



2012 - 2013 SISKIYOU COUNTY GRAND JURY

**FINAL**

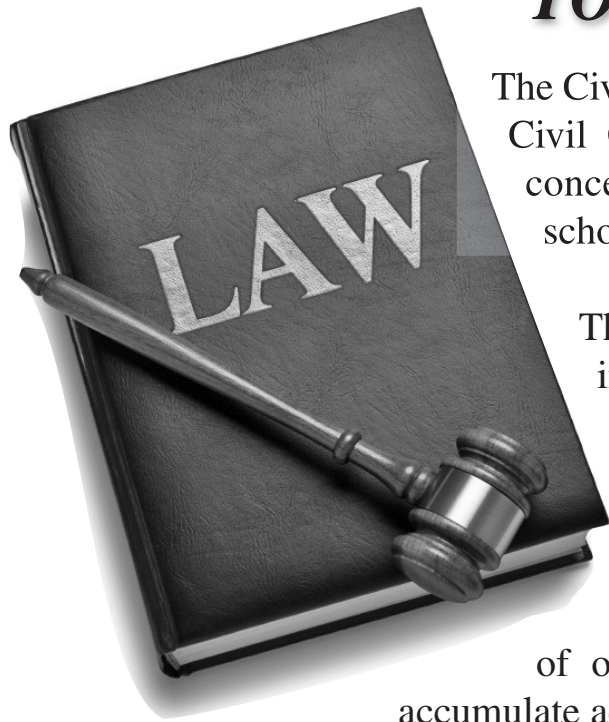


**REPORT**



SERVING SISKIYOU COUNTY SINCE 1859

# *TO THE CITIZENS OF SISKIYOU COUNTY,*



The Civil Grand Jury is a branch of the superior Court system in the county. However the Civil Grand Jury stands alone in its freedom to investigate the functions and complaints concerning county departments, cities, special districts, incarceration facilities and schools within Siskiyou County.

This Final Report from the Civil Grand Jury to the citizens provides a public window into the operations of our local government entities. By this public viewing our goal is to suggest use of more efficient methods of operations. We are not professional government efficiency specialists. But we are interested Siskiyou County citizens who collectively bring many talents to these investigations.

The Civil Grand Jury would like to thank the elected officials and employees of our local governments for their cooperation and assistance in our efforts to accumulate accurate and actual information. The vast majority of the public employees we encountered are dedicated to performing their jobs well.



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# SISKIYOU COUNTY 2012 - 2013 CIVIL GRAND JURY MEMBERS

With the publication of this Final Report, the work of the 2012-2013 Siskiyou County Civil Grand Jury is complete. We trust our fellow citizens will find the wide range of topics covered informative and that the recommendations made will be considered seriously by the agencies and departments of county government to which they are addressed.

The Civil Grand Jury has no enforcement power. Nonetheless, it provides a significant public service by bringing attention to the operations of the various branches of county government. In addition, by serving as a confidential investigatory body for citizen complaints, the Jury affords county residents a forum for expressing concerns they feel have not been resolved through regular bureaucratic channels.

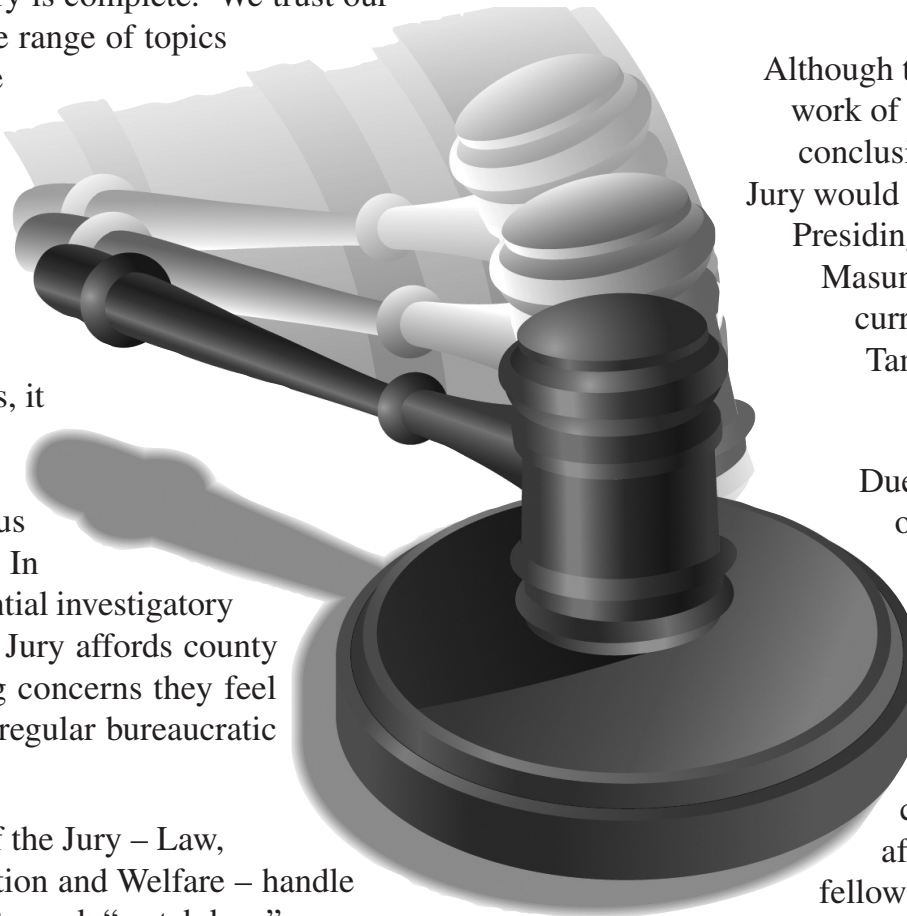
The three primary committees of the Jury – Law, Government, and Health, Education and Welfare – handle both investigation of complaints and “watchdogs” (general surveys of the state of an agency and its programs) in their respective areas of responsibility.

Before being submitted for publication, individual reports are reviewed and approved by the full panel.

Although the contents of this Final Report are entirely the work of the Jury, and we bear sole responsibility for the conclusions and recommendations set forth therein, the Jury would like to express its thanks and appreciation to the Presiding Judge of the Superior Court, the Hon. Laura Masunaga, for her direction, and to the former and current Grand Jury Coordinators, Jan Peery and Tami Zufelt, for their unfailing support in ways great and small.

Due to the loss of several members over the year of our term, our final membership ends at less than the nineteen jurors established by law on the basis of our county population. But each of the remaining members contributed much to the work of this Jury.

Civil Grand Jurors serve a maximum of two consecutive years, but may return to serve again after a year off the panel. We encourage our fellow citizens to consider applying for appointment to this “arm of the court, voice of the people and conscience of the community.”



*Respectfully submitted,*  
**LORI WILSON, Foreperson**

**LEO BERGERON**  
**MARTIN BISHOP**  
**GARY BOWEN**  
**SARA DAVIS**  
**DENNIS EDMONDS**

**GERALDINE FROILAND**  
**JEAN HERSHBERGER**  
**BILL LEVIS**  
**CRAIG MOMMER**

**RUSSELL SCOHY**  
**SHARON SHEPARD**  
**JIM SOARES**  
**NITA SILLS**  
**STEVE THORNBURG**



# SISKIYOU GOLDEN FAIR



## INTRODUCTION

The Siskiyou County Civil Grand Jury conducted an informational only investigation of the Siskiyou Golden Fair.

## BACKGROUND

The Grand Jury generally performs three types of investigations:

Mandated investigations on penal facilities (County, State or Federal located in Siskiyou County; investigations initiated by citizen complaints against a city or county function or agency; and watchdog investigations where the Jury looks into a department or agency as a result of changes in management, mergers or other factors that may come to the attention of Jury members. A fourth type of investigation, may be undertaken when jurisdictional factors do not permit a watchdog, but the information generated is considered to be valuable to the community. In this case, the Siskiyou Golden Fair has elements controlled by both the State of California and the County, yet the funding and functioning of the Fair is of great importance to the residents of Siskiyou County.

## PROCEDURE

Grand Jury members interviewed the CEO of the Siskiyou Golden Fair (Fair) and received a comprehensive tour of the fairgrounds. The CEO also provided the Jury with documentation on the history of the Fair and how it is funded and run in the present.

## DISCUSSION

Historically, fairs can be traced back to Europe in the middle ages and most likely even farther back in other cultures. The early European fairs served both a community and religious purpose. Fairs and festivals were held to celebrate important events during the year, such as the harvest, Christmas and Easter. Fairs allowed isolated farm families to gather with friends from towns and

other farms to socialize, compete in various contests, and to purchase goods not normally available in their areas. Until more modern times, new innovations in farming and animal husbandry were usually disseminated to the masses by fairs.

European settlers brought fairs to America where they served much the same function of socializing and education. In the mid nineteenth century manufacturers of plows, planters and reapers began to exhibit their wares and promoting better crops and more efficient use of the land. During this time period, there also began the push to educate and reward the younger generations for producing the best crops and animals. Fairs began as local, often promoted by commercial clubs. Gradually, these commercial fairs gave way to county fair associations, which raised money and purchased land for permanent fairgrounds. These fairs paid for their expenses by charging entrance fees, selling advertising and holding horse races. The first State Fair was held in New York in September of 1841, and other states soon followed suit.

The first Siskiyou County Fair was held in Fort Jones in October 1859. The Fair moved to Yreka in 1866 and was held in the City Park and in empty storefronts, with animals to be exhibited housed in local livery stables. From 1880 to 1919 Siskiyou County partnered with Klamath, Lassen, Modoc, Shasta and Trinity counties in holding a regional fair. In 1919, the Fair was once again held in the Yreka City Park with exhibits presented in the Agricultural Hall rather than storefronts, but gain, animals were housed in local livery stables. In 1925 citizens raised funds to purchase the old racetrack area for \$12,000 and then, after completion of exhibit halls and grandstands, the Fair moved to its present location in 1928. In 1926, California was divided into Agricultural Association Districts (DAA), with Siskiyou County designated as the 10th DAA. This allowed the Fair access funds generated from pari-mutuel horse racing. In 1952, the Butte Valley / Tulelake area was designated a second DAA (10A), and

began running its own Fair. Today, there are 78 "county" fairs in California. Of these 20 are truly County Fairs and a further 54 are DAA fairs, with the remainder being festivals and the State Fair.

The 10th DAA fair has been known as the Siskiyou Golden Fair since 1972; previously it was called the Siskiyou County Fair (1859-1952) and the Siskiyou County Fair and Paul Bunyan Festival (1953-1972). There have been only 8 Fair managers since 1919 with the present Chief Executive Officer (CEO) appointed by the Governor in 2010. The CEO functions under the direction of the 9-member 10th DAA Board of Directors (appointed by the governor under advisement by the State Appointment Secretary), and is one of the few full-time permanent staff of the fair.



In addition to a Board of Directors, the Golden Fair also has a Junior Fair Board (JFB) comprised of up to 19 area youngsters from 13 - 19 years of age. The main purpose of the JFB is to train young people in leadership qualities and to create a core of young people to assist in building Fair awareness in the county. 2 to 4 adults, one of who must be a Fair Board member, advise the JFB.

From 1926 until 2010 the majority of funding for DAA Fairs came from pari-mutuel horse racing. In 2010 the Governor discontinued this funding and moved fairs into the state general fund. Due to the state's budget crisis, all state funding for fairs was eliminated in 2011. The Siskiyou Golden Fair lost state funding of approximately \$300,000 out of a total budget exceeding \$800,000 (for 2013 the budget is estimated between \$700,000

and \$725,000). Although the Fair remains a state entity and must follow all state mandates and regulatory requirements, it must now generate all of its own funding. The fairgrounds belong to Siskiyou County while the buildings and improvements belong to the State of California. Siskiyou County leases the land to the 10th DAA for the sum of \$1 per year. The lease continues through January 2051. Most of the current Fair buildings, grandstands and restrooms were built in the 1950s, 60s and 70s and maintenance costs could skyrocket. The 10th DAA is currently working on obtaining 501(c)3 status in order to facilitate fundraising efforts.

The fairgrounds are available for use as an Evacuation Center during emergencies such as the Seiad Valley Fire last year, as it is one of the few places able to accommodate people and their livestock and pets. If necessary, the grounds can also function as a command center for the National Incident management System and State Incident Management System. The site is also capable of serving as a shelter for stranded travelers during freeway closures.

The DAA has formed partnerships with many state and local departments including Cal Trans, Cal Fire, CHP (who have law enforcement jurisdiction over the grounds, but cede it to the Sheriff's Office during the Fair), the California Department of Corrections and Rehabilitation (CDCR), the United States Forest Service, the Sheriff's Office, Siskiyou County Public Health, County Board of Supervisors, Human Services Agency, Office of Education, College of the Siskiyous, the Siskiyou County Office of Emergency Services and the City of Yreka. The DAA also partners with private and non-profit organizations such as Scott Valley Bank, Siskiyou Central Credit Union and America West (Premier West) bank.

