the noise created by arriving and departing aircraft is a concern to the community. As such, the board strives to be both an outstanding general aviation airport and a good neighbor. To help alleviate noise, the control tower implements low impact procedures and moves aircraft away from neighborhoods.

The current airport board has fielded many complaints concerning airport noise. One idea currently under consideration is the addition of a third runway, angled away from residential areas. Although some pilots have requested an increase in the number of hangers, the addition of hangars is not a priority to this board. According to persons interviewed, increasing the number of hangers would increase the number of planes utilizing the airport, resulting in a higher level of noise.

Fuel cost increases and positive effect on the budget

The airport staff is very sensitive to the market fluctuation of fuel costs. The board contracted with an external consultant to understand all the variables that should be included in jet fuel prices that they charge users. Airport management regularly adjusts prices according to market rates.

Conclusion

As a result of the grand jury's investigation, the jury determined the budgeting process of the TTAD was well managed and transparent. Effective management controls are in place to receive citizen comments and respond to citizen concerns.

Findings

The grand jury found that:

- F1:** Federal Aviation Administration-related grant expenditures are not easily identifiable in the budget documents.
- F2:** The budget expenditures and processes are appropriate, transparent, and well managed.
- F3:** The Truckee Tahoe Airport District has a professional management team and an effective board of directors.
- F4:** The airport board publicizes a budget calendar that spans over several months and is very open to public comment.
- F5:** The Truckee Tahoe Airport District is sensitive to citizen concerns regarding property tax usage.
- F6:** The Truckee Tahoe Airport District recognizes and continually addresses the importance of noise abatement.

Recommendations

The grand jury recommends that:

- R1:** By December 31, 2022, the Truckee Tahoe Airport District Board of Directors will enhance the budget provided to the public by delineating the usage of the Federal Aviation Administration grant revenue.

Request for Response:

Pursuant to Penal Code § 933.05, the Placer County Grand Jury requests a response from the following governing body:

	<u>Recommendations Requiring Response</u>	<u>Response Due Date</u>
Kathryn Rohlf President, Board of Directors Truckee Tahoe Airport District 10356 Truckee Airport Rd. Truckee, CA 96161	R1	September 1, 2022

Copies To:

**Kevin Smith
General Manager
Truckee Tahoe Airport
10356 Truckee Airport Rd.
Truckee, CA 96161**

Appendix 1

These are the eight special airport districts within California that receive property taxes:

- Big Bear Airport District
- Cameron Park Airport District
- East Kern Airport District
- Indian Wells Airport District
- Minter Field Airport District
- Santa Maria Public Airport District
- Truckee Tahoe Airport District
- Yucca Valley Airport District

Appendix 2:

FAA Grant Funding

The airport receives grants from the FAA, known as Airport Improvement Program (AIP) grants. According to the FAA, the AIP provides grants to public agencies for the planning and development of public-use airports that are included in the National Plan of Integrated Airport Systems (NPIAS).

Airport Improvement Program grants for planning, development, or noise compatibility projects are at or associated with individual public-use airports such as the Truckee Tahoe Airport. A public-use airport is an airport open to the public that also meets the following criteria:

- Publicly owned, or
- Privately owned but designated by FAA as a reliever, or
- Privately owned but having scheduled service and at least 2,500 annual enplanements⁷⁰.

Further, to be eligible for a grant, an airport must be included in the NPIAS. The NPIAS, which is prepared and published every 2 years, identifies public-use airports that are important to public transportation and contribute to the needs of civil aviation, national defense, and the postal service.

Finally, airports planning to acquire an AIP-funded Navigational Aids System and/or an Automated Weather Observing System must coordinate closely with the FAA Non-Federal Program, from the beginning of the planning process. Eligible projects include those improvements related to enhancing airport safety, capacity, security, and environmental concerns. In general, airports can get AIP funds for most airfield capital improvements or rehabilitation projects and in some specific situations, for terminals, hangars, and nonaviation development. Certain professional services that are necessary for eligible projects (such as planning, surveying, and design) can also be eligible⁷¹.

⁷⁰ The act or process of boarding an aircraft.

⁷¹ "Overview: What is AIP?" Federal Aviation Administration, <https://www.faa.gov/airports/aip/overview/>, Accessed April 15, 2022.

Continuity and Accountability

**Review of Placer County Grand Jury
Reports from 2020-2021**



Continuity and Accountability

Review of Placer County Grand Jury Reports for 2020-2021

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.

Background

A continuity report is not required by the penal code. The grand jury reviews the responses and compiles the response report for publication. In a review of past Placer County Grand Jury final reports, it has been identified that several responses have not complied with Penal Code § 933.05. Since there has been no follow up to the responses, there has been no accountability for responding entities to comply with the penal code.

In previous years, the task of following up on responses that did not comply with the penal code has been taken on by the Placer County Grand Jurors' Association (PCGJA). This association is comprised of former grand jurors. Although the PCGJA assumed this task in the past, it has not been their focus in recent years. This resulted in many non-responsive recommendations not being addressed.

Methodology

The grand jury reviewed all the reports and responses to the 2020-2021 Placer County Grand Jury Final Report, which was published on June 16, 2021. The final report contained eight individual reports, with sixty-nine findings and forty-five recommendations. The current grand jury did not review nor have access to the prior grand jury's investigative evidence, which is confidential.

California Penal Code § 933.05

(emphasis added)

- (a) For purposes of subdivision (b) of Penal Code § 933, as to each grand jury finding, the responding person or entity shall indicate one of the following:
- (1) The respondent **agrees with the finding.**
 - (2) The respondent **disagrees wholly or partially with the finding; in which case the response shall specify the portion of the finding that is disputed and shall include an explanation of the reasons, therefore.**
- (b) For purposes of subdivision (b) of Penal Code § 933, as to each grand jury recommendation, the responding person or entity shall report one of the following actions:
- (1) The recommendation **has been implemented**, with a summary regarding the implemented action.
 - (2) The recommendation **has not yet been implemented, but will be implemented in the future, with a timeframe for implementation.**
 - (3) The recommendation **requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a timeframe** for the matter to be prepared for discussion by the officer or head of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. **This timeframe shall not exceed six months from the date of publication of the grand jury report.**
 - (4) The recommendation **will not be implemented** because it is not warranted or is not reasonable, **with an explanation**, therefore.
- (c) However, if a finding or recommendation of the grand jury addresses budgetary or personnel matters of a county agency or department headed by an elected officer, both the agency or department head and the board of supervisors shall respond if requested by the grand jury, but the response of the board of supervisors shall address only those budgetary or personnel matters over which it has some decision-making authority. The response of the elected agency or department head shall address all aspects of the findings or recommendations affecting his or her agency or department.
- (d) A grand jury may request a subject person or entity to come before the grand jury for the purpose of reading and discussing the findings of the grand jury report that relates to that person or entity in order to verify the accuracy of the findings prior to their release.
- (e) During an investigation, the grand jury shall meet with the subject of that investigation regarding the investigation, unless the court, either on its own determination or upon request of the foreperson of the grand jury, determines that such a meeting would be detrimental.
- (f) A grand jury shall provide to the affected agency a copy of the portion of the grand jury report relating to that person or entity two working days prior to its public release and after the approval of the presiding judge. No officer, agency, department, or governing body of a public agency shall disclose any contents of the report prior to the public release of the final report.

