

**EL DORADO COUNTY GRAND JURY
2007-2008**

**FINAL REPORT
Part I**



March 2008

**Grand Jury
P.O. Box 472
Placerville, CA 95667
(530) 621-7477**

El Dorado County Grand Jury 2007-2008
March 2008

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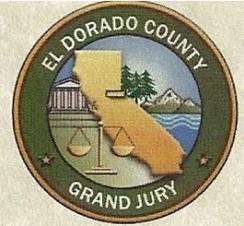
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GRAND JURY
El Dorado County

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February 12, 2008

El Dorado County Superior Court
Honorable Judge James R. Wagoner
Presiding Judge of the Grand Jury 2007-2008
495 Main Street
Placerville, CA 95667

Honorable Judge James R. Wagoner:

The El Dorado County Grand Jury of 2007-2008, representatives for the citizens of El Dorado County, is proud to present the first in a series of final reports for your review and approval.

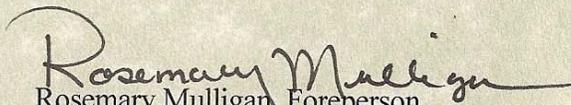
The report communicates important information to the citizens of El Dorado County, born from our investigations, reviews, experiences, wisdom and our belief in the principles that have guided El Dorado County and this country since its inception.

We believe this report to be factual and pertinent to the residents of El Dorado County. The commendations and recommendations given to departments, publicly financed institutions, facilities, schools and the Growlersburg Correctional Fire Camp are sincere and well intended.

With the Superior Court's acceptance and the implementation of the recommendations by the leaders of El Dorado County this report will make a difference. It will make our County stronger and an even more desirable place for our citizens to live, work and raise our families.

Thank you for your continued confidence in us.

Respectfully submitted,


Rosemary Mulligan, Foreperson
El Dorado County Grand Jury 2007-2008



**SUPERIOR COURT OF CALIFORNIA
COUNTY OF EL DORADO**

3321 Cameron Park Drive
Cameron Park, California 95682

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March 12, 2008

Rosemary Mulligan, Foreperson
El Dorado County Grand Jury
P.O. Box 472
Placerville, CA 95667

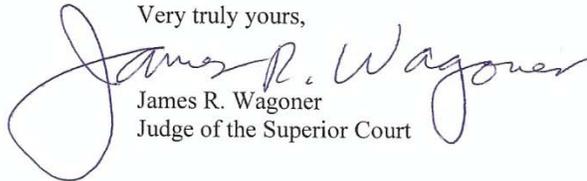
Re: Mid-term release of Final Report

Dear Ms. Mulligan:

I have reviewed the draft of the portion of the Final Report that the Jury has requested to release mid-term. I see no issues that would prevent this release. You may release it at yours and the Jury's discretion.

Thanks again for all of yours and the Jury's hard work this year.

Very truly yours,


James R. Wagoner
Judge of the Superior Court



NOTICE TO RESPONDENTS

California Penal Code § 933.05 mandates specific requirements for responding to grand jury reports. This information is intended to help you in your responses to avoid unnecessary and time consuming repetitive actions. Those responses which do not fully comply with Penal Code requirements, including explanations and time frames where required, will not be accepted and will be returned to respondents for corrections.

RESPONSE TO FINDINGS

The responding person or entity shall indicate one of the following:

- 1. The respondent agrees with the finding.*
- 2. The respondent disagrees wholly or in part with the finding, in which case the response shall specify the portion of the finding that is disputed and shall include an explanation of the reason therefore.*

RESPONSE TO RECOMMENDATIONS

The responding person or entity shall report one of the following actions:

- 1. The recommendation has been implemented, with a summary regarding the implemented action.*
- 2. The recommendation has not yet been implemented, but will be implemented in the future, with a timeframe for implementation.**
- 3. The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or head of an agency of department being investigated or reviewed. This timeframe shall not exceed six months from the date of publication of the grand jury report. ***
- 4. The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefore.*

* The time frame needs to be specific and reasonable.

** At the conclusion of this analysis, the recommendation must be responded to as required by items 1, 2, or 4.

RESPONSE: TIME, WHERE AND TO WHOM

The Penal Code identifies two different response times, depending upon the classification of the respondent (see below), and includes where and to whom the response is directed. Day one begins with the date of the Final Report.