Fundraising efforts are priority one. In addition to revenue generated by the Fair itself, the DAA also raises funds by renting out the fairgrounds

in the off-season. The Siskiyou Motor Speedway uses the rodeo grounds for racing, some of the larger buildings are used for winter RV and boat storage, the stables are rented to horse owners and the site is utilized for marriages, parties, Sportsman's Expo, Holiday Gift Fair and festivals. The DAA has solicited ideas from the community for even more fundraising events.

## CONCLUSION

Because the 10th DAA is a State entity it must follow all state rules and regulations. The state does not require background checks on day workers at fairs. The Siskiyou Golden Fair does require that the carnival contracted to provide the rides perform background checks on all of its employees. The fairgrounds and buildings are compliant with the Americans with Disabilities Act. All restrooms, curbing, grandstand seating, disabled parking slots and ATM machines are ADA compliant.

The Siskiyou Golden Fair is an economic engine for the county. The benefits of the Fair go beyond education, culture and agricultural traditions. According to the California Department of Food and Agriculture, Division of Fairs and Expositions, the Fair generated approximately \$3 million in spending activity in 2009, the last year for which these figures are available. This spending creates the equivalent of 28 full time jobs in Siskiyou County and generates almost \$17,000 in local business taxes. Go to [www.cdffa.ca.gov](http://www.cdffa.ca.gov) and [www.cafairs.com/](http://www.cafairs.com/) for more information and to compare the Siskiyou Golden Fair with other fairs in the state.

In these tough economic times it is incumbent upon the citizens and residents of Siskiyou County to decide whether our children and grandchildren will continue to benefit from the educational and vocational aspects, the tradition that the fair engenders and the old-fashioned family fun that having a County Fair affords our community.



# WATCHDOG: Elder Abuse in Siskiyou County



## INTRODUCTION

The Siskiyou County Civil Grand Jury (Jury) undertakes three types of investigations: Mandated investigations such as those required each year on penal/correctional facilities located within the county; investigations instigated by citizen complaints received by the Jury; and watchdog investigations. Watchdog investigations can focus on a single department or section of that department or, as in this case, an issue that requires the attention and cooperation of multiple governmental and non-governmental organizations.

The 2012-2013 Siskiyou County Civil Grand Jury elected to perform a watchdog investigation on the problem of elder abuse in Siskiyou County.

## DISCUSSION

There is no single definition of elder abuse. The national Center on Elder Abuse ([www.ncea.aoa.gov/](http://www.ncea.aoa.gov/)) defines seven distinct categories: Physical Abuse; Sexual Abuse; Emotional Abuse; Exploitation (defined as the illegal and/or improper use or concealment of an elder's property, assets, funds or resources without permission); Neglect; Abandonment; and Self-neglect. There are additional categories defined when the abuse or neglect occurs in nursing homes or other institutions. These include theft, inappropriate use of restraints and substandard care. An "elder" is normally defined as someone over 65 or a developmentally disabled adult over 18 years of age.

Unlike child abuse or domestic violence, in many states elder abuse is not a crime in and of itself, but rather an aggravating factor or enhancement of other crimes. Some examples would be: assault on the elderly, theft from the elderly, rape of an elder, etc. In the cases of child abuse and domestic violence, years of activism by citizens groups and law enforcement were required to increase awareness of these problems to the level where the legislature was obligated to enact the laws we have today. A similar effort will most likely be necessary in order for elder abuse to receive the same legal standing.

Over the past decade or so, there has been debate and conflict over whether to consider abused elders as victims of domestic violence or as a separate category. Domestic Violence (DV) services and Adult Protective Services (APS) evolved separately from each other with differing approaches to, and solutions for, family violence. DV programs grew out of the women's movement of the 1960's and 70's and have focused mainly on empowering younger battered women to leave their abusers and become more independent and self-sufficient. While many DV shelters can and do serve elders, most are set up as short-term emergency housing for younger women, often with children. Many elderly victims are frail and have health issues incompatible with these types of shelters. They may be unable to handle the stress of being in a busy, noisy environment, and may not be able to participate in the housekeeping chores expected of everyone in the shelter. Also, while most elder abuse victims are female, a good percentage are men, and thus ineligible for a place in most DV shelters.

By contrast, APS programs were developed by county and state social service agencies to protect elders and disabled adults of both genders. In many states they were modeled along the lines of the child abuse agencies. It was believed that caregiver stress was a major factor in elder abuse. The solution often involved removing abused or neglected victims from their homes and placing them in institutions or providing services to assist the caregiver and allow the abused adult to remain in their home. It is now recognized that overwhelmed caregivers are only a small part of the problem of elder abuse, and that power, control and

substance abuse are also involved, as in domestic violence.

In many states, DV networks and APS are collaborating and learning from each other the best ways to serve all victims of elder abuse. However, there is still a long way to go and the need for intervention and services is increasing.

Studies indicate that the incidence of elder abuse in the United States is increasing rapidly; fueled by the aging of the baby boom generation, the in-

crease in reporting of elder abuse (men). She is related to her abuser, is disabled and dependent on the abuser for her care. The abuser is typically an impoverished adult male relative who lives with, and is dependent, both emotionally and financially, upon the victim. There may also be substance abuse issues and prior involvement with the criminal justice system.

Elder abuse is not solely committed by family members. paid and volunteer caregivers are also responsible for abuse. In addition, many seniors fall victim to mail, phone and internet-based scams. Caregivers hired through reliable agencies are less likely to cause problems than those hired through want ads or social media sources, unless convicted of a crime, less-than-honest caregivers may remain on approved caregiver lists, and thus able to victimize multiple elders.

In Home Support Services (IHSS) is a state run program helping qualified seniors to remain in their homes. Although caregivers hired through IHSS receive some training intended to prevent elder abuse and fraud, the majority of them are not certified or bonded. Budget cuts at both state and county level have reduced the numbers of seniors eligible for this program as well as reimbursement for its caregivers. Because of the expense, many seniors must rely on family, friends, neighbors and volunteers for help with the necessities of everyday living.

Aggravating the increasing problem of elder abuse is the reluctance of many victims, and others to report it. Victims of elder abuse may be embarrassed to admit that a family member or caretaker has hurt or taken advantage of them. They may also fear losing their independence, be afraid of retaliation

or be confused about what has happened to them. Many elders are simply unwilling to report a family member for fear they will be sent to prison. If neighbors or others in the community do notice abuse, they may be unwilling to get involved or be unaware of how to report abuse and whom to report it to. Complicating things further is the fact that, unlike child abuse or domestic violence, victims of elder abuse have the right to refuse help and not cooperate with any investigation and prosecution. In addition, victims found to be unable to care for themselves may be poor witnesses against their abusers making prosecution, without other evidence problematic.

Surprisingly, many studies have shown that the prevalence of many types of violence, including elder abuse is higher in rural areas than in urban ones. It is tempting to regard rural living as more neighborly with people looking out for one another, and urban living as isolating and dog-eat-dog. However, this does not take into account physical as well as social isolation, lack of public transportation and the insufficient resources found in rural areas. All of these factors, as well as the rural attitude of individualism and self-sufficiency, may lead to both higher rates of elder abuse and lower rates of reporting of that abuse than in more densely populated areas where abuse may be more visible.

It is estimated that Siskiyou County has some of the highest levels of elder abuse in California. Siskiyou County is the 5th largest county in California by area, but only 45th out of 58 in population. Many seniors live in isolated areas with few close neighbors. In addition, many people retire to Siskiyou County leaving their families and friends far away. The economic problems of the last decade have hit rural counties especially hard, and many adult children and grandchildren have been forced to return home to live with their elderly parents. With a loss of jobs and self-esteem, the county has also seen an increase in substance abuse. These are all factors in the increase in elder abuse, not just in Siskiyou County, but also all over the country. Compounding the problem is



## PROTECT SENIORS Take a stand against ELDER ABUSE.

creasing life expectancy of Americans, and the economic hardships of the last few years. The numbers of senior citizens is projected to almost double by the year 2030, with the number of adults over 85 years old increasing even faster. Nationwide, the number of seniors suffering some form of elder abuse is estimated at about 2 million people. Most studies indicate that between 1 in 10 to 1 in 20 seniors have suffered abuse in some form, yet fewer than 1 in 14 of those are reported. This low rate of reporting means that the numbers of abused elderly may be far higher.

While no one case is typical a general profile of victims and abusers can be made. The victim is generally a white female over the age of 75 (females



# WATCHDOG: Elder Abuse in Siskiyou County



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the sad fact that while the need for services and investigations into abuse of the elderly continues to increase, Adult Protective Services along with the rest of the Human Services Agency has experienced budget cuts and personnel layoffs.

Siskiyou County, like many other jurisdictions in the country, is taking a multi-disciplinary, multi-pronged approach to battle elder abuse. The Siskiyou Alliance Against Abuse of Aging and At Risk Adults (SA6) was formed in 2010 and received one of only ten \$10,000 mini-grants awarded by the United States Department of Health and Human Services through the National Committee for the Prevention of Elder Abuse (NCPEA). This grant money was used to train participants in establishing and maintaining an effective coalition of departments and organizations, identifying goals and developing strategies to increase awareness of and effectiveness in battling elder abuse in Siskiyou County.

Some of the organizations and agencies participating in SA6 include law enforcement (one of the principal founders is with the Siskiyou County Sheriff's Office), Adult Protective Services, Victim's Witness (part of the Siskiyou County District Attorney's Office), Northern Valley Catholic Social Services, Far Northern Regional Center, Family Resource Centers, Madrone Hospice, Fairchild Medical Center, as well as private individuals who provide services to elders. Many other agencies and organizations have also been involved with the above named ones representing the core group.

SA6 meets once a month with presentations and discussions of new and existing programs, information exchanges on scams directed at seniors and general information on trends in elder abuse. In addition, SA6 members are available to speak about elder abuse and what Siskiyou County is attempting to do about it at meetings, senior centers and other venues throughout the area.

As budget cuts eviscerate county social services, it has become more and more important for volunteer non-profit organizations to step up and fill the ever-increasing gap between what the county can provide and the needs of elderly residents. One of the most important of these services involves money management. In the past, Adult Protective Services provided a voluntary Representative payee (RP) program for senior citizens who had trouble, physically or mentally, managing their funds, but did not need the more intrusive help of a conservatorship (where the Public Guardian assumes responsibility and decision-making on behalf of the senior citizen). Apply for and being granted a conservatorship over someone is considered a last resort and requires approval by the courts as the individual being conserved loses their rights to self-determination and except for rare circumstances is considered permanent.

The RP manages the elder's money, pays all the bills and issues an allowance for incidentals, allowing the otherwise healthy senior to remain in their home. Since all monies are paid directly to the RP and the senior has no direct access, there is a far lower chance of financial abuse. Budget cuts eliminated this necessary program and the one private, for profit RP has moved out of the area. A private RP usually charges a percentage of a client's income, placing this service out of reach for many senior citizens. In addition to paying all bills, the RP is in a position to monitor credit cards and utilities for unwarranted or suspicious changes in spending patterns or use of electricity.

Northern Valley Catholic Social Services (NVCSS) offers a Money Management Program that is one step below RP. This program entails sending a volunteer (who has been fingerprinted and undergone a background check) into the senior's home to help with paying the bills. Money management also acts as a deterrent to financial abuse since there is another pair of eyes watching. However, unlike the RP program, it is less likely to notice suspicious spending patterns.

Also offered is a Friendly Visitor program where volunteers visit senior citizens on a regular basis to see how they are doing and if they need anything. For more independent seniors a telephone check up service, called Senior Wellness is offered. NVCSS senior services are all volunteer and supported by various grants. All three of these programs can be requested by the senior, by families who believe elderly relatives need a little help but are unable to give it themselves, or by referral from APS or law enforcement. AS with the RP program previously provided by APS, all programs for seniors are strictly voluntary and the senior citizen may stop the services at any time.

The ultimate goal with all of these programs; Representative Payee, Money Management, Friendly Visitor and Senior Wellness is to allow senior citizens to remain in their homes and live their final years with dignity. Thus the volunteers for these programs must tread a fine line between looking out for the elder's well being and respecting their right to live in the manner they choose. It can be very difficult to distinguish between serious self-neglect that requires intervention by authorities, and may be a result of dementia or other physical ailment, and a senior's choice to live in a cluttered or messy house. In the latter case all that may be necessary is the offer of some housekeeping help.

Many well-intentioned organizations actually alienate the seniors they are trying to help by failing to listen and infantilizing the elders. The use of senior citizen volunteers diminishes the chances that offers of assistance will be refused due to pride and a perceived loss of independence. Of course seniors helping seniors benefits both parties.

When volunteer intervention leads to the discovery of elder abuse, or when someone in the community becomes aware that something is amiss in a senior's life it is necessary to involve the authorities. Many times both law enforcement and Adult Protective Services are called. However, because

of the limited manpower APS can provide, police are often called upon to deal with these situations alone. This is not a problem when the abusive party can be arrested or otherwise removed from the situation, but can be when suitable housing or care must be arranged for the elderly victim. In an emergency, law enforcement can take the abused senior into protective custody and arrange an emergency placement, but APS must get involved quickly in order to deal with the long-term consequences of victimization.