Discussion

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:

- objective (neutral, unbiased, and not judgmental),
- not subject to interpretation,
- precise and accurate – numbers, dates, amounts, etc., and
- verified – not raw evidence, such as hearsay.

Once the grand jury has determined the facts they have discovered, 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:

- contain a conclusion or value judgment,
- express approval or disapproval,
- show the need for action, and
- are clear and contain one main idea.

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 **s**pecific, **m**easurable, **a**ctionable, **r**easonable, and **t**ime framed.

When the entities respond, they must follow Penal Code § 933.05, which specifically states what responses must include. The grand jury discovered that some of the respondents did not agree with several of the findings but did implement the recommendation the grand jury published.

The following charts provide the findings, recommendations, and responses to eight reports published by the Placer County Grand Jury in June 2021. Following each response in the charts is the 2021-2022 grand jury's evaluation of the response and its compliance with Penal Code § 933.05.

INDEPENDENT SPECIAL DISTRICTS AND THE LOCAL AGENCY FORMATION COMMISSION

Summary

California enacted Assembly Bill 2257, codified in California Government Code § 54954.2, requiring all legislative bodies, such as city councils, special districts, school districts, and boards of supervisors, to have a prominent direct link to their agenda on their website's homepage. Included in the bill were other specific requirements which became mandatory after January 1, 2019.

In September 2018, California Senate Bill 929 was passed. This bill also updated some requirements for special districts and took effect on January 1, 2020. This law requires that absent a resolution declaring hardship every independent special district "shall maintain an Internet Web site" that "shall clearly list contact information for the independent special district."

The grand jury investigated the special districts within the county for compliance with these laws. This report excludes any joint power authority located in, or associated with, Placer County as well as dependent special districts, non-profit, or County Service Area districts. For this report, the grand jury investigated only the thirty-eight independent special districts.

The grand jury found three districts did not have a website and one non-active district also did not have a website. California SB 929 went into effect on January 1, 2020 requiring each special district to have a website. Of the remaining thirty-four, only fourteen (41%) of the special districts were fully compliant as of March 2021. The grand jury recommends the non-compliant special districts update their websites to be in compliance with the law.

Key to abbreviations used in the following chart for respondents:	
AFD	Alta Fire Protection District
ARD	Auburn Area Recreation & Parks District
CCD	Colfax Cemetery District
FUD	Foresthill Public Utility District
HGD	Heather Glen Community Services District
LCD	Lincoln Cemetery District
LAF	Placer County LAFCo
MVW	Meadow Vista County Water District
MHIW	Midway Heights County Water District
NFD	Newcastle Fire Protection District
NSD	Northstar Community Services District
PFD	Penryn Fire Protection District
PCR	Placer County Resource Conservation District
PCW	Placer County Water Agency
PHF	Placer Hills Fire Protection Agency
PMV	Placer Mosquito & Vector Control District
SLW	Sierra Lakes County Water District
SPF	South Placer Fire Protection District
TPU	Tahoe City Public Utility District
TCC	Tahoe City Cemetery District
TFH	Tahoe Forest Hospital District
TTA	Tahoe-Truckee Airport District
TRC	Tahoe Resource Conservation District
TTS	Tahoe-Truckee Sanitation District
TRI	Talmont Resort Improvement District

Finding	Agree with Finding	Disagree Partially with Finding	Disagree Completely with Finding	Did Not Respond	Recommendation	Agree with Recommendation	Implemented Recommendation	Will be Implemented with Date	Further Study Needed	Funding Needed	Do Not Agree	Will Not Implement	Response
F1: Alpine Spring County Water, Auburn Cemetery, Auburn Valley Community Services, Christian Valley Park, Community District Services, Donner Summit Public Utility, Foresthill Fire Protection, McKinney Water, Newcastle-Rocklin-Gold Hill Cemetery, North Tahoe Fire Protection, North Tahoe Public Utility, Olympic Valley Public Service, Roseville Cemetery, South Placer Municipal Utility, and Tahoe Resource Conservation Districts are in full compliance with AB 2257 and SB 929.					There was no recommendation associated with this finding.								No response was required from these entities.

Finding	Agree with Finding	Disagree Partially with Finding	Disagree Completely with Finding	Did Not Respond	Recommendation	Agree with Recommendation	Implemented Recommendation	Will be Implemented with Date	Further Study Needed	Funding Needed	Do Not Agree	Will Not Implement	Response
F2: Heather Glen Community Services, Tahoe Forest Hospital, and Tahoe City Cemetery Districts do not have websites. They are non-compliant with both AB 2257 and SB 929.	TCC	TFH	HGD		R1: By September 1, 2021, Heather Glen Community Services, Tahoe Forest Hospital, and Tahoe City Cemetery Districts create websites to be compliant with AB 2257 and SB 929.		HGDT FD						TCC Tahoe Forest Hospital District provided a compliant response but did respond that this recommendation has already been implemented. Tahoe City Cemetery District provided a compliant response and replied that this recommendation will not be implemented because they do not have staff to create or maintain a website. Heather Glen did not provide a compliant response, as they did not respond to the findings but they did note the recommendation has been implemented. These websites have been viewed. Heather Glen and Tahoe Forest Hospital now have websites and are compliant. Tahoe City Cemetery District does not yet have an independent website.

Finding	Agree with Finding	Disagree Partially with Finding	Disagree Completely with Finding	Did Not Respond	Recommendation	Agree with Recommendation	Implemented Recommendation	Will be Implemented with Date	Further Study Needed	Funding Needed	Do Not Agree	Will Not Implement	Response
F3: Three districts, Colfax Cemetery, Penryn Fire Protection, and Talmont Resort Improvement Districts are non-compliant with AB 2257. They do not have a prominent, direct link to their current agenda; agendas are not searchable or downloadable.	PFD	CCD	TRI		R2: By September 1, 2021, Colfax Cemetery, Penryn Fire Protection, and Talmont Resort Improvement Districts update their website so they have a prominent, direct link to the current agenda and the agenda is searchable and downloadable to be compliant with AB 2257.		PFD TRI						Penryn Fire District provided a compliant response and responded that this recommendation has already been implemented. Colfax Cemetery District provided a compliant response and said this recommendation was not reasonable for them, as they do not have an independent web site. Talmont did not provide a response to F3, but did provide a compliant response to R2, noting that recommendation had already been implemented. These websites have been viewed. Colfax Cemetery District does not yet have an independent web site. Penryn has a website, but as of this viewing, the link was not to the current agenda but instead a schedule of upcoming board meetings. Talmont's website is compliant.