1. Public Agency:

The governing body of any public agency (also refers to department) must respond within ninety (90) days. The response must be addressed to the Presiding Judge of the El Dorado County Superior Court.

Examples: Governing body of a public agency, Board of Supervisors, Directors of Districts.

2. Elective Officer or Agency Head:

All elected officers or heads of agencies/departments are required to respond within sixty (60) days to the Presiding Judge of the Superior Court, with a copy provided to the Board of Supervisors.

Examples: Sheriff, Auditor/Controller, Recorder, Surveyor, Tax/Treasurer, County Superintendent of Schools, Boards of Trustees of school districts.

FAILURE TO RESPONSE:

Failure to respond to a grand jury report is in violation of California Penal Code §933.05 and is subject to further action.



EL DORADO COUNTY GRAND JURY 2007-2008

Assisting Road Repair Community Service Districts Case No. GJ 07-026

REASON FOR REPORT

Community Service Districts (CSD's) are a category of Special Districts. They are established and regulated under State Government Code §61001. Regulations generally have increased over time and can be a burden for small districts with limited budgets and management expertise. The present and previous Grand Juries have received complaints alleging misconduct by a few small special districts. Alleged misconduct is not necessarily intentional. Rather, it may result from inadequately trained boards of directors. Consequently, the Grand Jury sought ways for the County to assist road repair district boards of directors to better manage their responsibilities and reduce incidents of alleged misconduct.

BACKGROUND

El Dorado County has 57 special districts, most of which are CSD's. Each covers a specified geographic area that can be large or small and each is governed by a board of directors comprised of property owners in the district. Budgets of these CSD's vary greatly. CSD's are allowed by the State code to conduct several activities. A few County CSD's do road maintenance along with providing other services within their district. Examples are Consumnes River CSD and Showcase Ranches CSD. However, 15 of the County CSD's only repair roads (including road related drainage repair work) in their districts. These districts are usually small communities, mostly rural and formed following development of a land parcel or sub-division. Each road repair CSD is independent of any supervision other than its own board of directors.

A Zone of Benefit (ZOB) is essentially the same as a single purpose road repair CSD, except it is not independent. The County has 33 ZOBs that also conduct road repairs in their zones. In effect, ZOBs have transferred executive authority and responsibility for conducting road maintenance in their zones to a County Service Area (CSA). County Service Areas are themselves a type of special district, falling under State Government Code §25210. They are umbrella agencies that usually contain several ZOBs. All CSAs are directed and controlled by the County Board of Supervisors. El Dorado County's road repair ZOBs are in CSA # 9, which is run by the County Department of Transportation (DOT). Zones of Benefit have advisory committees composed of zone property owners.

METHODOLOGY

The Grand Jury reviewed documents governing the establishment and proper operation of CSDs. Information about CSD's was obtained from El Dorado County's Local Agency Formation Commission (LAFCO), which is responsible for setting boundaries between special districts and assisting in settling disputes between them. Current budget and expenditure information was obtained from the County Auditor-Controller. Road maintenance technical information was obtained from DOT.

People Interviewed:

- El Dorado County Auditor-Controller
- El Dorado County Assistant Auditor-Controller
- El Dorado County Department of Transportation Deputy Director for Maintenance and Operations.
- LAFCO, Executive Officer
- Road Repair CSD Members

Documents Reviewed:

- Memo to Grand Jury from Executive Officer of LAFCO, November 26, 2007, with Attachments
- "Zones of Benefit Advisory Committee Manual" (First Draft, December, 2007)

FINDINGS

In accordance with the California Penal Code §933 and §933.05, each finding will be responded to by the government entity to which it is addressed. The responses are to be submitted to the Presiding Judge of the Superior Court. The 2007-2008 El Dorado County Grand Jury has arrived at the following findings:

1. Road repair CSD's obtain most of their funds through special assessments previously approved by the district property owners and included as a separate item in their property tax bill. Annual funds accumulate over years and are held by the County Treasurer. The reserve funds are available to hire a contractor to provide road repairs when needed. Typically in a district, a repair project does not occur every year.
2. Road repair CSD's could opt to become Zones of Benefit under CSA #9, but this would necessitate paying fees for County DOT services. Department of Transportation charges hourly rates for time spent assisting ZOB's, and the Auditor-Controller charges one percent of the annual budget for providing financial services. While these fees may be reasonable, road repair CSD budgets on average are considerably smaller than ZOB budgets.