In Siskiyou County there are few options for abuse victims who are unable to remain in their homes. Female elder abuse victims may be placed in the Domestic Violence shelter if they are physically able to care for themselves, but men must be put up in a motel or referred to Medford or Redding. There are few beds available in assisted living facilities and those places there are do not accept Medi-Cal reimbursement (although skilled nursing facilities do). There is not entitlement to a bed in one of these facilities and anyone can be denied for any reason. Few abused seniors can afford the cost of staying in one of these facilities.

The lack of acceptable options for abused seniors can and often does lead to a refusal to cooperate with authorities in investigating and prosecuting cases of elder abuse. Over the last few years many law enforcement personnel have undergone specific training in the unique problems encountered in elder abuse investigations. Prosecutions for elder abuse are also increasing, with the Victim's Witness section providing aid and comfort to these vulnerable people.

In Siskiyou County the majority of reported elder abuse cases involve financial abuse and neglect (including self-neglect). Cases involving physical abuse are more rare but this may be due to a lack of reporting with these types of cases. The Jury expects that as people become more aware of elder abuse and the scope of the problem that more cases of physical abuse will come to light. It is incumbent upon all

residents of Siskiyou County to help protect the more vulnerable members of our society.

## CONCLUSIONS

Elder abuse is a growing problem in this county, indeed the entire country, yet it has received less attention than child abuse and domestic violence. There are many factors involved in this phenomenon: a rapid increase in the number of senior citizens and in the life span of Americans; the rural nature of Siskiyou County; the reluctance of seniors to report abuse; the economic downturn of the last few years; increasing substance abuse problems; lack of resources and services; and lack of awareness of the problem.

Perhaps the most important thing this report can do is to call attention to the problem of elder abuse and add the Grand Jury's voice to those attempting to increase awareness about this shameful aspect of our society.

## FINDINGS AND RECOMMENDATIONS

**Finding 1.** The most overriding message that the Jury received during this investigation was the need for a Representative Payee program in Adult Protective Services. Without the RP program many senior citizens whose only impairment is the inability to manage their financial affairs could end up subject to conservatorship. This not only costs the conserved senior their right to self-determination, it also is far more costly to the county coffers.

**Recommendation 1.** The Human Services Agency should investigate the relative costs of Representative Payee versus Conservatorship and decide which is better for the individual and the county. If it is not feasible to have an in-house RP program, the HSA should investigate contracting with a private RP.

**Finding 2.** The SA6 is doing a good job of making seniors aware of elder abuse, but the Jury believes they need to include all ages in their awareness campaigns. Several recent cases of elder abuse have been reported to authorities by grocery clerks, phar-

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# WATCHDOG: Elder Abuse in Siskiyou County

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macy technicians and bank tellers, indicating that people are willing to get involved provided they know what to watch out for.

**Recommendation 2.** Elder Abuse awareness campaigns should include speaking with all segments of the community. In addition to talks given at senior citizen lunches, SA6 should also target service organizations, businesses and high schools. The more people who are watching out for our senior citizens the harder it becomes for those who prey on them. A booth at the county fair and pamphlets outlining the problems and possible solutions should also be considered.

**Finding 3.** Participation in the SA6 monthly meetings has dwindled from

a high of 45 or so people to a core group of 8 - 10, and many agencies have stopped coming at all.

**Recommendation 3.** An attempt should be made to discover why so many agencies have dropped out, fix those problems and get them involved again. Agencies that have ceased involvement due to territorial or philosophical disputes need to get over themselves and remember that compromise is not a dirty word. Cooperation, not competition is the key to combatting elder abuse.

**Finding 4.** It is very important to have a permanent law enforcement representative on the SA6. A lot of the initial impetus for SA6 came from a detective with the Sheriff's office. Due

to changes in shift and responsibilities he is no longer able to participate at the previous level.

**Recommendation 4.** The Sheriff's Office should assign a deputy or detective to attend the 1-hour per month SA6 meeting. It would also be nice if a representative of the Yreka Police Department also attended. Perhaps a rotation can be worked out allowing law enforcement personnel from other agencies to also attend.

**Finding 5.** While the emphasis on fighting elder abuse has been rightfully placed on its victims, it is also necessary to consider the perpetrators. Many elder abuse victims refuse to cooperate with authorities because they are protecting their relatives or friends.

If some consideration was given to helping the perpetrators overcome addiction, assistance with job hunting, etc., victims may feel less reluctance in coming forward.

**Recommendation 5.** As is the case with domestic violence, elder abuse can only be fought, and hopefully eradicated by paying attention to both the abused victim and the abuser. The safety of the victim must come first, but if nothing is done to improve the circumstances of the abuser then the vicious cycle will be perpetuated.

## RESPONSES REQUESTED

Pursuant to California Penal Code sections 933 ns 933,05 (a):

The Director of the Human Services

Agency is requested to respond to Findings 1-5.

The Siskiyou County Sheriff or his designate is requested to respond to Findings 4 and 5.

The Chief of the Yreka Police Department is requested to respond to Findings 4 and 5.

The Siskiyou County Board of Supervisors is requested to respond to Findings 1, 2, 3 and 5.

The Siskiyou County District Attorney or his designate is request to respond to Finding 5.



# CITY OF MONTAGUE



## INTRODUCTION

The Grand Jury assumed the responsibility of performing a review of a City in Siskiyou County. Our Mission became that of assessing the City of Montague. Special emphasis was placed on evaluating the areas of grants and loans used for the purpose of enhancing the local residential and business environment.

## BACKGROUND

The City of Montague was chosen for three primary reasons. First, the Grand Jury had not looked at the City of Montague for quite some time. Second, the City of Montague had received positive press regarding grants applied for and received, which were then being offered to residents and business owners of Montague, as low interest loans. Third, members of the Grand Jury were not familiar with the process of procuring and administering funds earmarked for community improvement.

## APPROACH

The methods we employed were quite simple yet time consuming. City employees were interviewed. Financial statements were reviewed and articles from the Siskiyou Daily News and the Internet were examined.

## DISCUSSION

As the Grand Jury began the process of obtaining information about Montague's participation in the area of securing community development funds through grants, it soon became apparent that the process was far more complicated than we had originally assumed. We then decided to focus our efforts entirely in this area. We also determined early on in our investigation that the city's staff had some expertise that may be beneficial to the other communities in the county.

It may be important to note the difference between a grant and a loan. A grant is an outright gift of money. The funds generally are earmarked for specific use i.e., economic development, and usually have some strings / conditions attached. The conditions may be that the recipient matches some portion of the grant, perhaps somewhere between 1 to 10%. Other conditions may also require some education and / or training as well as regular progress reports. Usually, loans for municipalities are offered at low interest rates. The reason it is important to differentiate between a grant and a loan is that the municipality may apply for funds through grants and turn those funds

into renewable loan pools. The funds are then distributed to qualified applicants to stimulate business growth, economic development, and employee training or residential community improvement.

Montague has been able to identify sources of funds through outside resources such as the Jefferson Economic Development Institute (JEDI), Great Northern Corporation (GNC), and the State Community Block Grant (CDBG) program. The grant and loan programs may also contain components to provide technical assistance, training or education. Many of these program target low to moderate-income businesses and residents.

The bottom line is that each grant / loan program is slightly different. The City, through partnership with other organizations, must identify appropriate programs that will assist the City in accomplishing specific goals. Grant applications must be completed. There are people who are trained in grant writing, which improves the probability of receiving a grant, as the wording is important. Procedures have been established and implemented to notify the public of the availability of funds. When Montague receives notification

that a grant has been approved, applications are requested from the public and then evaluated by a special loan committee. Once an individual or business is approved for their project, funds may then be requested. New grant funds are not normally distributed to the user until requested and specified criteria for that particular grant / loan has been met. The grantor normally holds funds.

The City and its partners such as JEDI, GNC and the CDBG program share administration of grant funding. The City of Montague is also aware they are subject to audit by the State of California at any time.

## CONCLUSION

There are many grant and funding programs available to communities in Siskiyou County. The City of Montague, with the assistance of grant administration oriented organizations such as JEDI and the Siskiyou Economic Development Council, is doing a good job in utilizing these types of programs. Research is done by these organizations and the City of Montague to find applicable projects and then follow through by applying for these funds.

The nature of these programs is to not only assist cities with low cost funding for Citywide improvements, but also to pass on funding to residents of the community to make improvements to their homes and businesses through low cost loans contracted with the city.

The City of Montague is doing a good job of not only finding these resources but also in utilizing them within the community and administering them in an efficient manner.

## FINDINGS AND RECOMMENDATIONS

### Finding 1.

The City of Montague appears to be performing admirably with respect to their administration of grants and loans. They are very active in seeking appropriate grants for their community. Looking at this model, it is easy to see how an assertive attitude in pursuing grant funds available, can greatly benefit a community.

**Recommendation 1:** Keep up the good work.





# INSPECTION OF DEADWOOD CONSERVATION CAMP



## INTRODUCTION AND SUMMARY

Per California Penal Code 919(b), which requires an annual inspection of every detention facility within Siskiyou County, members of the 2012/2013 Civil Grand Jury (Jury) toured the Deadwood Conservation Camp (Camp) on March 13, 2013. The Camp is located five miles north of Fort Jones in Scott Valley and is designated #23 of the 44 Conservation Camps in the State of California. The Camp was opened in 1962, and is jointly operated by the California Department of Corrections and Rehabilitation (CDCR) and the California Department of Forestry and Fire Prevention (CAL FIRE). The Jury was given a tour of all areas of the facility by Camp staff. There was no interaction between the Grand Jury and inmates.

## PROCEDURE

Grand Jury members gathered in a reception area and were introduced to senior staff from CDCR and CAL FIRE. The Jury was provided with an information packet describing Deadwood Conservation Camp, which included some statistics, and State policies that govern the Camp. Camp staff entertained questions from the Grand Jury and then conducted a complete tour of the buildings on the site including a Wood Shop, Maintenance Shops, Inmate Housing, Library, Recreation room and Kitchen / Dining areas. Camp staff explained the function of each building, stressing the importance of inmate safety, as well as the rehabilitation value of the Camp in preparing the inmate for eventual release into society. The tour ended with a hot lunch, prepared and served by inmate kitchen staff in the dining hall.

## DISCUSSION

### ABOUT THE CAMP

The primary function of the Deadwood conservation Camp is to provide inmate fire suppression crews, principally operating in Siskiyou County although they can be sent to other areas as well. Inmate crews also provide labor for other endeavors, such as flood control, conservation projects, and community services.

CAL FIRE is responsible for maintaining the Camp and its various shops as well as off-site supervision of inmate work crews. CDCR selects, supervises, and is responsible for the care and discipline of the inmates. While on extended project assignments and emergency incidents, CDCR staff provides constant inmate supervision.

CDCR Camp staff includes six Correctional officers, one Correctional Sergeant, and one Correctional Lieutenant who functions as Camp Commander. CAL FIRE provides eight Fire Crew Captains, one Heavy Fire Equipment Operator, one Stationary Engineer, and one Assistant Chief (CAL FIRE Division Chief).

CAL FIRE maintains several on-going work projects at the Camp. Inmates build cabinets and furniture for Local, State and Federal entities in a Wood shop. Inmates maintain a large inventory of chainsaws used by fire crews and Camp vehicles are repaired in the Tire and Welding Shops. When needed, these shops and inmate labor are also used to assist local Volunteer Fire Departments, as well as other government agencies.

### THE INMATES

The camp was designed to house a maximum of eighty-eight minimum custody male convicted felons. There are four 17-man fire crews, with the balance of the inmates serving as cooks, clerks, landscapers, porters, camp maintenance workers, and shop workers. During non-fire season 3 of the 4 crews perform fire reduction and other projects off site, while the fourth crew, comprised of skilled workers, remain in camp working in the various repair shops.

Inmates work a standard 40-hour week. They are paid \$1.45 per day for unskilled labor, and up to \$2.56 per day for skilled labor (mechanics, clerks, plumbers, welders, carpenters and electricians). The lead clerk and lead cook may earn up to \$3.90 per day. Fire crew members may earn \$1.00 per hour when fighting fires or on other declared emergencies. Inmate earnings are held in individual trust funds where the money can be used to help their families, or as sav-

ings to assist the inmate upon release. Inmates may purchase toiletries, correspondence materials and snacks from the camp canteen.

Though there is no formal vocational training at the Camp, inmates get their training by participating in daily work assignments like chainsaw and vehicle repair and maintenance, wood shop, food preparation and service, clerical duties, landscaping, gardening and janitorial duties.

From 6:00 pm to 11:00 pm inmates enjoy leisure time at the Camp. They have the opportunity to participate in a number of indoor and outdoor activities. There is also a library, where an inmate can also improve his education by studying for the GED test, or taking correspondence courses.

Community volunteers provide spiritual services to the inmates.