Finding	Agree with Finding	Disagree Partially with Finding	Disagree Completely with Finding	Did Not Respond	Recommendation	Agree with Recommendation	Implemented Recommendation	Will be Implemented with Date	Further Study Needed	Funding Needed	Do Not Agree	Will Not Implement	Response
F4: Alta Fire Protection, Auburn Area Recreation & Park, Foresthill Public Utility, Lincoln Cemetery #1, Meadow Vista County Water, Midway Heights County Water, Newcastle Fire Protection, Northstar Community Services, Penryn Fire Protection, Placer County Resource Conservation, Placer County Water Agency, Placer Hills Fire Protection, Placer Mosquito & Vector Control, Sierra Lakes County Water, South Placer Fire Protection, Suburban Pines Community Services, Tahoe City Public Utility, Tahoe-Truckee Airport, Tahoe-Truckee Sanitation, and Talmont Resort Improvement Districts do not have a prominent, direct link to the current agenda on the home page of their website.	FUD LCD NFP NSD PCR PHF PMV SPF SLW TPU TTA TTS	MVW PCW	AFD ARD MHW	R3: By September 1, 2021, Alta Fire Protection, Auburn Area Recreation & Park, Foresthill Public Utility, Lincoln Cemetery #1, Meadow Vista County Water, Midway Heights County Water, Newcastle Fire Protection, Northstar Community Services, Penryn Fire Protection, Placer County Resource Conservation, Placer County Water Agency, Placer Hills Fire Protection, Placer Mosquito & Vector Control, Sierra Lakes County Water, South Placer Fire Protection, Suburban Pines Community Services, Tahoe City Public Utility, Tahoe-Truckee Airport, Tahoe-Truckee Sanitation, and Talmont Resort Improvement Districts create a prominent, direct link from their home page to their current agenda as required by AB 2257.	AFD ARD FUD LCD MVD NFP NSD PCR PHF PMV SPF SLW TPU TTA TTS	PCW	Foresthill Public Utility, Lincoln Cemetery #1, Meadow Vista County Water, Newcastle Resource Conservation, Northstar Community Services, Placer Resource Conservation District, Placer Hills Fire Protection, Placer Mosquito & Vector Control, Sierra Lakes County Water, South Placer Fire Protection, Suburban Pines Community Services, Tahoe City Public Utility, Tahoe-Truckee Airport, and Tahoe-Truckee Sanitation Districts provided compliant responses and responded that this recommendation has already been implemented. Midway Heights County Water District provided a compliant response, noted this recommendation has been implemented and also disputes the requirement that the website be on a separately hosted agenda management platform.						

Finding	Recommendation				Response			
	Agree with Finding	Disagree Partially with Finding	Disagree Completely with Finding	Did Not Respond	Agree with Recommendation	Implemented Recommendation	Will be Implemented with Date	
				R3 (continued):				Placer County Water District provided a compliant response but disagrees with the grand jury regarding a requirement to have an integrated agenda management platform. Suburban Pines, Talmont Resort Improvement, and Penryn Fire Protection Districts were not required to respond. Alta Fire provided a compliant response noting the recommendation had been implemented. Auburn Area Recreation & Park District did not provide a compliant response as they did not indicate agreement or disagreement with the findings, nor did they indicate their implementation of the recommendation.

Finding	Agree with Finding	Disagree Partially with Finding	Disagree Completely with Finding	Did Not Respond	Recommendation	Agree with Recommendation	Implemented Recommendation	Will be Implemented with Date	Further Study Needed	Funding Needed	Do Not Agree	Will Not Implement	Response
F5: The LAFCo website, which is hosted by Placer County, is difficult to locate. Placer County LAFCo does not have an independent website.	LAF				R4: By September 1, 2021, Placer County LAFCo will establish and manage their own up-to-date website.			LAF					Placer County LAFCo provided a compliant response. While LAFCo agrees with this recommendation, the timeframe is not realistic. LAFCo needs to be fully staffed with a web designer to comply.
F6: A lack of consistency in independent special district websites makes locating similar information difficult and time consuming for the user.					F5: By September 1, 2021, Placer County LAFCo will establish and manage their own up-to-date website.								Placer County LAFCo believes this is a duplicate recommendation.
F7: Placer County LAFCo does not have an up-to-date listing of the independent special districts with contact information.	LAF	LAF			R6: By September 1, 2021, Placer County LAFCo will establish a plan for each independent special district to update their contact and board information on a yearly basis each January, beginning in January 2022. The document with the information will be placed on the LAFCo website.			LAF					Placer County LAFCo provided a compliant response. While LAFCo agrees that regular updates should be done, much of the information comes in throughout the year. Staff is in process of preparing updates, but having an updated website will be a great help.

Finding	Agree with Finding	Disagree Partially with Finding	Disagree Completely with Finding	Did Not Respond	Recommendation	Agree with Recommendation	Implemented Recommendation	Will be Implemented with Date	Further Study Needed	Funding Needed	Do Not Agree	Will Not Implement	Response
F8: Suburban Pines Community Services District is a non-active district.	LAF	LAF			R7: By September 1, 2021, Placer County LAFCo will take the necessary steps to dissolve Suburban Pines Community Services District and incorporate the maintenance of the six fire hydrants to another entity.			LAF					Placer County LAFCo provided a compliant response. Suburban Pines consists of maintaining six fire hydrants and cannot be dissolved until a successor agency can be identified to maintain the hydrants.
F9: Placer County LAFCo does not keep records of the ethics training, completed by board members of the districts they oversee.	LAF				R8: By September 1, 2021, Placer County LAFCo will establish and maintain a list of the ethics training completed by each independent special district board member.							LAF	Placer County LAFCo provided a compliant response. Each agency is required to keep their own list of ethics training completed. It is not reasonable to recommend Placer County LAFCo to maintain a duplicate list of this training.
F10: Colfax Cemetery, South Placer Fire Protection, and Tahoe Resource Conservation District websites do not comply with SB 929.			CCD		R9: By September 1, 2021, Colfax Cemetery District will add contact information to its web site to be compliant with SB 929.							CCD	Colfax Cemetery District provided a compliant response and said this recommendation was not reasonable for them, as they do not have an independent web site.

Finding		Agree with Finding	Disagree Partially with Finding	Disagree Completely with Finding	Did Not Respond	Recommendation	Agree with Recommendation	Implemented Recommendation	Will be Implemented with Date	Further Study Needed	Funding Needed	Do Not Agree	Will Not Implement	Response	
F10 (continued): Colfax Cemetery, South Placer Fire Protection, and Tahoe Resource Conservation District websites do not comply with SB 929.	SPF					R10: By September 1, 2021, South Placer Fire Protection District will add a contact email address to its website to be compliant with SB 929.	SPF								South Placer Fire Protection District provided a compliant response. This recommendation has been implemented. South Placer's website has been viewed and it does now contain a clickable email address.
F10 (continued): Colfax Cemetery, South Placer Fire Protection, and Tahoe Resource Conservation District websites do not comply with SB 929.	TRC					R11: By September 1, 2021, Tahoe Resource Conservation District will list their board members on its website.	TRC								Tahoe Resource Conservation District provided a compliant response. This recommendation has been implemented. Tahoe Resource Conservation's website has been viewed and it does contain a link to a list of its board members.

LACK OF COMMUNICATION AND TRANSPARENCY IN HOUSING THE HOMELESS OF PLACER COUNTY

Summary

Homelessness in California, as well as Placer County, is no longer confined to the big cities. It is in both urban and rural communities across the state which impacts local resources.

Homelessness is closely connected to declines in physical and mental health; homeless persons experience high rates of health problems. Health problems among homeless persons result from various factors, such as lack of access to adequate food and protection, and limited resources and social services.