3. Road repair districts have limited technical expertise and may have limited understanding of State rules. Roads in their districts are legal public roads and rules must be followed that are not required for private roads in gated communities. Typical problems encountered are: creating or obtaining adequate specifications for road maintenance and drainage construction projects, drafting the scope of work for projects, seeking bids and selecting contractors, inspecting and approving work, and maintaining acceptable financial documentation.
4. Road repair district directors will benefit from more job training. The Department of Transportation provides annual training classes for ZOB advisory committee members that would be very useful to road repair district directors and could be provided to them at negligible incremental cost.
5. Very recently, the DOT prepared a prototype handbook (“Zone of Benefit Advisory Committee Manual”) for advisory committee members. This Manual includes information on: ethics, the open meeting law (The California Brown Act), road maintenance and repair (engineering) guidelines, contracting and purchasing, insurance, volunteer work procedures, and budget preparation. This Manual is an excellent product, put together from existing information at DOT in a very short period of time. The Department of Transportation is *commended* for this effort. This Manual would also be very useful to board directors of road repair districts.

RECOMMENDATIONS

1. The County Department of Transportation should invite road repair district directors to its annual training sessions held for Zones of Benefit advisory committee members, and do so on a continuing basis.
2. The County should publish the “Zone of Benefit Advisory Committee Manual” and make it available, free of charge, to every road repair district director. As soon as possible, this Manual should also be provided through the internet. This will allow easy upgrading by the Department of Transportation and ready access of the latest upgrade by users. Hard copy Manuals should continue to be published.
3. The Manual published by the Department of Transportation should also include the following:
 - A. A section listing contacts, with phone numbers, email addresses and mail addresses, where users can obtain information about sourcing licensed contractors; this listing should include the Builders Exchange of El Dorado County.
 - B. References for many specifications that are given in the "Road Maintenance and Repair Guidelines" section of the Manual which will allow users to obtain more detailed specification information when needed.

RESPONSES

Response(s) to this report is required in accordance with California Penal Code §933.05.



EL DORADO COUNTY GRAND JURY 2007-2008

Clean Tahoe Program Case No. GJ 07- 011

REASON FOR REPORT

The El Dorado County Grand Jury received a letter from the South Lake Tahoe District Attorney's Office that prompted an investigation of the Clean Tahoe Program's procedures for managing its funds.

BACKGROUND

The Clean Tahoe Program is a non-profit organization funded primarily by the City of South Lake Tahoe and El Dorado County. Its mission is to improve the visual quality of the Tahoe Basin within El Dorado County. Because it is publicly financed, it has a fiduciary responsibility, similar to the City and County, to properly manage its funds.

The Clean Tahoe Program performs an important service to the community. This is accomplished through the dedication and hard work of the Clean Tahoe staff.

METHODOLOGY

The Grand Jury visited the offices in South Lake Tahoe of the Clean Tahoe Program and the South Tahoe Refuse Company (STR) to obtain information. STR is a private corporation with an exclusive franchise from the City and County to gather, sort, recycle, and dispose of refuse in the South Tahoe Basin. The investigation included a review of records, cashed checks, credit cards and the security of petty cash.

People Interviewed:

- Clean Tahoe Program Board, Two Directors
- Clean Tahoe Program Manager
- Clean Tahoe Program Outside Bookkeeper
- Clean Tahoe Program Treasurer
- El Dorado County Assistant District Attorney
- South Tahoe Refuse Company Controller
- South Tahoe Refuse Company President

Documents Reviewed:

- Clean Tahoe Program Brochure
- Clean Tahoe Program By-laws, Procedures and Personnel Manual
- Clean Tahoe Program Financial Documents
- Clean Tahoe Program Budget vs. Actual Income and Expenses, October '06 through September '07
- Clean Tahoe spreadsheets showing field work assignments
- Comparative cost study by STR in 2004 showing cost savings if STR assumed Clean Tahoe Program duties
- E-mail memos from Clean Tahoe Program Manager
- Mission Statement of Clean Tahoe Program
- South Tahoe Refuse Company controller memo (11/16/07) with financial spreadsheets

RESULTS OF INVESTIGATION

In the investigation of Clean Tahoe's management of funds, financial controls were found to be deficient. However, the deficiencies are in the process of being corrected.