### INMATE SELECTION

Deadwood Conservation Camp inmates, after being committed to the CDCR, are selected for assignment to the Camp by a sophisticated classification system. They are sent to and trained in firefighting at the California Correctional Center near Susanville, then assigned to a Conservation Camp that is not located in their home county. Those selected inmates are Level I, Minimum Security, 18 years of age and older, physically fit and able to work. Selected inmates may not have any sex related offenses, murder, escapes, arson, or have a history of violent crimes. Generally, Deadwood inmates are serving out the last 9 months of their sentence. The inmates are not considered dangerous or violent. Although firearms are stored at Camp, on site correctional staff is armed only with pepper spray and handcuffs. Most inmates quickly learn that being selected to serve time at a Conservation Camp is more desirable than at a walled prison. Fighting fires and other work activities instill a strong work ethic and contribute to building self-worth. It also prepares the inmate for release back into society at the end of their sentence. It is felt that the recidivism rate of "Con Camp" parolees is much lower than that of other prison inmates.

### INMATE HOUSING

Inmates at the Camp are housed in open, cubicle-style dormitories. Each cubicle contains a bed, locker and shelving for personal possessions. Inmates are responsible for cleaning the dormitory and regular inspections are held. Inmates are expected to remain in their dorms between the hours of 11:00 pm and 6 am. Inmates required starting work before 6 am are housed in a smaller dorm where they won't disturb others while getting ready for work. Breakfast and dinner are served cafeteria style in the dining hall. Most inmates receive bag lunches.

There are no fences at Deadwood. Painted lines mark Camp boundaries. Crossing the boundary line unescorted and without permission results in a new charge of escape and the inmate will be sent back to the Susanville prison. There is zero tolerance for escapes.

### COMMUNITY SERVICES

For the year 2012, Deadwood crews provided State, Federal, and Local Government agencies with approximately 126,986 work hours through project and conservation work. Inmate firefighting crews also contributed 54,551 hours of labor. In total, it is estimated that they saved the California taxpayer \$2,224,000 through their efforts.

From Deadwood's cabinet shop, various woodworking/cabinetry items are produced for Federal, State and County agencies, including other CAL FIRE units in the North State. The Mechanic Shop services the CAL FIRE unit and Siskiyou County Volunteer Fire Departments. The Camp partners with the College of the Siskiyou, and assisted in the building, maintenance and support of their Fire Training Center. Other ongoing partnerships and projects include those with Klamath National Forest, Castle Crags State Park, Shasta Valley Fish and Wildlife, Siskiyou County Fairgrounds, Scott Valley Adopt-a-Highway, local public schools, Cemetery Districts, Siskiyou County Fire Safe Councils, the Cities of Weed, Etna, Fort Jones, Mt. Shasta, and Yreka, Iron Gate and Mount Shasta Fish Hatchery, Lake Siskiyou Recreation area and many others.

### COMMUNITY IMPACT

Local vendor purchases from Deadwood Conservation Camp provide an economic boost to the community. From July 1, 2011 through June 20, 2012, the agencies at Deadwood spent in excess of \$300,000 for goods and services purchased from Siskiyou County vendors. Payroll of CDCR and CAL FIRE employees at the Camp that reside in Yreka, Scott Valley, and surrounding areas exceeded \$1,000,000. In addition, Camp employees are involved as volunteers in community services such as school activities, youth sports, charitable organizations, churches, etc. A recycling program at Deadwood resulted in the diversion of approximately 11 tons of material from local landfills during the 2012 calendar year.

### CONCLUSION

Deadwood Conservation Camp is one of the best detention facilities in the State. The facility has been carefully planned and has been very well maintained and upgraded to meet current detention facility requirements. The work environment for the inmates is a model for a work place in today's world. It is a model to be held in high regards which demonstrates how a State Detention Facility, administered by two separate State Agencies can be a benefit to the inmates, the tax payers and the surrounding community.

### FINDINGS AND RECOMMENDATIONS

**Finding 1.** The primary mission of the Deadwood Conservation Camp is to provide fire suppression in Siskiyou County: the Camp is a low cost manpower asset to the county.

**Recommendation 1.** Keep up the excellent work.

**Finding 2.** Fighting fires and other work activities instills a strong work ethic and contributes to building an inmates self worth and self-esteem. It prepares the inmate for release back into society at the end of their sentence.

**Recommendation 2.** Keep up the excellent work.



# INSPECTION OF THE SISKIYOU COUNTY JAIL



## Introduction

The Siskiyou County Grand Jury is required to inspect the conditions and management of all correctional facilities in Siskiyou County on a yearly basis as directed by Penal Code Section 919(b).

## Summary

The lieutenant of the Siskiyou County Sheriff's Department in charge of the jail was contacted, and arrangements were made to tour the jail facility on February 21, 2013.

Thirteen members of the Siskiyou County Civil Grand Jury personally inspected the physical layout of the jail and were shown the procedures for handling prisoners from initial booking until release.

## Discussion

The current jail was built in 1987, over 25 years ago. It was designed to house 68 inmates, primarily misdemeanor violators and those felons awaiting trial and sentencing. After conviction and sentencing the felons were then sent to the California Department of Corrections.

After passage of AB109 felons sentenced to four or less years serve their time in the county jail. In addition, certain parole violators from state prisons can be sent to the county jail. Currently there are no misdemeanor prisoners held in the county jail. Misdemeanor violators are released after booking and being issued a court date.

The existing jail facility is clean and well run. The Sheriff, his staff and ancillary personnel have developed procedures that mitigate the shortcomings of the existing facility. They should be commended for doing an outstanding job given the constraints of operating in an antiquated and inadequate jail facility.

Today, by double bunking prisoners (two beds per cell), the jail Capacity is 107. The bed count includes three Medical Beds and four PC (Protective Custody) beds. These single bed

cells are used primarily to house child molesters and sex offenders, as they would be at significant risk of being assaulted if placed in general population.

The current jail staff, in addition to the Lieutenant in charge consists of 41 individuals. There are 25 male and 6 female corrections deputies, a work release program manager, 2 nurses, 3 kitchen staff and 3 extra help deputies (2 male and 1 female). Corrections deputies attend a corrections academy rather than a police academy and are thus not interchangeable with patrol deputies, and have police powers only when on duty.

## Conclusions

The Siskiyou County Jail is a well run, although outdated institution. Most, if not all of the problems cited by the Jury are due to the age of the facility and the budget and manpower cuts necessitated by the economic downturn. The Jury believes that these problems will be ameliorated by the construction of the new Siskiyou County Jail. To this end, the Jury recommends that this process proceed with all due haste.

## Findings and Recommendations

**Finding 1.** All prisoners are pat searched before and during the booking procedure. Those prisoners who will remain in jail are strip searched, but body cavity searches are not routinely performed. Jail staff are not allowed to perform body cavity searches; if the visual strip search reveals an indication that there is something secreted in a body cavity, the prisoner must be transported to Fairchild Medical Center for the search to be performed by a doctor. Technology exists in the form of BOSS (Body Orifice Security Scanner) chairs, and virtual strip-search machines, such as those used in airports, allowing body cavity searches to be conducted on-site and with less humiliation for both the officer and prisoner.

**Recommendation 1:** This equipment is fairly expensive so it is recommended that the Board of Supervisors re-allocate sufficient funds to procure such equipment.

**Finding 2:** Any money found on a prisoner when arrested or sent to him or her during incarceration are held by the jail in trust for the prisoner. These funds are used to pay any fines or fees assessed the inmate and money left over may be used to purchase items from the Jail Commissary on a weekly basis. Commissary items are primarily snack foods such as candy bars and chips. No soft drinks are allowed as the bottles or cans may be used as, or fashioned into, weapons. Prisoners can fill out a commissary list with items they wish to purchase. Their account balance is checked against cost of items they wish to order. If there is sufficient money to cover cost of their purchases, they will be allowed.

The commissary service is provided by an off site business and, in return for the delivery service, provides the jail with a small commission on its sales. The approved shopping list (for the entire jail) is sent to the commissary supplier and each order is filled and packed in individual bags labeled with the inmates name and number. On arrival, the prisoner will check to see that all items ordered are received prior to taking delivery at the Commissary office. Once the inmate has taken possession of the goods, all sales are final. They are not allowed to complain a few hours later that items are missing.

**Recommendation 2:** The current process seems to be working well and the Grand Jury does not recommend any changes.

**Finding 3:** Prisoners have certain privileges and obligations when incarcerated. They are issued 2 sets of orange jumpsuits, 2 sets of underwear, 1 pair of Orange colored plastic clogs, towels and bedding. Inmate workers are also issued appropriate work clothes, which are only worn while performing

their work duties.

One of an inmates obligations is to care for the clothes and bedding issued to them and not to express their anger of being incarcerated by destroying the items. Prisoners are issued one allotment of the above and will retain that original issue during their entire incarceration. Destruction of any of these items results in debiting the prisoners personal bank account. hence they will have less money for personal use; a powerful incentive to care for county property.

They are provided a net laundry bag and laundry is done weekly (unless prisoner does own laundry). Laundry is done in a mesh bag that is tied and secured with an individual tag. The bag is washed intact and returned to prisoner intact so that it is highly unlikely that any items are removed during process.

A significant finding is that there is only one washing machine and one dryer in the facility laundry room! The laundry room is so small, that there is no room to add additional machines. If one of the machines breaks down, laundry must be taken to a public laundromat.

**Recommendation 3:** Normally the recommendation would be to add additional laundry facilities but that is not feasible in the existing facility as there simply is no room.

**Finding 4:** The kitchen and associated food storage areas are clean and well organized. The kitchen, pantry, and walk-in refrigerator and freezer are small, as they were only designed to feed 68 inmates. Despite the cramped facility the kitchen staff, along with inmate assistance, manages to prepare and serve over 300 meals per day.

The kitchen staff stated that they could save the county substantial money if they could order food in larger quantities but due to the small size of the storage area that is not possible.

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# INSPECTION OF THE SISKIYOU COUNTY JAIL



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Since there are inmates helping in the kitchen, the knives used for food preparation are counted at the beginning and end of each shift.

The Jury was provided lunch from the day's menu and the taste and quality of the food served was excellent.

It was also noticed that the electronic temperature monitors and alarms on the refrigerator and freezer are not functioning. When asked about this, one of the cooks stated: "They haven't worked for years." "The walk-in refrigerator and freezer have hanging thermometers inside that we check on occasionally." The failure of the refrigeration systems, without immediately alerting the staff, could result in substantial loss of supplies, as well as presenting a significant health hazard.

**Recommendation 4:** It is recommended that the alarms be either repaired or replaced. If the cost of repair or replacement cannot be diverted from normal operating funds the Grand Jury recommends that the issue be brought before the Board of Supervisors (BOS) to obtain additional funds.

**Finding 5:** Two nurses provide routine medical treatment. Inmates are charged \$3.00 from their personal account for each Medical visit requested. When inmates are responsible for a portion of each visit it tends to decrease the number of unnecessary requests. This saves time and money.

If Medical care is needed and there are not sufficient funds in the inmate's account to cover the cost, the care will be provided anyway and a charge will be registered against the inmates "bank account." There is no limit on the amount of negative balance allowed. However, since this is the account used to purchase "treats" from the commissary, and those items are on a "cash only" basis, a negative

Medical Balance would not allow an inmate to purchase anything from the commissary until their balance is positive.

The inmate must choose between talking to the nurse and the snacks they could buy with the \$3.00 charged for the visit. The nurses stated, "This policy has significantly reduced the amount of sickness among the jail population!"

In addition, if an inmate is released with a negative balance, and is subsequently re-arrested for another violation, that negative balance is carried over and any money on the arrestee's person, or provided by visitors, will be applied to that negative account balance.

**Recommendation 5:** These procedures seem to be working well and there is no recommendation for change.

**Finding 6:** Previous Grand Juries have identified a number of deficiencies in the design of the facility that pose a security risk to the staff and inmates. There are certain blind spots in the facility that are obscured from video surveillance. The sheriff's staff has identified these areas and "off limit" lines have been painted on the floors. Inmates who enter these areas are subject to disciplinary action.

The major flaw in the design of the present jail (noted by previous Grand Juries) is that moving a prisoner from the cell areas to any other area such as the exercise area, to get medical treatment, or to get to the visitation area requires the prisoner to pass through the control room. Security is established via procedure in that at least two officers are in the control room during movement of an inmate from one area to another.

It might be noted that the jail officers do not carry lethal weapons. their

available weapons are to defuse the situation verbally, superiority of numbers by summoning help via radio, and as a last resort to use Mace or pepper spray.

**Recommendation 6:** Recommending altering the jail is impractical given its present age and design. Again, the sheriff and his jail staff are commended for improvising and making do with the current situation.

**Finding 7:** It is required that inmates be offered at least three hours per week of visitation. As stated before prisoners must be escorted through the control room to gain access to the visitation room. The visitation room is a locked area with seats, a window, and telephone to communicate with visitors. The visitation area can accommodate ten inmates. As there is not separation of inmates on the locked side, presenting a logistics problem for jail staff. Assuming the present average population of 96 inmates, that requires 288 visitation hours per week.