The grand jury recognizes there are many types of housing and programs used by county, state, and federal governments to house the homeless. However, this report focuses only on the Placer County Whole Person Care Pilot program. Some Placer County citizens have been critical and outspoken regarding a lack of communication and transparency by the Placer County Board of Supervisors regarding the Placer County Whole Person Care Pilot program. A perceived lack of oversight provided by Placer County Health and Human Services of the Placer County Whole Person Care Pilot program was also a concern raised by citizens. In addition to communication and transparency, there have been questions and concerns that reference the perceived improper use and efficacy of funds awarded to nonprofit organizations selected to provide housing for the Placer County homeless and mentally ill.

Finding	Recommendation				Response						
	Agree with Finding	Disagree Partially with Finding	Disagree Completely with Finding	Did Not Respond	Agree with Recommendation	Implemented Recommendation	Will be Implemented with Date	Further Study Needed	Funding Needed	Do Not Agree	Will Not Implement
F1: Placer County Health and Human Services is not adhering to their own "Building a Healthier Community Together 2019-2021 Strategic Plan" regarding communication and transparency.	X	X			R1: By October 1, 2021, Placer County Health and Human Services will review their own "Building a Healthier Community Together 2019-2021 Strategic Plan" for compliance in all aspects of transparency and communication with the public.	X	X				Placer County Health and Human Services has provided a compliant response. This recommendation has been implemented.
F2: Placer County Health and Human Services does not have a policy to ensure that strategic plans involving housing the homeless population, communication, and transparencies are reviewed annually for compliance by all divisions and departments.	X	X			R2: By October 1, 2021, Placer County Health and Human Services will create a written policy to ensure that all future programs involving housing the homeless population include a required annual review for compliance with communication and transparency.	X	X				Placer County Health and Human Services has provided a compliant response. This recommendation has been implemented.
F3: No Placer County general funds were used to purchase any permanent supportive housing homes documented in this report.	X				There was no recommendation associated with this finding.						

Finding				Recommendation	Agree with Recommendation	Implemented Recommendation	Will be Implemented with Date	Further Study Needed	Funding Needed	Do Not Agree	Will Not Implement	Response
	Agree with Finding	Disagree Partially with Finding	Disagree Completely with Finding									
F4: Placer County Health and Human Services has no single division or department charged with overseeing all county homeless programs.	X			R3: By January 1, 2022, Placer County Health and Human Services will take steps to add a division or reorganize the department, to create a single designated division to manage all homeless programs in the county.			X					Placer County Health and Human Services has provided a compliant response. This recommendation requires further analysis. Due to the complexity of this recommendation, a timeline for follow up is unknown at this time.
F5: The agencies, both public and nonprofit, elected not to disclose home purchases until after client move-in to exclude community input.	X	X		There was no recommendation associated with this finding.								
F6: The Gathering Inn and Advocates for Mentally Ill Housing, Inc. did not openly communicate with the neighborhood residents prior to the purchase of the homes pursuant to contracts SCN102104 and SCN102143.	X	X		R4: By October 1, 2021, Placer County Health and Human Services will verify that The Gathering Inn and Advocates for Mentally Ill Housing, Inc. have initiated open communication with neighbors surrounding all permanent supportive homes, as required by their contract.		X						Placer County Health and Human Services has provided a compliant response. The recommendation has not been implemented but will be implemented in the near future and before October 1, 2021.

Finding				Recommendation	Response				
	Agree with Finding	Disagree Partially with Finding	Disagree Completely with Finding		Do Not Agree	Will Not Implement	Agree with Recommendation	Implemented Recommendation	Will be Implemented with Date
F7: The county did not effectively communicate that the permanent supportive housing for six or fewer residents is permitted in all zones allowing residential use.	X	X		There was no recommendation associated with this finding.					Further Study Needed
F8: The number of calls to law enforcement about Placer County Whole Person Care Pilot program houses were much lower than perceived by the public.	X			There was no recommendation associated with this finding.					Funding Needed
F9: The funding received for the housing program provided homes to thirty-five county citizens.	X	X		There was no recommendation associated with this finding.					Do Not Agree

LINCOLN REGIONAL AIRPORT

Summary

Over the last twenty years, the Lincoln Regional Airport (LRA) has struggled financially under city ownership and the current operating model. Following the audit by the State of California Joint Legislative Audit Committee, the City of Lincoln acknowledged the airport's annual deficit. To correct this deficit, the city agreed to fund the airport with a formal interfund loan. In the future, the LRA must substantially increase the earnings of the two primary revenue streams, hangar rentals and fuel sales.

The grand jury determined that no one in LRA operations, management, or city leadership has a background in airport management nor experience in aviation, marketing, sales, or airport business development. City management has been reluctant to address this lack of expertise because of the potential cost. As a result of not addressing this critical need, the airport operates at a substantial annual deficit, financially and structurally.

An airport master plan represents a blueprint of an airport's current, intermediate, and long-term infrastructure development. Perhaps the most serious oversight of Lincoln's approach to the management of the LRA is having no current master plan documents since the 2007 Lincoln Regional Airport Master Plan.

The grand jury interviewed other regional aviation managers to determine if it is typical for an airport to be in debt to a city or county's general fund. Typically, indebtedness is periodic and short-term in nature, such as capital payments due before receiving grant funds from other government entities. However, LRA's indebtedness to the general fund is structural and long term and is outside standard fiduciary practices.

Finding	Recommendation				Response						
	Agree with Finding	Disagree Partially with Finding	Disagree Completely with Finding	Did Not Respond	Agree with Recommendation	Implemented Recommendation	Will be Implemented with Date	Further Study Needed	Funding Needed	Do Not Agree	Will Not Implement
F1: The Lincoln Regional Airport does not have a general aviation manager nor does any city management professional responsible for the airport have an aviation management background.			X	R1: By October 1, 2021, the City of Lincoln will complete and adopt a feasibility study to evaluate hiring a general aviation manager with aviation management experience and/or American Association of Airport Executives certification.					X	X	The City of Lincoln did not provide a compliant response. No response was provided for the finding. Per City of Lincoln, there is insufficient revenue to support a full time manager. The city does not believe such a position is necessary.
F2: The Lincoln Regional Airport does not have ongoing efforts to evaluate the airport's competitiveness in the marketplace and maximize revenue opportunities, such as fuel pricing and development of vacant airport land.			X	R2: By October 1, 2021, the City of Lincoln will review current airport leases for opportunities to increase rents to the maximum amount allowable by the terms of the contracts until rentals reflect market value.					X	X	The City of Lincoln did not provide a compliant response. No response was provided for the finding. Per City of Lincoln 2019 market survey, their rates and leases have been adjusted and do not require further adjustment.
F3: The Lincoln Regional Airport does not have a separate audited annual financial report for the airport operation as an Enterprise Fund requires.			X	R3: By October 1, 2021, the City of Lincoln will produce a separate audited annual financial report for the airport operation as an Enterprise Fund requires.					X	X	The City of Lincoln did not provide a compliant response. Per City of Lincoln, this recommendation is not consistent with accounting principles and there is no reason to conduct a separate audit.