The Clean Tahoe Program is small and requires management and overhead functions that are disproportionately high and expensive in small publicly financed organizations. These costs would be lower if shared with similar costs in a larger organization. In principle, this can be achieved either by absorbing Clean Tahoe into a larger organization or by selecting a larger organization to perform the essential services that are now performed by the Clean Tahoe Program. The Grand Jury investigated these possibilities and found the following:

FINDINGS

In accordance with the California Penal Code §933 and §933.05, each finding will be responded to by the government entity to which it was addressed. The responses are to be submitted to the Presiding Judge of the Superior Court. The 2007-2008 El Dorado County Grand Jury has arrived at the following findings:

1. The refuse picked up by the Clean Tahoe Program is deposited at the STR company transfer station in the City of South Lake Tahoe. There, the refuse is processed, with some of it recycled. The Clean Tahoe Program is charged for this at standard rates for this service.
2. South Tahoe Refuse is capable and willing to assume the operations of the Clean Tahoe Program if asked by the City and County to do so. However, it has been reluctant to initiate this change because it does not wish to appear hostile to the Clean Tahoe Program.
3. Because of its franchise agreements, the rates charged for STR services are controlled by the City and County. Consequently, the transfer of the complete operations of the Clean Tahoe Program to STR could be accomplished easily and without requiring a competitive bid process.

4. During 2003, STR was provided a copy of the FY 2002/03 Clean Tahoe Budget and asked to review the budget for opportunities for cost savings if STR were operating the Clean Tahoe Program. After doing a line-by-line assessment of each cost item, STR estimated that it could reduce the annual cost by \$49,720. Details of this assessment are shown in a spreadsheet that is Exhibit A. South Tahoe Refuse management expressed to the Grand Jury that it believes this estimate is still reasonable.

Elimination of the Clean Tahoe Program’s management and overhead costs is an important area of savings if STR assumes operations of the Clean Tahoe Program, but these costs are not included in the previous study that resulted in Exhibit A. Work now being carried out by two field assistants of the Clean Tahoe Program would continue to be required at STR. The additional net payroll savings were estimated by the Grand Jury as follows:

Elimination of Clean Tahoe’s full payroll budget for 2006-2007:	\$112,000
Less full payroll of two field assistants at STR costs:	<u>(71,480)</u>
Estimated Net Payroll Cost Savings:	\$ 40,520

The total estimated savings expected from transferring the Clean Tahoe Program duties to STR are obtained by adding the former estimate of \$49,720 to the net payroll cost estimate of \$40,520. This yields an estimated total annual cost savings of \$90,240. It is important to recognize that these are recurring savings. The present value of these savings aggregated over the next 10 years can be calculated by discounting the savings each year at 5 percent. This is the County Treasurer’s Pool Rate that is used for project loans that have been approved by the County Board of Supervisors. The calculated savings is a present value over 10 years of \$698,806. The actual savings will depend on details of any agreement between the service-provider selected to take over the Clean Tahoe Program. Nevertheless, the estimated potential savings are significant and lead to the following Grand Jury recommendations:

RECOMMENDATIONS

1. The City and County should seek a capable public or private organization to provide, at less cost, the services now provided by the Clean Tahoe Program.
2. Savings that may be realized by the City and County replacing the Clean Tahoe Program with a new service provider should be passed to the property owners by reducing their property tax assessments.

RESPONSES

Response(s) to this report is required in accordance with California Penal Code §933.05.