This requires careful selection of which prisoners can occupy the visiting area at the same time. Having rival gang members or child sex offenders and general population inmates in the visiting area simultaneously could present a serious situation.

**Recommendation 7:** The obvious recommendation would be to provide alternate route to the visitation area and individual secure cubicles for visitation; again, totally impractical in the present facility.

**Finding 8:** Previous jail inspections and reports noted that the jail had many roof leaks. When questioned about this the Jury were told that there had been some repairs made and, although the ceilings showed evidence of earlier leaks, there had been no water dripping this year.

Of course this may or may not prove anything, as it had been pretty dry up to the date of inspection.

The one-way windows between the control room have been repaired to limit observation of the deputies by the inmates.

Much to their credit, the jail staff has adapted to the realities of housing a more violent and cunning genre of inmate without incurring major expenses. An amusing example is the recreation area. This area with its 20-foot or so walls is topped with a steel meshed roof originally designed to keep contraband, mainly weapons, from being tossed over the walls from the outside and onto the roof.

It was discovered that "friends" of the inmates would freeze drugs inside ice cubes; toss them onto the roof from the outside where the ice cubes would melt and deposit their payload to the floor to be retrieved by the inmates. Another ploy was to carefully break an ordinary light bulb so the bulb portion was still intact, fill the bulb with drugs and toss that onto the steel roof. The bulb would shatter and rain down glass and drugs on the recreational room floor. The prisoners would then use the restroom in the recreational area to ingest or hide the drugs.

The Jail staff solved the problem by covering the existing meshed roof with a lightweight plastic tarp and locking the recreational area restroom. To use a restroom now requires an inmate to ask to be escorted back to the housing area. Any water or glass on the recreational area floor would be cause to suspect that contraband had been induced into the jail.

**Recommendation 8:** The Jury recommends that the maintenance be continued even though the facility is old and will eventually be replaced.

The jury further recommends that the site selection, funding, design and construction of a new jail proceed with utmost haste.

**Finding 9:** To alleviate the overcrowding problems, the Sheriff's Department is sponsoring and implementing repeat offender reduction programs, educational programs, partnership projects, relapse prevention, and re-entry skill classes. Education is a key element of this program and with the support of the local high school district, along with the Community Correction Partnership (CCP), and other resources, inmates can obtain GED's, vocational, and course completion certificates to make them competitive and employable upon release. Work programs both inside and outside the facility are being maintained at county expense.

Limitations prevent commercial and non-government access but the community along with state and local organizations benefit from this practice. These work furlough programs include automotive shop, animal control, among others.

The Grand Jury could find no statistics to determine the success rate of these programs to see if they are truly cost effective,

**Recommendation 9:** It is recommended that CCP provide statistics on the success rate of these programs and the cost per successful rehabilitation.

## RESPONSES REQUESTED

The Sheriff or his designate and the Siskiyou County Board of Supervisors are requested to respond to this report pursuant to California Penal Code sections 933 and 933.05 (a).



# JUVENILE HALL REPORT



## INTRODUCTION

The Siskiyou County Grand Jury is required to inspect the conditions and management of all correctional facilities in Siskiyou County on a yearly basis as directed by Penal Code Section 919 (b).

## SUMMARY

The 2012-2013 Siskiyou County Grand Jury toured the Charlie Byrd Youth Corrections Center (CBYCC), located at 269 Sharps Road, Yreka, on October 23, 2012.

## DISCUSSION

The facility is basically funded from Siskiyou County General Funds although it also receives some limited Federal dollars and relies heavily on various grant dollars.

Counseling services are funded by a Juvenile Grant and are provided, under contract, by Heal Therapy Group. The counseling covers areas such as mental health, drug abuse, and anger management, as well as exercise programs and even equine therapy. Counseling is provided in both “one on one” and group sessions.

The CBYCC has the capability to house 40 minors. Due to current staffing limitations, the maximum capacity is limited to 20. The average occupancy for 2011 was 14.9 minors per day. A total of 14 male and 5 female residents were housed on the day of our visit.

The center is qualified to house minors up to age 19. It is possible for CBYCC to receive an extension to house youths beyond this age. In order to provide extended services beyond age 19, the facility must send a letter to the State Department of Juvenile Justice and the county requesting an exemption. This is rarely done.

The facility has both single and double rooms. It also has one room that can accommodate four residents. In determining “shared rooms” age, size, gender, and possible gang association are all considered. Male and female residents are never housed together.

Any time there is a female minor in residency, there must be both a male and a female officer on duty at all times. Residents are treated gender specifically and with respect.

The central control room is always staffed by at least one officer. He or she monitors the cameras and speakers that cover the facility inside and out. Privacy concerns dictate that there be no video surveillance in the resident’s rooms. However, the officer on duty in the control room can listen to what is going on in the room and can speak to the occupants. In addition, there is a window in each door with a curtain on the outside. The curtain can be pushed aside to view the inside of the room. A

member of the staff visually checks each room every fifteen minutes.

Recruiting for the position of Juvenile Corrections Officer (JCO) is difficult, and even more so for female JCOs. An applicant must qualify as a Peace Officer, with all the various background checks. As a result, it can take from 6 to 8 months to screen and hire an applicant. In addition, each applicant, once hired, must undergo 40 hours of Mandated Training.

Tasers are prohibited in CBYCC. Pepper spray is used as a last resort, thus interpersonal skills and the ability to talk an unruly or angry resident down are extremely important qualities for all JCOs to possess. Interestingly, most of the juveniles brought to the center do not come from the Court. They are normally brought in by law enforcement after being arrested. The procedure generally is for the arresting officer to drive his or her patrol vehicle into the receiving area (sally port). The

sally port is then closed and locked via a remotely activated secure gate. Before removing the arrestee from restraints, the arresting officer or officers place their service weapons in a secure locker located in the sally port. The officer retains the key to the locker until ready to leave. The practice of securing weapons lessens the chance for an arrestee to gain control of the officer’s weapon.

If a minor is determined to be under the influence of alcohol or drugs, they must first be taken to Fairchild Medical Center for medical clearance. If the arrestee is not under the influence, or has received medical clearance, the booking officer performs a “risk assessment” in order to determine proper placement for the juvenile. The initial goals are to get the arrestee settled, find out their home status and, if at all possible, to get them back home to their families.



# JUVENILE HALL REPORT

CONTINUED FROM PAGE 12



Each juvenile, upon being booked into the facility, is given an opportunity to make two telephone calls. If they do not wish to speak to a parent at that time, they may elect to defer the call until later.

Staff, in the presence of the child, inventories the minor's clothing and possessions. Both the staff member and the child sign a form certifying that the inventory is correct and complete.

The minors are also allowed to voluntarily admit to possessing any prohibited items before being searched. When this happens, the staff member on duty looks at the situation. Each incident stands on its own and the minor is informed that lying or trying to conceal contraband is a violation of rules that could result in "behavioral points" being taken away.

The new residents are allowed to shower and are issued CBYCC clothing and footwear. At that time an offer is made for the facility to wash their personal clothing.

Once the juvenile enters into the population, he or she soon learns that their time in CMYCC is fully structured and that they are required to participate in the school program. Schedules are rigidly adhered to.

For example, wake-up is at 6:15am, and each resident (individually, not as a group) is given the opportunity to take a shower. Breakfast is served at 8:05am and school runs from 8:45am to 2:45pm with a break for lunch. If Monday is a holiday, there is a school session Saturday. Various special programs and activities are scheduled weekdays from 3:00pm till 4:00pm.

Family visits are scheduled on Sunday, Tuesday and Thursday. Sunday visits are one hour, from 2:30pm to 3:25pm or 3:30pm to 4:30pm. Tuesday and Thursday visits are two hour sessions, either from 2:00pm to 4:00pm or 4:00pm to 6:00pm. Dinner is served at 5:00 and the 6:00 to 9:00 period is free time. Non-compliance with the rules usually results in being confined to their assigned room in order to contemplate their behavior. Bedtime is promptly at 9:00 and lights go out promptly at 10:00 pm.

The Siskiyou County Office of Education provides two teachers and one aide for the facility school. Residents can complete qualifications and either receive a GED, a County certificate of completion or a diploma from Yreka High School.

The CBYCC was opened in 2008. Since then, approximately 178

juveniles have participated in the school program. In that short period of time, the school has seen 19 residents receive their high school diplomas and a further 15 obtained their GED certificates. These numbers indicate a success rate of about 46%: a significant percentage when one considers that many of the youngsters were previously problem students.

The juvenile resident can earn up to ten points per day for good conduct. They can also lose points for bad behavior. The earned points can be used to purchase either small items from the commissary or special privileges such as the right to play video games.

The Center maintains a full time cook. Also, some of the juveniles who have earned special privileges assist. In addition, staff members also pitch in to help. The kitchen is clean, the pantry is well stocked and all residents are required to be in attendance at mealtime.

Mental health services are provided locally, through the County Behavioral Health department. Routine medical care is provided through the Department of Public Health, while specialty services are available via tele-medicine on SKYPE. The residents refer to this as "doc in the sky."

The CBYCC even has a special "Baby Training Class" for pregnant residents. Part of this training includes a computerized baby doll that the prospective mother is given charge of. She must learn to care for it, just as she would a real baby.

When the "computerized baby" (which has various settings, such as sick baby, drug baby...etc...) is not cared for properly it does what all babies do...it cries. The prospective mother must learn why the baby is crying and what to do to stop the noise. Boys are also encouraged and welcome to attend this training.

## FINDINGS AND RECOMMENDATIONS

### Finding 1:

Owing to lack of funding for staff members, the rooms on one side of the facility currently are unoccupied; although the communal areas are utilized. The staff has reached out to surrounding counties expressing a willingness to house some of their juveniles in an attempt to seek additional funds. No contracts have been arranged at this time.

### Recommendation 1:

Continue encouraging surrounding counties to share costs and utilize the additional housing available at the CBYCC.

### Finding 2:

Overall, the Grand Jury was very impressed with the layout, security, and cleanliness of the facility and the professionalism of its staff. The facility is well maintained, organized and supervised and one can easily imagine it would compare very favorably with any Juvenile Facility in the state.

### Recommendation 2:

As future budgets will allow, increase staffing in order to provide full and complete occupancy of the entire facility.

## RESPONSES REQUESTED

The Chief Probation Officer, or his designate, and the Siskiyou County Board of Supervisors are requested to respond to this report pursuant to California Penal Code sections 933 and 933.05(a).





# WATCHDOG: Scott Valley Unified School District



## INTRODUCTION

The 2012-2013 Siskiyou County Grand Jury elected to do a Watchdog Investigation of the Scott Valley Unified School District (SVUSD). The 2004 - 2005 Civil Grand Jury conducted a Watchdog Investigation on the Siskiyou County Office of Education. In its report, the Grand Jury recommended that consolidating school districts would result in savings in time, money and efficiency, which would benefit students. In researching previous Grand Jury reports, the 2012-2013 Health Education and Welfare Committee (HEW) found that there had never been a Watchdog Investigation of the Scott Valley Schools, prior or after the 2004-2005 recommendations.

## DISCUSSION

### History of Scott Valley Schools:

According to the "History of the Schools of Siskiyou County", compiled and edited by Stanley J. Balfrey: The first schools and their districts in Scott Valley began in 1859 with the establishment of the Washington, Crystal Creek, Douglas and Franklin School Districts. These were followed by the Oro Fino, Hooperville, Lone Star, Rattlesnake, Black Bear, Callahan, Highland, Kidder Creek, Lincoln, Meamber, McConaughy, Mill Creek, Moffet Creek, Pinery, Rough and Ready, South Fork, Union, Greenview, French Creek, East Fork, Quartz Valley, Mound, Fort Jones and Etna School Districts. Etna High School was established in 1892 and Fort Jones High School in 1917. Each of the elementary schools served the community where it was located and typically the school was the heart of the community and the center for social and community activities. As the local populations changed due to the gold mines playing out and, later, changes in the lumber industry, some school districts and schools were merged, others annexed and some lapsed or simply closed. The most emotionally charged and controversial school mergers involved the 1980's consolidation of Fort Jones High School with Etna High School and, more recently, the closure of Quartz Valley Elementary School with its students sent to

Fort Jones and Etna in the unification of the Scott Valley School Districts.

The Quartz Valley Elementary School District was established in 1860. The first school building was located 1/2 mile west of Shackelford Creek, the second in Mugginsville and the last school building was located at the north end of Mugginsville. For many years Quartz Valley School was a magnet school, drawing students from other school districts. The school had a gym, cafeteria, library, basketball court, baseball field, greenhouse, garden, running trail, par course (fitness trail) and three classrooms. In addition to the core curriculum, students were taught French, computer, music and drama. In 1993 the school reached its maximum number of students: 72. At that time they had 4 full-time teachers, a part-time teacher and 5 teachers/aides. For many years, due to the hard work and dedication of the employees, Quartz Valley School had the lowest administrative costs (2%) in the State of California. For years the families and the Quartz Valley community stayed the same and the school was the community center of this microcosm. With the impact of environmental protection laws and the subsequent loss of timber jobs, the community population decreased by at least 50%. Families moved away and more retirees moved into Quartz Valley. By 2009 Quartz Valley Elementary School was down to 50 students and two teachers.