Finding					Recommendation	Agree with Recommendation	Implemented Recommendation	Will be Implemented with Date	Further Study Needed	Funding Needed	Do Not Agree	Will Not Implement	Response
	Agree with Finding	Disagree Partially with Finding	Disagree Completely with Finding	Did Not Respond									
F4: An updated version of the Lincoln Regional Airport Master Plan of 2007 has not been published.			X		R4: By October 1, 2021, the City of Lincoln will publish an updated Lincoln Regional Airport Master Plan to include a blueprint of the airport's current, intermediate, and long-term infrastructure development, as well as a financial plan supporting a sustainable revenue stream commensurate with the capital expenditures necessary for planned airport evolution.	X							The City of Lincoln did not provide a compliant response. No response was provided for the finding. Per City of Lincoln, this recommendation was already implemented as part of its annual capital improvement process completed in coordination with the FAA. The City of Lincoln has published a report entitled "Airport Layout Plan Update Narrative Report" which is available online.
F5: The Lincoln Regional Airport fuel prices are not regularly adjusted to market prices.			X		R5: By October 1, 2021, the City of Lincoln will implement weekly fuel price adjustments reflecting current market rates.					X	X		The City of Lincoln did not provide a compliant response. No response was provided for the finding. Per City of Lincoln, fuel prices will only be adjusted when fuel is purchased, which occurs infrequently.

Finding	Recommendation				Response						
	Agree with Finding	Disagree Partially with Finding	Disagree Completely with Finding	Did Not Respond	Agree with Recommendation	Implemented Recommendation	Will be Implemented with Date	Further Study Needed	Funding Needed	Do Not Agree	Will Not Implement
F6: The Lincoln Regional Airport loan agreement of \$4.95 million from the City of Lincoln General Fund formalizes repayment of past operating deficits with a sixty-year repayment schedule.			X	R6: By October 1, 2021, the City of Lincoln will evaluate and restructure the Lincoln Regional Airport's 60-year loan amortization to align with the physical, functional, and economic obsolescence of airport infrastructure and equipment.					X	X	The City of Lincoln did not provide a compliant response. No response was provided for the finding. Per City of Lincoln, the airport's interfund loan is consistent with the city's interfund loan policy, legal revenue restrictions and requirements and was thoroughly vetted by legal counsel, the State of CA's Joint Legislative Audit Team, staff and city counsel.
F7: The City of Lincoln does not perform a regular evaluation of the airport's fuel sales contract.			X	R7: By October 1, 2021, the City of Lincoln will solicit competitive bids for airport fuels, contracts, and services.					X	X	The City of Lincoln did not provide a compliant response. No response was provided for the finding. Competitive bids have been solicited twice within last 5 years and vendors indicated Lincoln doesn't sell enough fuel for the airport fueling to be a viable private business opportunity. Also, Lincoln currently receives full sale related revenue in excess of what would be received from a fuel flowage fee and/or lease of the fuel system.

Finding	Recommendation				Response						
	Agree with Finding	Disagree Partially with Finding	Disagree Completely with Finding	Did Not Respond	Agree with Recommendation	Implemented Recommendation	Will be Implemented with Date	Further Study Needed	Funding Needed	Do Not Agree	Will Not Implement
F8: The Lincoln Regional Airport management staff have no relationships with airport related industry associations or professional development organizations that provide updates to industry best practices.			X	R8: By October 1, 2021, the City of Lincoln will identify common airport related industry associations and professional development programs to expand and enhance vendor relationships, recruitment, and develop industry best practices.					X	X	The City of Lincoln did not provide a compliant response. No response was provided for the finding. City of Lincoln currently participates in Association of CA Airports and National Business Aviation Association. Conferences have not been held recently due to pandemic.
F9: The Lincoln Regional Airport has no airport emergency plan, safety program, or first responder emergency training exercises.			X	R9: By October 1, 2021, the City of Lincoln shall implement plans and policies for safety and emergency response training drills at the Lincoln Regional Airport.					X	X	The City of Lincoln did not provide a compliant response. No response was provided for the finding. Per City of Lincoln, responses to major emergencies at the airport are carried out pursuant to Lincoln's Emergency Operations Plan which addresses roles and responsibilities during an emergency response.

PUBLIC LIBRARIES OF PLACER COUNTY: A RESOURCE FOR ALL

Summary

Throughout history, libraries and their accumulated knowledge have improved our communities, strengthened literacy, and even helped shape our civilization. Over 2000 years ago, the Great Library of Alexandria, Egypt, collected and held the bulk of the knowledge of the known world. Libraries have propelled intellectual growth, broadened shared understanding, and encouraged new discovery. This is still true of libraries today. In 1995, Walter Cronkite said, "Whatever the cost of our libraries, the price is cheap compared to that of an ignorant nation."

The 2020-2021 Placer County Grand Jury agreed with this sentiment and sought to understand the current status of the various library systems located within the county. There are fourteen public libraries located in Placer County. The county operates its own public library system, consisting of nine branches. Additionally, there are municipally operated libraries in Loomis, Lincoln, and Roseville, which has three branches.

While each library has its own issues and concerns, a common denominator this year was the coronavirus pandemic (COVID-19). The COVID-19 restrictions on the function and operation of each library were frustrating to both the public and the library staff. In a typical year, however, funding is the most pressing need for each system. With sufficient funding, budget concerns such as adequate staffing and public outreach could be addressed.

The grand jury is impressed by the state of the libraries in Placer County. The libraries are staffed by knowledgeable, dedicated, and passionate employees. Although there are areas for improvement, all the libraries in Placer County fulfill their intended purpose. They provide both learning opportunities and personal enrichment to their patrons and up-to-date services via user friendly and accessible technology.

Key to abbreviations used in the following chart for respondents:				
BoS	Placer County Board of Supervisors		P	Placer County Library
Li	Lincoln Public Library		Lo	Loomis Library and Community Learning Center
R	Roseville Public Library			

Finding		Recommendation				Response						
		Agree with Finding	Disagree Partially with Finding	Disagree Completely with Finding	Did Not Respond	Agree with Recommendation	Implemented Recommendation	Will be Implemented with Date	Further Study Needed	Funding Needed	Do Not Agree	Will Not Implement
F1: All the libraries in Placer County provide similar basic services to their patrons, including resource lending, computer use, and programming for children and adults.	P R Li Lo BoS					There was no recommendation associated with this finding.						All the libraries in Placer County and the Placer County Board of Supervisors agree with this finding.
F2: The Placer County Library system would benefit from increased promotion and community outreach to increase both membership and public awareness of library services.	P BoS					R1: By January 1, 2022, Placer County Library will develop a promotion and outreach plan to increase membership and circulation.		P				Placer County Library provided a compliant response. Their response indicated the recommendation would be implemented beginning in December 2021.
F3: A citizen of Placer County who wishes to borrow across all county library systems must have four separate library cards.	P R Li Lo BoS					R2: By January 1, 2022, Placer County Library, Roseville Public Library, Lincoln Public Library, and Loomis Library and Community Learning Center will work together to develop a single county-wide library card.					P R Li Lo	Placer County, Roseville, Lincoln and Loomis libraries all provided compliant responses. The responses all indicated this recommendation was discussed among all four library systems and will not be implemented due to the costs of implementation. All library systems have indicated a commitment to pursuing additional interlibrary cooperation in the future.