EXHIBIT A

STR Clean Tahoe Program Savings FY 2002/2003					
	FY 2002/2003	STR	Savings		STR notes
Rent	9,872.44	-	(9,872.44)		Eliminate redundancy
Demo Project/Dumpster Enclosure	9,434.99	-	(9,434.99)		Nonrecurring expense
Professional fees: Clean Tahoe Audit	3,900.00	-	(3,900.00)		Eliminate redundancy
Insurance: Liability (Business & Directors Liability)	2790.73	-	(2,790.73)		Eliminate redundancy
Demo Project/Animal proof End. Trailer	1,254.65	-	(1,254.65)		Nonrecurring expense
Laser Printer	1,068.85	-	(1,068.85)		STR already owns / nonrecurring
Professional fees: Accounting	967.5	-	(967.50)		Eliminate redundancy
Internet Service Provider (Connection)	346.8	-	(346.80)		Eliminate redundancy
Miscellaneous Office Equipment	300	-	(300.00)		STR already owns / nonrecurring
Multi-Function Printer/FAX/Scanner	209.09	-	(209.09)		STR already owns/ nonrecurring
	30,145.05	-	(30,145.05)		
	Current	Savings %	Savings	Total	
Insurance: Workers Compensation	17,931.58	24%	(4,370.02)	13,561.58	STR lower rate (13% v8.17%)
Health Insurance	21,161.18	15%	(3,174.18)	17,987.00	
Vehicles: Maintenance	3,608.69	50%	(1,808.69)	1,800.00	Use STR shoo
Vehicles: Insurance	3,428.96	50%	(1,714.48)	1,714.48	One truck only
Vehicles: Fuel	4,922.50	30%	(1,477.50)	3,445.00	Service bus stops with STR trucks
Telephone	1,534.06	75%	(1,159.06)	375.00	Use STR phone system
Advertising/promotions	2,215.27	50%	(1,115.27)	1,100.00	
Field supplies	3,667.01	25%	(916.75)	2,750.26	
Payroll service	1,132.16	75%	(849.12)	283.04	
Misc Office Supplies	1,650.02	50%	(825.02)	825.00	
Uniforms (5 T-shirts & sweatshirts = \$35)	1,070.90	50%	(545.90)	525.00	5 t-shirts-(\$10/ea) & 5 sweat shirt (\$25)
General admin	469.67	100%	(469.67)	-	
Vehicles: Registration	720.00	50%	(360.00)	360.00	One truck only
Cellular	219.42	100%	(219.42)	-	
Copy Paper/Toner/Misc.	711.89	30%	(211.89)	500.00	
Education/training	357.00	50%	(178.50)	178.50	
Misc Professional fees	175.00	100%	(175.00)	-	
Bank service charge	5.00		(5.00)	-	
	64,980.31		(19,575.47)	45,404.84	
Total Savings			(49,720.52)		
TOTAL EXPENSES			228,315.47		
Estimated Savings as a % of total expenses			(0.22)		



EL DORADO COUNTY GRAND JURY 2007-2008

El Dorado County Jail
Placerville

BACKGROUND

The El Dorado County Jail located in Placerville was built in 1988. The maximum capacity is 265 beds. The jail population at the time of the Grand Jury inspection was 208 inmates.

FINDINGS

The 2007-2008 El Dorado County Grand Jury has arrived at the following findings:

1. The jail is well maintained, having addressed past Grand Jury concerns regarding maintenance issues.
2. The jail staff is committed to public safety and the secure incarceration of inmates. Providing excellent programs and services for inmate self-improvement facilitates inmates' assimilation back into the community.

COMMENDATION

The leadership and staff of the Placerville Jail are commended for their rigorous adherence to its mission statement and dedication to the rehabilitation of incarcerated adults.



**THE 2007-2008
EL DORADO COUNTY
GRAND JURY**

COMMENDS

**The El Dorado County Jail
Placerville**

**For its rigorous adherence to its mission statement,
specifically their commitment to public safety,
secure incarceration and inmate self-improvement
through educational programs and services**

DATE:

SIGNED:



EL DORADO COUNTY GRAND JURY 2007-2008

El Dorado County Jail
South Lake Tahoe

REASON FOR REPORT

Section 919(a) and 919(b) of the California Penal Code requires the grand jury to annually inspect any jail or prison within the county. This includes juvenile correctional facilities.