With the changes regarding State funding and finances and the decreased population in Quartz Valley, the school board, the community members and the Quartz Valley School staff discussed the pros and cons of unification with the other Scott Valley schools. During the unification talks verbal promises were made that Quartz Valley School would not have to close and that no employees would be laid off, but nothing was put in writing. Due to financial considerations, the Quartz Valley school board voted for unification and not long after Quartz Valley School was closed. The closing of the school was a blow to the students, the employees and the families of Quartz Valley, as they lost

the center of their community and a beautiful school with a rich history. Subsequent to the school closing, the Quartz Valley Indian Reservation has filled the gap as a community center, increasing services in the community: providing a health clinic, cultural and educational opportunities, a gym, youth programs, athletic programs, bicycle rodeos and the salmon festival.

### Current Status of the

#### Scott Valley Unified School District:

The Scott Valley Unified School District was formed in 2007 following community and school board meetings. Scott Valley families were faced with diminishing State funding, the possibility of employee layoffs, and the prospect of losing some of the schools. A vote went out to the community and the various school boards and the vote to unify the districts to reduce costs and share services prevailed. As with any difficult community decision, some families were happy and some were not.

Unification began under one Superintendent and continued by another Superintendent who was given the task of facilitating and completing the unification. This was a daunting task for a Superintendent not acquainted with the Valley. Four different school districts had different pay scales, insurance policies, policies and procedures, different contracts and various legal issues. The new, unified district inherited the legal issues of the various districts, had to create standardized policies and procedures as well as renegotiate all the contracts with the unions.

SVUSD is now composed of Fort Jones Elementary School, Etna Elementary School, Scott Valley Junior High School, Etna High School, Scott River High School (an alternative High School), a Community Day School (with students up to 15 years old) and the Stephen Meek School (for Independent Study). currently there are approximately 700 students in the unified school district. The two elementary schools have classes for pre-school to grade 6. Scott Valley Junior High School has grades 7 and 8 with a

few 6th grade and 9th grade students. Etna High School has grades 9 through 12. There is not Adult School in Scott Valley but a GED program is offered on-line. The Siskiyou County office of Education (SCOE) provides oversight for the school district as well as training for staff and special education services. The District Superintendent attends monthly meetings at SCOE with other superintendents to discuss legal issues, funding, services, best practices and other issues.

Since the 2007 unification, there has been a 100% turnover of the Principals/Superintendents who administer the Scott Valley Schools. Prior to unification, the Principals served as both the Principal and the Superintendent of the school they administered. During the 2012-2013 school year a new Superintendent was hired by the SVUSD. Currently, there is one Principal over Etna High School and Scott River High School, one Principal who administers Scott Valley Junior High School and the Community Day School, and one Principal who oversees both Elementary Schools. There will be changes, for purposes of cross training, in the 2013-2014 school year, with the High School Principal transferring to the elementary schools, the Elementary Schools Principal going to the Junior High School and The Junior High School Principal going to the High Schools.

#### The SVUSD Superintendent:

The current Superintendent came to the SVUSD with many years of experience. Other than spending a few years in the Army, he has spent his entire working life in education. He has taught science, language arts and history; he has been an Assistant Principal, a Principal and a Superintendent-Principal. The current Superintendent was hired in March 2012 and had several months of communication and meetings with the previous Superintendent before officially starting the job on July 1, 2012.

In California, Superintendents are required to have both an Administrative Credential and either a Teaching Credential or a Special Education Credential. Generally a Superintend-

ent will have a Master's degree, but a Ph.D in Education is preferred. The current Superintendent has a Ph.D. in Educational Administration and Organizational Leadership from the University of LaVerne in Los Angeles County, California. State Law, Education Code Section 35035, prescribes the duties of the Superintendent. The Superintendent has the primary responsibility for executing the SVUSD Board policy and is the School Board's Chief Executive Officer. The Superintendent also has additional powers and duties as granted or directed by the School Board.

The current Superintendent is well liked in the community and by school staff. He has made a concerted effort to familiarize himself with the Scott Valley communities, to develop a good working relationship with the Principals and to understand their individual theories of education. This Superintendent is known for dropping by the SVUSD schools and going to classrooms to get acquainted with the teachers and students. In addition to his commitment to the community (he is a member of Rotary) and the schools, he has an additional personal interest and investment as his four children attend Scott Valley schools.

#### The SVUSD School Board:

Prior to unification, each school district had its own school board. Each school board had to vote to unify with the other school districts. The current SVUSD school board consists of 5 members: 2 from Etna, 2 from Fort Jones and 1 at-large member. School board members serve 4 years and are voted in during elections in November. In November 2012, two members were elected (one from Fort Jones, one from Etna). The term for the other three members will be up in November 2014. Although there are not term limits, since unification took place, there has been a 100% turnover of the school board members. School Board members are required to be United States citizens, registered voters and over 18 years old. They are responsible for overseeing all aspects of the education process, and assuring the policies and procedures of the District are followed.

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The school board recruits and hires the Superintendent and Principals and they ratify the hiring of teachers. Often, being on the school board can be a thankless job — they work hard and must make very difficult decisions. All of the current board members have children in the Scott Valley schools. None of the current board members have teaching or administrative experience. The Board meets on the 3rd Wednesday of the month, alternating between Scott Valley Junior High School in Fort Jones and Scott River High School in Etna. A closed session is held from 6 to 7:00pm to deal with confidential issues. The regular Board meeting begins at 7:00pm and is open to the public and subject to the Brown Act that regulates the meetings of all publicly elected bodies. Usually 20 to 25 community members attend.

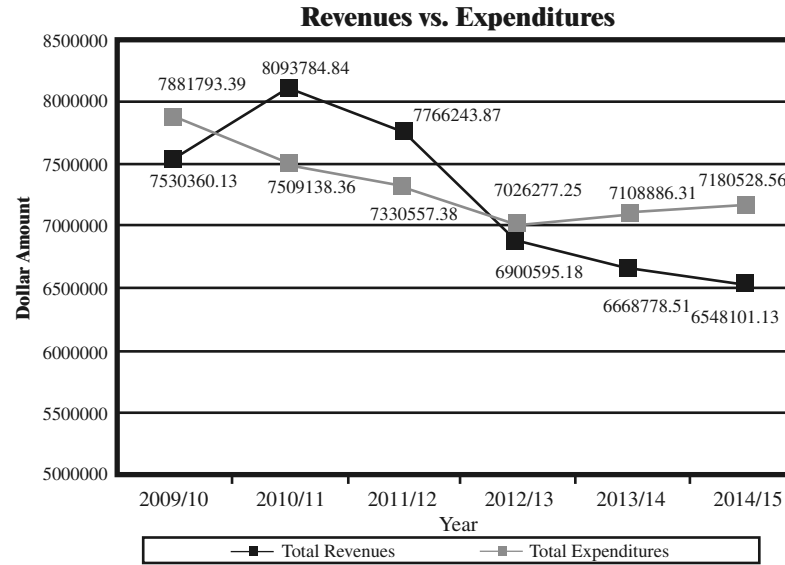
### School District Finances:

“School districts are required to develop and manage budgets in accordance with standards developed by the California Department of Education and adopted by the State Board of Education. Budget documents contain revenues, expenditures and other financial information...Scott Valley Unified School District uses the single budget adoption cycle. Adjustments to the budget should be made throughout the fiscal year...The base year budget is developed using information provided by the District, Siskiyou County office of Education, Social Services of California and other agencies.” (Scott Valley Unified School District 2012/2013 First Interim RReport, page 4). The primary source of funding for school districts is the Average Daily Attendance (ADA).

Over the next two years the district projects little change to the number of enrolled students: 639 for 2012/2013 to 642 in 2014/2015; consequently it is anticipated that there will be little change in ADA funds for the District.

Other changes have impacted the District’s budget: Timber Revenue-Forest Reserve monies will end in 2014; Proposition 30 (passed by voters on November 6, 2012) provides additional revenues for up to 7 years and Proposition 39 allows Districts to sweep categorical funds, such as those granted for use in specific programs only, into the General Fund so that the District has discretion on how to use the funds. Over the past 8 to 9 years many revenue streams have been cut, seriously impacting funding for the District schools and programs. Although additional revenues from Prop 30 may fill the gap, it is uncertain when these funds will actually reach the District office.

SVUSD also receives money from grants and Federal and State programs including: music and art grants; Title I - Low Income; Vocational Education; Title II - Teacher Quality; Indian Education: REAP - Rural Energy for America Plan; MAA - MediCal Administrative Activities; Transportation; ROP (Regional Occupational Program); Community Day School Grant; K-3 Class Size Reduction; State Lottery; PE Teacher Incentive Grant; Forest Reserve money (which will continue through 2013/2014; Williams Act money as well as other revenue streams. Total revenues for the 2012/13 school year are approximately \$6.9 million.



The District Office personnel, School Board, unions and the Siskiyou Office of Education work together in order to be fiscally responsible and provide the best services possible. The teachers have not had a raise in several years and have had to give up some items in their benefit package; the State has cut the number of school days, which impacts the salaries of all personnel; one transportation route was cut; the Superintendent’s contract was shortened (215 days instead of 225) and other cuts have been made.

The fiscal outlook over the next 5 years for SVUSD (and other districts) is not good. The governor is looking at various options for funding schools, including a flat funding method and realigning of funds from the State to local districts. It is uncertain what this will look like for the districts. Some funding revenues may disappear. The only guaranteed increase of money is if the District has an increase of students. At this time SVUSD has the space to accommodate 300 additional students.

The District is audited by the Siskiyou County Office of Education and by State and Federal agencies with regard to fiscal compliance and compliance to policies and procedures. Some audits are conducted annually, some semi-annually and some every 4 years. Audits cover fiscal management, food service, transportation, after-school services, certification, licensing and other areas of services and functioning.

### SVUSD Staffing levels:

Prior to unification the average teacher to student ratio for the schools in Scott Valley was 18 students per teacher. After unification the ratio for the District is 17 students per teacher. Prior to unification the schools had a total of 45.23 FTE (full-time employees) certificated staff including 40 classroom teacher. After unification the District has 43.8 FTE including 1 management employee, 40 teachers and 2 preschool teachers. In addition the District employs 3 site coordinators who work 25 hours a week for the 3 afterschool programs and there are 8 additional school staff that work an average 21 hours per week.

Prior to unification the schools employed a total of 14 teachers’ aides. Of those aides, 4 retired, 3 resigned, one was laid off and 6 are still employed with the District. Currently the District employs 11 aides. There are 4 aides at each elementary school; one at the High School, one at the community Day School and one is a Special Needs aide. Teachers’ Aides must meet the “No Child Left Behind” standards, having at least an AA (Associate of Arts) or an AS (Associate of Science) degree. If they do not meet the degree requirements, they must take a COMPASS test. COMPASS is a computerized exam that measures skills in reading writing and mathematics. It is also used to determine a student’s readiness for college level courses. The aide must achieve a sufficient score on this exam in order to have the test be considered in lieu of a degree.

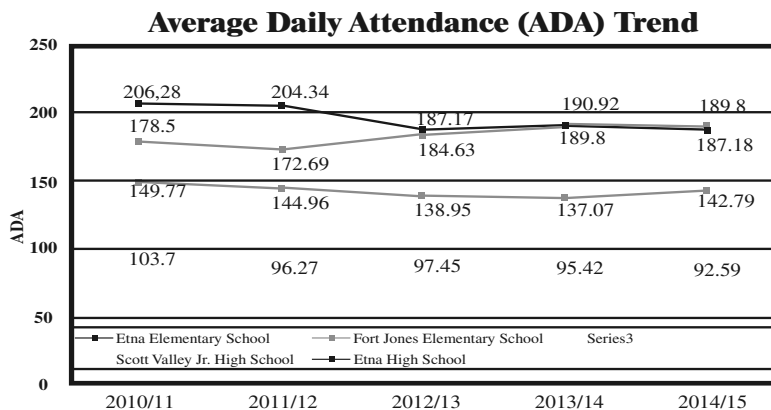
Currently, of the 40 teachers employed by the District, 7 teach at Fort Jones Elementary, 8 at Etna Elementary, 9 at Scott Valley Junior High School, 13 at Etna High School, 1 at Scott River High School, and 1 at the Community Day School. In addition, there is one full time counselor employed by the District. The average length of tenure for teachers in the District is 10.6 years. There are 12 teachers who have 15 or more years working in the Scott Valley schools. Four teachers are new this year. Teachers must fulfill the requirements specific to their area of specialty, as determined by the California commission on Credentialing, including coursework and passing the CBEST exam. All the teachers in the District are credentialed.

For the 2012/2013 school year the District has 3 student teachers. One at Etna High School and two at Scott Valley Junior High School. Student teachers spend 6 weeks working under the supervision of a Master Teacher.