Finding	Agree with Finding P R Li BoS	Recommendation			Response						
		Disagree Partially with Finding	Disagree Completely with Finding	Did Not Respond	Agree with Recommendation	Implemented Recommendation	Will be Implemented with Date	Further Study Needed	Funding Needed	Do Not Agree	Will Not Implement
F4: The Placer County Library, Roseville Public Library, and Lincoln Public Library have websites that are incorporated into their respective county/city websites.	P R Li BoS				R3: By November 1, 2021, Placer County Library, Roseville Public Library, and Lincoln Public Library will each develop and manage their own independent website.		P			R	Placer County Libraries provided a compliant response, indicating this recommendation will be implemented beginning December 2022 if sufficient funding is available. Roseville Public Library and Lincoln Public Library also provided a compliant response, which indicated this recommendation will not be implemented as it is not warranted or reasonable.
F5: The Placer County Library and Roseville Public Library do not own their own web domains separate from their county/city-managed website.	P R Li BoS				R3 Continued: By November 1, 2021, Placer County Library, Roseville Public Library, and Lincoln Public Library will each develop and manage their own independent website.		P			R Li	Placer County Libraries provided a compliant response, indicating this recommendation will be implemented beginning December 2022 if sufficient funding is available. Roseville Public Library and Lincoln Public Library also provided a compliant response, which indicated this recommendation will not be implemented as it is not warranted or reasonable.

Finding	Agree with Finding	Disagree Partially with Finding	Disagree Completely with Finding	Did Not Respond	Recommendation	Agree with Recommendation	Implemented Recommendation	Will be Implemented with Date	Further Study Needed	Funding Needed	Do Not Agree	Will Not Implement	Response	
F6: The Placer County Library system's nine branches serve approximately half of the population of Placer County and over 95 percent of the county's total territory, resulting in branches over ninety-five miles apart, which strains the library's current staffing resources.	P BoS				There was no recommendation associated with this finding.									
F7: Placer County Library system faces greater staffing challenges compared to the other library systems, especially considering the number of branches, territory covered, and that 25 percent of their allocated headcount is used for administrative support.	P BoS				R4: By October 1, 2021, Placer County Library will conduct an internal review to determine appropriate staffing levels, present a report on their findings to the Placer County Board of Supervisors, and post the report on the Placer County Library website.	P BoS							Placer County Libraries and the Placer County Board of Supervisors provided compliant responses. Both responses indicate this recommendation has already been implemented in the traditional budgeting process and an independent consultant will be sourced.	

Finding	Agree with Finding P BoS	Agree with Finding	Disagree Partially with Finding	Disagree Completely with Finding	Did Not Respond	Recommendation	Agree with Recommendation BoS	Implemented Recommendation Will be Implemented with Date	Further Study Needed	Funding Needed	Do Not Agree	Will Not Implement	Response	
F7 Continued: Placer County Library system faces greater staffing challenges compared to the other library systems, especially considering the number of branches, territory covered, and that 25 percent of their allocated headcount is used for administrative support.	P BoS					R5: By January 1, 2022, the Placer County Board of Supervisors will review the Placer County Library staffing report and take appropriate action.								Placer County Board of Supervisors provided a compliant response. This recommendation has been implemented. The Library Administration was able to present their staffing and budgetary needs to the County Executive's fiscal team for their consideration in the FY 2021-22 budget creation. CEO staff makes recommendation to the Board of Supervisors.
F8: Placer County Library system does not produce a newsletter or utilize other means of regular communication with its patrons.	P BoS					There was no recommendation associated with this finding.								
F9: Roseville Public Library system is consolidated within the Parks & Recreation Department.	R					There was no recommendation associated with this finding.								
F10: In the fall of 2021, Lincoln Public Library will be operating as the school library for Twelve Bridges High School as well as the public library.	Li					There was no recommendation associated with this finding.								

Finding	Agree with Finding	Disagree Partially with Finding	Disagree Completely with Finding	Did Not Respond	Recommendation	Agree with Recommendation	Implemented Recommendation	Will be Implemented with Date	Further Study Needed	Funding Needed	Do Not Agree	Will Not Implement	Response		
F11: Loomis Library and Community Learning Center provides innovative services to their patrons including a seed library and makerspace for children.	Lo				There was no recommendation associated with this finding.										
F12: Due to the incident in 2019, the Placer County Library system has recently taken a more complete and up-to-date approach to handling security at all locations.	P				There was no recommendation associated with this finding.										

PLACER COUNTY JUVENILE DETENTION FACILITY: ANNUAL INSPECTION REPORT 2020-2021

Summary

The Placer County Grand Jury is responsible for inquiring into the conditions of all public detention facilities, as authorized by California Penal Code § 919(b). The grand jury completed an inspection of the Placer County Juvenile Detention Facility (PCJDF) on December 1, 2020, with coronavirus pandemic (COVID-19) restrictions in place. The grand jury found the PCJDF to be secure and well-maintained, with dedicated, knowledgeable, and helpful staff.

Finding	Recommendation				Response						
	Agree with Finding	Disagree Partially with Finding	Disagree Completely with Finding	Did Not Respond	Agree with Recommendation	Implemented Recommendation	Will be Implemented with Date	Further Study Needed	Funding Needed	Do Not Agree	Will Not Implement
F1: The Placer County Juvenile Detention Facility is appropriately staffed with knowledgeable and well-trained personnel.	X				There was no recommendation associated with this finding.						
F2: The youths at the facility are provided appropriate programs and educational opportunities, despite COVID-19 restrictions.	X				There was no recommendation associated with this finding.						

Finding	Recommendation				Response						
	Agree with Finding	Disagree Partially with Finding	Disagree Completely with Finding	Did Not Respond	Agree with Recommendation	Implemented Recommendation	Will be Implemented with Date	Further Study Needed	Funding Needed	Do Not Agree	Will Not Implement
F3: The implementation of the Placer Youth Center pilot program has been placed on hold due to the pandemic and is expected to be beneficial when COVID-19 restrictions are lifted.	X				There was no recommendation associated with this finding.						
F4: While initial funding was provided for the Placer Youth Center program, ongoing funding is necessary for its success.	X				R1: By September 1, 2021, the Placer County Board of Supervisors commit to funding the Placer Youth Center in future budgets.	X				The Placer County Board of Supervisors provided a compliant response. The FY 2021-2022 adopted budget includes the funding for the Placer Youth Center program and is planned to be included in future year's budgets as well.	

PLACER COUNTY JAILS AND HOLDING FACILITIES: INSPECTION REPORT 2020-2021

Summary

This report summarizes the Placer County Grand Jury inspections of four holding facilities and three Placer County jails.

The grand jury investigated the booking and jail services contract between Nevada and Placer Counties for the Placer County Sheriff's Tahoe Substation.

The grand jury found the inspected jails and holding facilities to be secure, orderly, and well-run.

Finding				Recommendation	Response						
	Agree with Finding	Disagree Partially with Finding	Disagree Completely with Finding		Agree with Recommendation	Implemented Recommendation	Will be Implemented with Date	Further Study Needed	Funding Needed	Do Not Agree	Will Not Implement
F1: The Placer County Sheriff's Office has mitigated the overnight detention issue at the Tahoe Substation through their contract with Nevada County.	X			There was no recommendation associated with this finding.							
F2: The cost to use the Tahoe Substation for overnight holdings would exceed the current contract for jail services provided by Nevada County.	X			There was no recommendation associated with this finding.							