BACKGROUND

The South Lake Tahoe Jail was built in 1970 and was renovated in 1991. The jail has a maximum capacity of 158 inmates. Recently, there has been an average of 110. Staff consists of 1 lieutenant, 7 sergeants, 25 correctional officers, 1 cook supervisor, and 1 lead registered nurse to operate the institution in 12-hour shifts.

FINDINGS

The 2007-2008 El Dorado County Grand Jury has arrived at the following findings:

1. The number of correctional officers needed to cover all shifts is 34.
2. There is no dedicated general service worker for the facility. It was noted that the facility has been on a waiting list for needed repairs for two years.
3. The staff provides many opportunities and programs for inmates to improve their skills as contributing members of society, i.e. BRIDGE, TOPS, GED, culinary arts, counseling, and the Tahoe Mentor Program.
4. During the recent Angora Fire, the staff and inmates provided additional resources and comfort to the South Lake Tahoe community as well as to fire and law enforcement agencies.

RECOMMENDATIONS

Safety and security are of paramount importance in a correctional facility – for inmates, staff and visitors.

1. It is recommended that the Board of Supervisors provide funding to adequately staff the jail and to provide needed maintenance within the 2008-2009 fiscal year.
2. It is recommended that one maintenance worker from General Services be dedicated to the South Lake Tahoe Jail in order to make necessary decisions, provide preventative maintenance and complete critical work in a timely manner.

RESPONSES

Response(s) to this report is required in accordance with California Penal Code §933.05.

COMMENDATION

Despite needing increased personnel and repairs in certain areas of the facility, many programs leading to rehabilitation of inmates were noted, most specifically in the areas of mental health, vocational training and community service.

The leadership and staff at the South Lake Tahoe Jail are commended for their rehabilitation programs for inmates. Further, the leadership and staff are commended for their outstanding community response during the Angora Fire.



EL DORADO COUNTY GRAND JURY 2007-2008

El Dorado County Juvenile Hall
Placerville

REASON FOR REPORT

Section 919(a) and 919(b) of the California Penal Code requires the grand jury to annually inspect any jail or prison within the county. This includes juvenile correctional facilities.

BACKGROUND

The Placerville Juvenile Hall was built in 1971. The facility houses a maximum of 40 male and female minors. The El Dorado County Probation Department is responsible for the care of the minors, as well as the facility and personnel, while the El Dorado County Office of Education is responsible for the education of the minors. The relationship between the two departments is integral to the success of both programs. Children who are sent to juvenile hall become temporary wards of the court pending adjudication. During this time, a minor's health, safety and education are protected by Welfare and Institution Code, California Code of Regulations - Title 15 and Title 24, and federal and state educational codes.

Programs are in place to educate and support youthful offenders and their families in effective rehabilitation information and strategies. These programs include counseling programs, mental health programs and many vocational programs. Providing an education to youthful offenders who have been detained for errors in judgment and unlawful behavior allows the young person the opportunity to stay abreast of or catch up on his/her school work. Graduating a youthful offender from high school furthers the potential to re-enter the community ready to become a productive member of society. Last year, the juvenile hall school (Golden Ridge School) graduated four such individuals.

FINDINGS

In accordance with the California Penal Code §933 and §933.05, each finding will be responded to by the government entity to which it is addressed. The responses are to be submitted to the Presiding Judge of the Superior Court. The 2007-2008 El Dorado County Grand Jury has arrived at the following findings.

The facility is in excellent, pristine condition. There is a plan to update the communication system and to expand the facility. Both of these items are in the current capital improvement program.

RECOMMENDATION

It is recommended that the Board of Supervisors fund necessary work entailed in the expansion of the facility and updating the communication system during the 2008-2009 fiscal year.

RESPONSES

Response(s) to this report is required in accordance with California Penal Code §933.05.

COMMENDATION

The El Dorado County Probation Department and the Office of Education are commended for their outstanding advocacy and rehabilitation programs for at-risk children. The Grand Jury finds that the probation and educational staff have gone above and beyond what is required. The probation staff and the education staff are further commended for their immaculate facility observed during an unannounced visit.