### District Personnel Management:

Employee evaluations are conducted on a yearly basis for probationary and temporary teachers. Permanent teachers with 9 years or less in the district are evaluated every 2 years and teachers with 10 or more years are evaluated every 5 years. Classified employees (anyone not a teacher or administrator) are evaluated yearly for the first 5 years and, if satisfactory, then every other year. Administrators (Principals and the Superintendent) are evaluated every year. Principals conduct the performance evaluation of the employees under their supervision, the Superintendent conducts the evaluations of the Principals, and the School Board conducts the performance evaluation of the Superintendent.

Performance standards for teachers are determined by the State of California, based on a new format that was established this year. Evaluations are based on both formal observation of the teaching skills of the employee and also informal observation (dropping in unexpectedly into the classroom to observe the teacher). Classified employee evaluations are based on 10 performance standards including job



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knowledge, consistency of performance, quality of work, punctuality, public relations and other factors. Principals and the Superintendent are evaluated based on their contracts.

Department of Justice background checks are done on all employees. The SVUSD belongs to a fingerprinting consortium through the Siskiyou County Office of Education. Part-time employees and anyone who works one-on-one with children (in the after-school program, teachers aides, coaches, locker room supervisors) have an FBI check done. They look for convictions of serious and violent felonies, sex offenses, and controlled substance offenses among others. The SCOE notifies the District if there are any subsequent convictions.

At times the District Superintendent and Principal have to deal with inappropriate behavior on the part of an employee: The District utilizes the FRISK model of progressive discipline. The process of discipline is outlined in the bargaining contract between the district and the union representing the employee. Probationary employees can be dismissed without a reason; permanent employees can receive a plan of correction. If the problem persists or is serious, they can be suspended without pay, demoted or dismissed. Depending on the severity (child abuse, drug use, a felony conviction), a teacher can have their credential revoked by the State. The turnover rate of teachers is low.

### Student Education and Programs:

There are 307 students in the two elementary schools, 45 in Pre-School, 8 attend the Community Day School, 152 (including some 6th and 9th graders attend the Junior High School, 19 attend Scott River High and 194 students attend Etna High School.

The elementary schools begin with pre-school (children age 4 by November 1st and toilet trained) and continue up to 6th grade. Some 6th grade students who are in an accelerated class may attend the junior high school. The Junior High covers 7th and 8th with some 6th and 9th graders. The High School has 9th through 12th grades. Both of the elementary schools are California Distinguished Schools,

and Etna Elementary is a Title 1 Academic Achievement Award winner. The high school has received a six-year WASC (Western Association of Schools and Colleges) accreditation, the highest awarded. All of the Scott Valley schools have API (Academic Performance Index) scores in the 9th or 10th deciles ranking (<http://www.svUSD.us/index.html> SVUSD website). The API is the "cornerstone of California's Public Schools Accountability Act of 1999. It measures the academic performance and growth of schools on a variety of academic measures." (<http://www.cde.ca.gov/ta/ac/ap/> California Department of Education website).

The District uses the California State Standards to assure students are receiving a comprehensive and appropriate education. The teachers in the District utilize a teaching method that "triangulates" or "spirals" so that the state academic standards are hit again and again. The State uses API (Academic Performance Index) ratings, with the score of 800 as the statewide performance target. The 2012 scores for the Scott Valley schools are as follows:

Etna Elementary: 912  
Fort Jones Elementary: 812  
Scott Valley Junior High School: 839  
Etna High School: 818  
(<http://api.cde.ca.gov/Acnt2012/2012GrthAPIdst.aspx?cYear=&allcds=4776455&cChoice=2012GDst1>)

Approximately 50% of the Elementary School students are in after-school programs. The SCOE (Siskiyou County Office of Education) receives grant funds from ASES (After School Education and Safety). SCOE calls the program "SAFE" (Siskiyou After-school for Everyone) and distributes the funding to the districts. SAFE funding is used in the two Elementary Schools and the Junior High School to fund activities including tutoring, art, sports and athletics, computer access and snacks. There is no charge to students to participate in an after-school program as State and Federal monies fund the programs.

High School classes focus on the core curriculum (Math, Science, English, History) and electives (cooking and home arts, art, music, wood shop, agri-

culture, newspaper, student government, computer technology, strength and conditioning). Sports programs at the High School are considered after-school programs.

Etna High School has had a 100% graduation rate in the past few years. Students must take and pass the California High School Exit Exam (CAHSEE) in order to graduate. Students may take the test as a sophomore; they have another opportunity as a Junior and then as a Senior. If a student is unable to pass the CAHSEE, they can graduate with a Certificate of Completion rather than a diploma. During the 2011-2012 academic year, 49 Etna High School students took the CAHSEE. 48 (98%) students passed the Math section and 45 (92%) students passed the English section. 84% of graduating Etna High School students go on to college.

### Student Services and Activities:

The SVUSD works in conjunction with the Siskiyou County Office of Education (SCOE) to provide services necessary for students to have a free and appropriate education and to assure that they benefit from their education. If a student is having difficulty socially or in their academic program an administrator, teacher or parent can request a Student Study Team (SST) to identify problems and possible resolutions. If the interventions implemented by the SST are not effective, an IEP (Individualized Education Plan) can be implemented. The IEP identifies specific interventions that will be implemented and goals that will be achieved. The IEP is a contract between the parties, which sign the IEP (the teacher, Principal, parent, student and other service providers). Currently there are the following number of IEP's at the Scott Valley Schools: Etna Elementary - 5; Fort Jones Elementary - 7; the Community Day School - 7; Scott Valley Junior High School - 27; Etna High School and Scott River High School - 16. The Special Education teacher and Administration monitor all IEP's for compliance. There are 55 Special Education students in the District, all of who have IEP's.

A student may have a disability that qualifies him or her for a 504 Plan. The

504 Plan allows accommodations to be put in place to help the child benefit from their education. The district works with the SCOE SELPA (Special Education Local Plan Area) to provide services to students with disabilities. According to the California Department of Education website, "today, as never before, parents, students and staff work together to make certain that the appropriate services are provided on an individualized basis for every child with a disability. The services are provided through the SELPAs. The Local Plan developed and maintained in each community by the people who live there, is the basis of these improvements and the foundation of services."

(<http://sss.cde.ca.gov/sp/se/as/caslpas.asp>) there are 16 students in the District with 504 Plans.

At times students may have academic or attendance difficulties which necessitate the student being educated in an environment which is more informal, less structured and more individualized. On the Elementary School level, the Community Day School meets the needs of these students and the Scott River High School meets the needs of high school students.

The District provides transportation services, busing 70% of the district's students and Free and Reduced lunches with 67% of the district students receiving lunch. Other services include counseling (the District employs one full-time counselor), and services obtained through SCOE: nursing, deaf services, psychological assessment, Early Head Start, special education, workability, ROP, homeless education, foster youth program, science and watershed education programs, visually impaired student services, language and speech therapy and occupational therapy.

In addition to academic support services provided by the District and SCOE, the high school students have opportunities to take an active role in their education. Student government at the High School involves the student body election of a President, Vice-President, Treasurer and Secretary. These students work under the direction of an employee of the High School, fulfilling a range of responsibilities:

representing the interests and concerns of the student body; serving on committees made up of students, faculty, administrators, and staff members; disbursing monies for student activities; and sponsoring student activities (e.g. Homecoming, concerts, plays, dances, parades, speakers, entertainment, discount cards, food pantries, book swaps, etc.). When an opening is available, student government officers who are Juniors are eligible to apply to be a Student Member of the California State Board of Education. In that capacity, the student is a full voting member of the State Board of Education, the governing body that sets policy for the state's public schools.

High School students can also participate in a variety of clubs, sports (football, soccer, softball, tennis, track and field, cross-country, wrestling, and volleyball) and extra-curricular activities: the Interact Club (which is part of Rotary International), FFA, Drama, and the Fine Arts Club. 82% of the High School students participate in at least one activity with most participating in multiple activities.

### Parent and Community Participation:

Scott Valley parents and community members are very committed and active in supporting school activities and programs. This is evidenced by the number of parents who attend the school board meetings, the service of the School Board members, a very active PTA (doing fund-raisers, helping with field trips, helping with science lab equipment), parent volunteers at each school (helping grade papers, helping with the snack bar, cooking food for football games, helping in the classrooms), and those who help with the various sport programs, club activities, drama and music activities.

Scott Valley is unique in that "students have a high success rate for completing a post graduate degree. Last year, more than \$400,000 was awarded to the 50 graduating seniors. The dropout rate is small with a large percentage of students beginning and ending their schooling in the Scott Valley." (SVUSD website). The success of

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students continuing on to a college degree is in large part due to the work and contributions of committed community members. In part, this comes from the variety of scholarships and educational awards that are available for pursuing a college education.

The District school counselor assists students who apply for the scholarships and awards. Information can be accessed on the website: lionbytes.com. Many of the scholarships are from an organization, or an individual. These include the Lion's Pride Scholarship, National Merit Scholarship, McConnell Foundation Scholarship, The Ford Foundation Scholarship, The Rotary, the Mason's, Evening Star Scholarships and Scott Valley Scholarships and Educational Awards, Inc. Every student who applies is accepted for a scholarship or award. When the student matriculates at a college, the student is awarded the money. Even students who didn't graduate can apply for a scholarship or award if they begin attending college.

A committed number of residents serve as officers for Scott Valley Scholarships and Educational Awards, Incorporated. This organization began as a 501(c) (3) organization to raise money for student college scholarships. The current Board of Director includes a President, Vice President, Secretary, Treasurer, Chief Financial Officer, and 7 other Board of Directors members. In March of each year the corporation members hold elections for new officers and board members. The public is invited to provide input. The corporation looks for people who are good at working with other people and are committed to the community. The organization provides over 70 scholarships and awards each year.

The Scott Valley Scholarships and Educational Awards Corporation has a specific process they undertake in awarding scholarships and awards. Once students apply, 5 members from the Board of Directors work with the District counselor to award scholarships that have very narrow qualifications. The remaining scholarships are

then awarded by April. If a student receives a scholarship or award, that student must obtain a "Proof of Enrollment" and a "Financial Aid envelope" from the college they are attending. They take these items to Scott Valley Bank to claim their scholarship. The bank sends the money to the Financial Aid office of the college in the envelope provided. Scholarship and award money must be claimed by October 1st. If a student has followed the process and has not been provided with an award or scholarship, they can write a letter of appeal to the corporation.

## CONCLUSIONS

Although unification has been a difficult and sometimes an emotionally charged process, overall, the unification of the Scott Valley Schools has been positive and successful. The SVUSD has been able to keep teachers and other staff employed, services to the students have been maintained, there has been better coordination between the schools, and a consistency of practices have saved money. The general consensus of people interviewed was that unification has also benefitted the Valley as it served to break down the divisions and the walls that existed between the Etna and Fort Jones communities. According to State accountability standards, Scott Valley students are performing above the State benchmarks. SVUSD has many great community members, teachers, administrators and staff who care about the students, give sacrificially and work hard on behalf of the students and the Valley communities. The new Superintendent is well liked in the community and appears to have the administrative skills to navigate successfully through the fiscal complexities of the coming years. The major issue that the schools and the community at large needs to address is the pervasive alcohol and marijuana use among the youth of the Valley. Left unaddressed, these issues can destroy much of the good work that so many have accomplished on behalf of Scott Valley students.

## FINDINGS AND RECOMMENDATIONS

During the Civil Grand Jury Watchdog

Investigation of the Scott Valley Unified School District, it became clear that there were a number of problems and issues that need to be addressed.

**Finding 1:** After unification, one of the most difficult tasks was taking the various policies and procedures from each of the individual schools and writing a single, comprehensive set of policies and procedures. Whenever a new State or Federal law or regulation is enacted, that must be incorporated into the District's policies and procedures. The California School Board Association may also send out new policies, which must be reviewed and adopted into the District policies and procedures. The Superintendent oversees the revisions and presents them to the School board for review and ratification. Revising and rewriting policies and procedures is a continuous process.

**Recommendation 1:** The District should continue to keep on top of its policies and procedures, adding to and modifying them as necessary.

**Finding 2:** The current School Board does not have anyone with teaching or administrative experience; consequently the Board lacks someone who understands the more complex issues regarding school administration and educational programs who can review the budget and other accountability documents and understand what is going on behind the scenes.

**Recommendation 2:** Short of electing a Board member with these qualifications, the Board must rely heavily on the District Superintendent and his staff.

**Finding 3:** Due to the fluid nature of educational funding, the task is daunting to assure that all expenses are adequately funded. The District must be constantly aware of where funds are and where they are not.

**Finding 4:** Although the district reports that 100% of the Etna High School students graduate, other students may follow a drop out path and simply disappear from the statistical radar. Often these youth begin the process with academic and attendance difficulties. They may be

placed in the Continuation High School, go into Independent Study or a Charter School, or they may be Home Schooled. Unless the student remains in the District and County programs, they can drop out of any academic program and not be tracked. If a student remains in the District programs, truancy issues can be identified and addressed. Twelve years ago the District had a lot of truancy, but with the institution of SARB (Student Attendance and Review Board) with the District Attorney's Office, truancy for District students now is minimal.