Finding				Recommendation	Response						
	Agree with Finding	Disagree Partially with Finding	Disagree Completely with Finding		Agree with Recommendation	Implemented Recommendation	Will be Implemented with Date	Further Study Needed	Funding Needed	Do Not Agree	Will Not Implement
F3: The average booking fee at the Nevada County Truckee Jail for the 2019-2020 fiscal year was \$3,382.32 per arrestee.	X			There was no recommendation associated with this finding.							
F4: Placer County Sheriff's Tahoe Substation is a dilapidated building that cannot be improved economically for services as a certified jail.	X			There was no recommendation associated with this finding.							
F5: In 2019, the Placer County Board of Supervisors allocated funds for the proposed Tahoe Justice Center, with construction starting in 2024/2025.	X			R4: The Board of Supervisors will commit to following the timeline for the completion of the Tahoe Justice Center by 2024/2025.	X					The Placer County Board of Supervisors provided a compliant response. The recommendation will not be implemented as stated. The project is on the capital improvement list and is in the design phase now with completion set for 2026.	
F6: Environmental and budgetary concerns are factors affecting construction progress of the Tahoe Justice Center.	X			There was no recommendation associated with this finding.							

Finding					Recommendation	Agree with Recommendation	Implemented Recommendation	Will be Implemented with Date	Further Study Needed	Funding Needed	Do Not Agree	Will Not Implement	Response
	Agree with Finding	Disagree Partially with Finding	Disagree Completely with Finding	Did Not Respond									
F7: The security camera system at the Auburn Historic Courthouse facility is inadequate.	X				R1: By September 1, 2021, the court administrative officer and county executive officer will complete an evaluation of the security camera system at the Auburn Historic Courthouse.			X					The court administrative officer and county executive officer provided compliant responses. The recommendation will be implemented but neither the court administrative officer nor county executive officer will be involved in the evaluation of the security camera system.
F7: The security camera system at the Auburn Historic Courthouse facility is inadequate.	X				R2: By October 1, 2021, the court administrative officer and county executive officer will present to the Board of Supervisors a request for funding to replace poorly functioning security cameras and add cameras in key locations at the Auburn Historic Courthouse.			X					The court administrative officer and county executive officer provided compliant responses. The recommendation will be implemented but neither the court administrative officer nor county executive officer will be involved in the evaluation of the security camera system.

Finding					Recommendation	Response					
	Agree with Finding	Disagree Partially with Finding	Disagree Completely with Finding	Did Not Respond		Agree with Recommendation	Implemented Recommendation	Will be Implemented with Date	Further Study Needed	Funding Needed	Do Not Agree
F7: The security camera system at the Auburn Historic Courthouse facility is inadequate.	X				R3: By March 1, 2022, the court administrative officer and county executive officer will oversee the new security camera system installation at the Auburn Historic Courthouse.	X					The court administrative officer and county executive officer provided compliant responses. The recommendation will be implemented but neither the court administrative officer nor county executive officer will be involved in the evaluation of the security camera system.

PREPAREDNESS OF PLACER COUNTY FOR THE NOVEMBER 2020 GENERAL ELECTION

Summary

In these unprecedented times of COVID-19, the State of California took steps to ensure every citizen could safely vote in the November 2020 general election. The passing of Assembly Bill 860 and Senate Bill 423 made California a vote-by-mail state for the upcoming election. The grand jury investigated the Placer County Elections Office and their readiness to conduct a vote-by-mail election and report the changes being made to ensure a successful election.

Finding	Recommendation				Response						
	Agree with Finding	Disagree Partially with Finding	Disagree Completely with Finding	Did Not Respond	Agree with Recommendation	Implemented Recommendation	Will be Implemented with Date	Further Study Needed	Funding Needed	Do Not Agree	Will Not Implement
F1: Placer County Elections staff are committed to ensuring that registered voters have the opportunity to vote and all ballots are properly collected, counted, and secured.	X				R1: Placer County Elections staff should develop additional processes for maintaining the accuracy of the voter rolls.	X	X				Placer County Elections provided a compliant response. This recommendation has already been implemented and will continue to be an area for ongoing improvements.
F2: Placer County Elections Office is complying with the requirements of SB 423 and AB 860.	X				There was no recommendation associated with this finding.						
F3: Placer County Elections Office staff works with other public agencies to support the election.	X				There was no recommendation associated with this finding.						

Finding					Recommendation	Response					
	Agree with Finding	Disagree Partially with Finding	Disagree Completely with Finding	Did Not Respond		Agree with Recommendation	Implemented Recommendation	Will be Implemented with Date	Further Study Needed	Funding Needed	Do Not Agree
F4: Placer County Elections staff have planned, developed processes, and invested in supplies to safeguard the health and safety of both voters and poll workers.	X				There was no recommendation associated with this finding.						
F5: There has been an expansion from three days to seventeen days for the collection, verifying, and counting ballots.	X				There was no recommendation associated with this finding.						
F6: Ballots are collected, verified, and counted beginning October 5, 2020, but are not tabulated until November 3 after 8:00 p.m.	X				There was no recommendation associated with this finding.						
F7: If voting in person, individuals will have four days to vote at a Voter Service Center, instead of just one day at a precinct.	X				There was no recommendation associated with this finding.						
F8: Lake Tahoe voters using the US Postal Service could have their ballots delayed getting to the Auburn Elections Office.	X				There was no recommendation associated with this finding.						

Finding				Recommendation	Response						
	Agree with Finding	Disagree Partially with Finding	Disagree Completely with Finding		Agree with Recommendation	Implemented Recommendation	Will be Implemented with Date	Further Study Needed	Funding Needed	Do Not Agree	Will Not Implement
F9: Voters placing a stamp on their return ballot envelope could have their ballots delayed getting to the Auburn Elections Office.	X			There was no recommendation associated with this finding.							
F10: There will be additional drop box locations for the public to return their vote-by-mail ballots if they choose not to use the US Postal Service.	X			There was no recommendation associated with this finding.							
F11: The live real-time connection between the VSC locations and the voter registration database has not been previously used.	X			There was no recommendation associated with this finding.							
F12: The full cost for the November 2020 election is unknown.	X			R2: By March 1, 2021, the Placer County Registrar of Voters will provide to the 2020-2021 Placer County Grand Jury a written summary that documents all costs associated with the November 2020 general election.		X				Placer County Registrar of Voters provided a compliant response. This recommendation has not been implemented but will be implemented in the future. Vendor receipts have been submitted so documented costs for November 2020 election will be submitted by March 1, 2021.	