**Recommendation 4:** It is essential that all children and youth in the community be tracked no matter which academic path they choose, to assure they receive the education necessary for success in adulthood.

**Finding 5:** During the course of this investigation, one complaint was heard repeatedly: some parents work against the school and the teachers, enabling inappropriate behaviors from their children including behavioral problems, lack of initiative in regard to academic tasks, disciplinary issues and substance abuse. In addition, for many years adolescent alcohol and marijuana use have been significant issues in Scott Valley. To the detriment of students, a cross-section of adults (parents and others) in Scott Valley provides alcohol to their children and the friends of their children. The only change that has occurred in Scott Valley in recent years is that parents or other adults will make sure that the students who are drinking remain at the party house where the alcohol is provided, rather than the student leaving and being involved in an accident.

According to some community experts, 90% of the High School students are drinking and smoking marijuana. Often students attend classes under the influence. This certainly presents a profound conundrum for the Scott Valley community: so many community members work tirelessly on behalf of the students of Scott Valley, yet other community members (across all socio-economic levels) are actively working to destroy the lives of students, putting them in immediate physical danger, impairing

the students/ ability to benefit from their education, and creating addicts and alcoholics out of the youngest members of the community.

**Recommendation 5:** Although the schools have some ability to address these issues by offering counseling, suspending the student, taking away school privileges, expelling a student and working with Law Enforcement and County Juvenile Probation to deal with the more recalcitrant students. More must be done within the adult community so that some parents and other adults do not easily undermine these efforts. The School Board and the District Administrators must get more involved with this very serious problem. The adults that provide the substances should be rigorously prosecuted.

**Finding 6:** Approximately 12 years ago the County Office of Education employees and other agency employees worked to develop Critical Incident Stress Management (CISM) and Critical Incident Stress Debriefing (CISD) procedures for implementation in all of the county schools. The CISD and CISM intervention protocols are research-based best practices for responding to traumatic events. CISD and CISM are a structured process for helping those involved in a critical incident to share their experiences, vent emotions, learn about stress reactions and symptoms and be given referrals for further help, if required. When asked, critical school personnel were unfamiliar with the CISD and CISM procedures, despite having had several traumatic events that have occurred in the Scott Valley communities over the past several years.

**Recommendation 6:** All critical school and district personnel should become familiar with both the CISM and CISD procedures. These procedures should be implemented when traumatic events occur in the Scott Valley communities.

## RESPONSES REQUESTED

The Scott Valley Unified School District School Board is requested to respond to Findings 1 through 6 pursuant to the California Penal Code section 933.05 (a).

# Siskiyou County





# WATCHDOG: Office Of Public Administrator



## INTRODUCTION AND BACKGROUND

One of the duties of the Siskiyou County Grand Jury is to look into the function and operations of various county departments. In carrying out this responsibility, the 2012 - 2013 Grand Jury elected to look into the office of the Siskiyou County Public Administrator.

In accordance with the Siskiyou County Code of Ordinances, Title 2, Administration; Chapter 2, Conduct of Board and Office Business, Article 3; Consolidation of Offices; Sec. 2-2-301 (1) Pursuant to this authority, conferred by the provisions of Section 24300 of the California Government Code, the offices of District Attorney and Public Administrator were consolidated.

The office of the Public Administrator is charged with planning, organizing, coordinating, overseeing and carrying out the following functions: create legal documents; attempt to locate wills/trusts; determine heirs and beneficiaries; arrange for disposition of the decedent's remains; assemble a list of assets, including bank accounts, cash, promissory notes and debts, stocks and bonds, business interests, real property, motor vehicle, insurance and miscellaneous items.

The office also determines ownership and title of assets; estimates the value of each asset; collects benefits due the decedent; arranges for income tax returns; lists debts and obligations including funeral expenses, medical expenses, real property taxes, encumbrances, and estate debts; determines method of transferring assets; fulfills all probate duties; reviews Court documents and determines appropriate courses of action to fulfill assigned responsibilities; ensures that Court Mandates are achieved; prepares and files appropriate Court Papers; completes forms and carries Court processes for State and County aid programs; attends Court hearings; ensures that individuals receive proper notification of all legal matters and meets time constraints.

## PROCEDURE AND DISCUSSION

Under a specialized classification, a person with appropriate training, may be appointed as Assistant Public Administrator (APA). The APA is responsible for carrying out the day-to-day operations of the Public Administrator Office and reports directly to the District Attorney (DA).

Grand Jury members met briefly with the DA in his capacity as Public Administrator, then interviewed the APA. This meeting was held in a very small conference room which, in addition to housing the file cabinet containing all of the Public Administrator's records, also doubles as the coffee room. Space is definitely at a premium in this room and access to the PA file cabinet would be hindered by anyone sitting at the conference table.

Most of the APA's time is spent dealing with indigent cases, of which there are many in the county. When an indigent person dies, it becomes the responsibility of the County to take care of all final arrangements, such as inventory and disposition of personal assets, and providing final disposition of the body.

Disposition of the remains is normally done by cremation. Since there are only two funeral homes in the county, one in Yreka and one in Mt. Shasta, there is little competitive bidding.

**The Yreka funeral home has the only crematorium in the county.** Normally cremation costs around \$3,000. However, the county contracts indigent cremation at \$1900. The APA files paperwork for the County, applies for Veterans and/or Social Security payments, then pays for the non-covered portion of the cremation.

In the event that a County resident dies without a written will (intestate) the APA becomes the executor of that estate. If the estate is under \$100,000 probate and disposition of assets is handled by the Public

Administrator's office. In order to avoid any conflict of interest, in the event an intestate estate is valued over \$100,000, a private attorney will be appointed to serve as executor.

When inventory and disposition of personal possessions is required, a local contractor, experienced in holding estate sales, is hired to sort and itemize the inventory, then arrange and conduct the sale.

Our initial investigation was of the interview type only. We did not ask for any documentation or look into any files. We found that, while the duties of the APA are often overwhelming, there are also times when the APA is utilized as a Legal Secretary in performing other duties within the District Attorney's Office. Conversely, although the APA mainly works alone, other staff in the DA's office are available to help when necessary.

On a follow-up visit, the Grand Jury was provided with a copy of the "Tracking Log" of all cases coming into the Public Administrator's Office. The log showed that the overwhelming number of cases deal with the deaths and estates of indigent county residents.

During the period covering January 2010 through December 2011, this office handled forty (40) cases. According to the tracking log, all but four have been closed. However, there is one case of an intestate death with considerable monies, still sitting in a County savings account at a local bank. The decedent's date of death was February 9, 2006. This was originally a Public Guardian Case, which was subsequently picked up by the present APA in 2009. After ensuring that all efforts to find a next of kin had been exhausted, the money remains in the savings account for possible future claims.

The Grand Jury randomly checked several cases and found that each file seemed to be well documented.

## CONCLUSIONS

The Grand Jury believes that the Assistant Public Administrator is very conscientious and performing their duties to the best of their abilities. However, the conditions under which the APA operates are not optimal. The work/storage space assigned to the APA is inadequate. It is unclear how much, if any, specific training is provided to the APA and whether that training meets State standards or if such standards exist. There appears to be little information on how private attorneys are contracted and bids for other services are selected.

The duties of the Public Administrator appear to be primarily civil in nature. It appears to the Grand Jury that this function would be better served in the office of the County Counsel, which deals with civil matters, rather than the District Attorney's office.

## FINDINGS AND RECOMMENDATIONS

### Finding 1.

The office and storage space assigned to the Assistant Public Administrator is inadequate. It is unreasonable to expect the APA to work in the same room where coffee breaks are taken.

### Recommendation 1:

Dedicated space and adequate storage should be assigned to the APA. Every effort should be made to find this space in the existing courthouse rather than waiting for the new courthouse to be built at some future date.

### Finding 2:

The training standards for the APA are unclear.

### Recommendation 2:

The training provided to both the Public Administrator (at present the District Attorney) and the APA should meet those enumerated by the state in chapters 2 and 3 of the Standards and Certification Plan for California State Association of Public Administrators, Guardians and Conservators. At present only the Public

Administrator is required to meet these training standards.

**Finding 3:** The procedures for bidding and contracting services related to the functions of the Public Administrator should be reviewed.

**Recommendation 3:** Standard competitive bidding guidelines and County accounting procedures should apply when outside assistance is required in dealing with indigent and intestate cases.

**Finding 4:** The District Attorney's office primarily handles criminal procedures and complaints. It is unclear why the civil function of Public Administrator is assigned to this office.

**Recommendation 4:** The County should investigate whether the functions of the Public Administrator would be better handled by the civil attorneys in the Office of County Counsel.

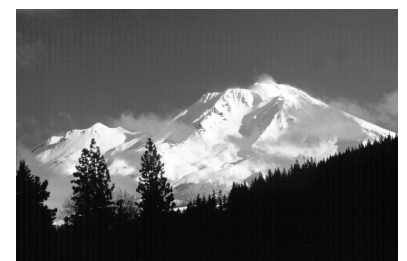
## RESPONSES REQUIRED:

Pursuant to California Penal Code section 933.05 (a):

The Siskiyou County Board of Supervisors is requested to respond to Findings 1 - 4.

The District Attorney is requested to respond to Findings 1 - 4.

The County Counsel is requested to respond to Finding 4.





## DUNSMUIR PUBLIC UTILITIES PRACTICES



### Introduction

The Siskiyou County Civil Grand Jury decided to investigate in more detail a complaint filed against the City of Dunsmuir regarding the city's attempts to collect sewer, water and garbage fees on a commercial property changing ownership.

### Background

A parcel of foreclosed commercial property was purchased at auction. The previous property owners owed the City of Dunsmuir for past sewer, water and garbage services. The complainant asserted that the city attempted to collect, through escrow, the outstanding sewer, water and garbage charges owed by the previous owners, causing costly delays in reselling the property. The complainant further asserted that services for water and sewer were billed incorrectly. The complainant did not seek any financial remedies. The remedy requested was that the City acknowledge their wrongful practices and correct them so no further property transfers would be treated in the same manner.

Adding to the confusion, the City of Dunsmuir filed a lien against the property after title had been transferred. The lien was for water and sewer fees owed by a prior owner as well as for water, sewer and garbage service not provided or billed to the new owner during the period between the beginning of foreclosure proceedings and the close of escrow. Upon attempting to resell the property and convey clear title, the lien became apparent and threatened to delay closing. In order to facilitate transfer of the property the seller was forced to enter into an agreement with the City of Dunsmuir with regard to escrow closing costs. Those funds were ultimately recovered from the City, although small claims court action was required.

In response to the complaint, the Grand Jury undertook to address, clarify and resolve the pertinent issues.

### Procedures

After receiving and reviewing the complaint, the Grand Jury interviewed the complainant who provided additional documentation.

### Discussion

The City Manager at the time the collection procedures were initiated in this complaint no longer serves the City in that position. We found the current management willing and eager to assist us with our investigation.

During our fact-finding, it became apparent that the current administration was familiar with the issue being investigated by the Grand Jury. It was also clear that City staff felt that this case could have been handled much differently. The Grand Jury was also assured that filing liens to collect sewer, water and garbage fees is not a normal or desired practice.

The Grand Jury was also advised that a review of policy and procedures is being currently undertaken to update procedures for billing and collections regarding services provided by the city.

### Conclusions

1. The City of Dunsmuir attempted to collect money from the wrong property owner.

2. The City could not support its billing procedures or substantiate the delivery of services for garbage, sewer and water between the time the property had been foreclosed on until close of escrow.

3. The City improperly filed a lien against the complainant's property.

### Findings / Recommendations

**Finding 1.** The City of Dunsmuir billing procedures appear to have limited ability to correctly identify, bill and collect for garbage, sewer and water services with respect to the current property owner. Lack of communication with new property owners has caused constant confusion and expense for both the City and new owner causing a great deal of dismay for both.

**Recommendation 1.** Notify new property owners of their rights, responsibilities and options concerning sewer, water and garbage collection immediately upon sale of property. Timely communication would eliminate the majority of confusion, unnecessary lawsuits and liens that have been ongoing for

years. This could be easily accomplished with a one or two page notice. It would be much more cost effective than the current state of confusion that is causing an atmosphere of poor public relations.

**Finding 2.** The new owner was not billed for services allegedly owed.

**Recommendation 2.** Properly train all personnel about the rights, responsibilities and options of property owners. Put into place a standard billing procedure with the purpose of assuring the new owner receives bills in a timely manner.

**Finding 3.** In this instance the City of Dunsmuir filed an untimely lien, rendering it invalid.

**Recommendation 3.** Put into place procedures for approving a lien. It should be reviewed for legitimacy, approved and signed off by more than one person before filing.

### RESPONSE REQUESTED

The City of Dunsmuir Mayor or his designate is requested to respond to this report pursuant to California Penal Code 933.05.