Finding	Recommendation				Response							
	Agree with Finding	Disagree Partially with Finding	Disagree Completely with Finding	Did Not Respond	Agree with Recommendation	Implemented Recommendation	Will be Implemented with Date	Further Study Needed	Funding Needed	Do Not Agree	Will Not Implement	
F13: As a result of SB 423 and AB 860, Placer County Elections Office has developed many new processes. The efficacy of these processes will not be known fully until after the November 2020 election.	X				R3: By March 1, 2021, the Placer County Registrar of Voters will provide the 2020-2021 Placer County Grand Jury a written debrief of issues/problems encountered during the November 2020 general election as well as what the department did to resolve the issues/problems and what the department has learned from this experience, both positive and negative.		X					Placer County Registrar of Voters provided a compliant response. This recommendation has not yet been implemented because as of yet, staff has not had time to examine all of the challenges that arose during the November 2020 election, but should be able to provide by July 2021.

Continuity and Accountability: Review of Placer County Grand Jury Reports from 2019-2020

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 2020-2021 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 has not produced a continuity report in the past.

Finding	Agree with Finding	Disagree Partially with Finding	Disagree Completely with Finding	Did Not Respond	Recommendation	Agree with Recommendation	Implemented Recommendation	Will be Implemented with Date	Further Study Needed	Funding Needed	Do Not Agree	Will Not Implement	Response
F1: Placer County Grand Jury has not written a continuity report in previous years.					R1: Future Placer County Grand Juries shall continue to produce a continuity report each year.								2021-2022 Placer County Grand Jury is preparing a continuity report for the current term.

Finding				Recommendation	Response						
	Agree with Finding	Disagree Partially with Finding	Disagree Completely with Finding		Agree with Recommendation	Implemented Recommendation	Will be Implemented with Date	Further Study Needed	Funding Needed	Do Not Agree	Will Not Implement
F2: Five responses were not compliant with Penal Code § 933.05.				R2: Future Placer County Grand Juries should follow up with any response that is not compliant with Penal Code § 933.05.							2021-2022 Placer County Grand Jury has followed up on non-compliant responses.
				R3: Future Placer County Grand Juries should require respondents whose response is found to be non-compliant with Penal Code § 933.05 to provide the grand jury with an updated response that is compliant.							2021-2022 Placer County Grand Jury has followed up on non-compliant responses.
				R4: By September 4, 2021, Rocklin School District will respond to the recommendation from the 2019-2020 report with a response that is compliant with Penal Code 933.05.	X	X					Rocklin School District provided a compliant response and has implemented the recommendation.
				R5: By September 1, 2021, Placer County Sheriff will respond to the two recommendations from the 2019-2020 report with responses that are compliant with Penal Code § 933.05.		X					Placer County Sheriff's Office did not provide a compliant response. While they have not yet implemented the recommendations, they plan to do so in the future, but did not provide an implementation date.

Finding					Recommendation	Agree with Recommendation	Implemented Recommendation	Will be Implemented with Date	Further Study Needed	Funding Needed	Do Not Agree	Will Not Implement	Response	
	Agree with Finding	Disagree Partially with Finding	Disagree Completely with Finding	Did Not Respond										
					R6: Placer County Board of Supervisors will provide an updated timeline for the Tahoe Justice Center Construction by September 1, 2021.	X	X						Placer County Board of Supervisors provided a compliant response, advising that the recommendation was implemented on June 22, 2021, when the Board of Supervisors approved the Facilities Capital Improvement Plan for the Tahoe Justice Center. Targeted completion date is May, 2026.	
F3: Alta-Dutch Flat School District website is not currently compliant with AB 2257.	X				R7: Alta-Dutch Flat School District will update their website to be compliant with AB 2257 by September 1, 2021.	X	X						Alta-Dutch Flat School District provided a compliant response and has implemented the recommendation.	
F4: Bowman Charter School District website is not currently compliant with AB 2257.	X				R8: Bowman Charter School District will update their website to be compliant with AB 2257 by September 1, 2021.	X	X						Bowman Charter School District provided a compliant response and has implemented the recommendation.	
F5: Tahoe-Truckee School District did not respond to the grand jury.					There was no recommendation associated with this finding.									

Conclusion

The 2021-2022 Placer County Grand Jury is following the precedent set by the 2020-2021 Placer County Grand Jury by publishing this continuity report. This jury believes it is important to verify that respondents were compliant with Penal Code § 933.05 and concludes that this work is too important to not be a requirement of each grand jury going forward.

Findings

The grand jury found:

- F1:** Placer County Grand Jury wrote its first continuity report in 2020-2021 and is continuing that process this year, following up on noncompliant responses.
- F2:** Newcastle Fire Protection District does not have clickable links on its website to their current agenda, making it noncompliant with the Brown Act.
- 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.
- 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.
- F5:** Heather Glen Community Services District, Talmont Resort Improvement District, and the City of Lincoln 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.
- F6:** Auburn Recreation & Parks District did not provide a response that was compliant with Penal Code § 933.05. The response provided did not indicate agreement or disagreement with the pertinent findings, nor did it provide any response to the recommendation.

Recommendations

The grand jury recommends:

- R1:** By the time of each year's grand jury final report preparation, future Placer County Grand Juries shall continue to produce a continuity report each year. The grand jury shall follow up with any response that is not compliant with Penal Code § 933.05 and require an updated compliant response.
- R2:** By November 1, 2022, Newcastle Fire Protection District will insert on their website clickable links to their current agenda.
- R3:** By September 1, 2022, Midway Heights Water District, Penryn Fire District and Placer Hills Fire District will all update their agenda links to include current agendas.
- 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.
- R5:** By September 1, 2022, Heather Glen Community Services District and Talmont Resort Improvement 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.
- R6:** By October 1, 2022, the City of Lincoln will provide an updated response 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.
- R7:** By September 1, 2022, Auburn Recreation & Parks District will provide an updated response to the recommendations from the 2020-2021 grand jury report, indicating agreement or disagreement with the pertinent findings and a response to the pertinent recommendations in compliance with Penal Code § 933.05.

Request for Response

Pursuant to Penal Code § 933.05, the Placer County Grand Jury requests a response from the following:

	<u>Recommendations Requiring Response</u>	<u>Response Due Date</u>
William Kahrl Chairperson Newcastle Fire Protection District P.O. Box 262 Newcastle, CA 95658	R2	September 1, 2022
David Wiltsee President Midway Heights County Water District P.O. Box 596 Meadow Vista, CA 95722	R3	September 1, 2022
Cheryl Hotaling Chairperson Penryn Fire Protection District 7206 Church St Penryn, CA 95663	R3	September 1, 2022
Peter Hills President Placer Hills Fire Protection District P.O. Box 350 Meadow Vista, CA 95722	R3	September 1, 2022
Devon Bell Sheriff Placer County Sheriff's Office 2929 Richardson Dr Auburn, CA 95603	R4	September 1, 2022
Jim Henderson President Talmont Resort Improvement District P.O. Box 1294 Tahoe City, CA 96145	R5	September 1, 2022

Max Bailey President Heather Glen Community Services District P.O. Box 715 Applegate, CA 95703	R5	September 1, 2022
Sean Scully City Manager City of Lincoln 600 Sixth Street Lincoln, CA 95648	R6	October 1, 2022
Gordon Ainsleigh Chairperson Auburn Area Recreation & Park District 471 Maidu Dr #200 Auburn, CA 95603	R7	September 1, 2022

Copies Sent to:

Cindy Gustafson
Chairperson
Placer County Board of Supervisors
175 Fulweiler Ave
Auburn, CA 95603