**THE 2007-2008
EL DORADO COUNTY
GRAND JURY**

COMMENDS

**The El Dorado County
Probation Department
and
Office of Education**

**For their exemplary programs for youth at
Placerville Juvenile Hall**

DATE:

SIGNED:



EL DORADO COUNTY GRAND JURY 2007-2008

El Dorado County Juvenile Hall
South Lake Tahoe

REASON FOR REPORT

Section 919(a) and 919(b) of the California Penal Code requires the Grand Jury to annually inspect any jail or prison within the county. This includes juvenile correctional facilities.

BACKGROUND

The South Lake Tahoe Juvenile Treatment Center is located at 1041 Al Tahoe Boulevard. It is approximately three years old. The facility houses a maximum of 40 male and female minors. On the days the site was visited, there was an average of 20 children in residence. The El Dorado County Probation Department is responsible for maintaining the facilities that house youthful offenders. El Dorado County Office of Education is responsible for education during the child's period of retention. The name of the school located in the juvenile hall is Blue Ridge School. The relationship between the Probation Department and the School is integral to the success of both programs.

Children who are sent to juvenile hall have become temporary wards of the court pending adjudication. During this time, a minor's health, safety and education are protected by Welfare and Institution Code, California Code of Regulations, Title 15 and Title 24, and federal and state educational codes.

METHODOLOGY

Members of the Grand Jury visited the South Lake Tahoe Juvenile Treatment Center twice. Both the probation superintendent of the facility and the school principal were present to answer questions as the Grand Jury toured the facility on both occasions. Subsequent to the visits, an investigation that included a review of materials and conversations with other experts in county and state education, as well as juvenile court schools was conducted. The focus pertained to processes that ensure that school records, including proof of immunization, were properly in place.

People Interviewed:

- Chairs - El Dorado County Office of Education School Attendance Review Board (SARB)
- Chief Probation Officer - El Dorado County Probation Department
- Consultant - The California State Department of Education, Education Programs
- Deputy Chief Probation Officer - South Lake Tahoe Juvenile Hall
- Director - Los Angeles County Juvenile Court and Community Schools
- Principal - Blue Ridge School
- Probation Staff - Sacramento Juvenile Hall
- Staff Members - Juvenile Hall (including the cook, deputy probation officers, and school personnel)

Documents Reviewed:

- California Code of Regulations, Title 15, Section 1029, Policy and Procedures Manual
- California Code of Regulations, Title 15, Section 1280, Facility Sanitation, Safety and Maintenance
- California Code of Regulations, Title 17, Section 6000-6075
- California Education Code 49068 & 49403
- Health and Safety Code, Sections 120325-120380
- Mission Statement, Blue Ridge School

Websites:

- California Department of Education

FINDINGS

In accordance with the California Penal Code §933 and §933.05, each finding will be responded to by the government entity to which it is addressed. The responses are to be submitted to the Presiding Judge of the Superior Court. The 2007-2008 El Dorado County Grand Jury has arrived at the following findings.

1. The facility was generally in excellent condition with three exceptions which have been approved for remediation through the current capital improvement plan. The three areas which need renovation are:
 - A. The recreation area - the top of the walls of the area is open to the outside and therefore extremely cold during the winter months.
 - B. A pass-through window needs repair.
 - C. An acoustic problem (vibration noise) in the classroom needs repair.
2. Staffing can be a problem due to the high cost of either living locally or commuting.
3. All probation and education staff is dedicated to increasing a young person's ability to succeed in his/her environment. Programs are in place to educate,

support, and promote youthful offenders and their families in effective rehabilitation information and strategies. These programs include the Challenge Program, the Ranch Program, counseling programs, mental health programs, and many vocational programs.

4. There have been no fights in three years.
5. The concern for the health of at-risk youngsters incarcerated in a juvenile correctional facility has been thoroughly reviewed. The Grand Jury finds that the probation staff and the educational staff have gone above and beyond what is required. In addition to sending for and receiving complete school records (including proof of immunization) within 24 hours of intake, the probation staff has also initiated a more effective health review upon in-take.

RECOMMENDATIONS

1. It is recommended that the capital improvement plan be implemented this fiscal year in order to remedy the facility issues which pose health and security risks.
2. It is recommended that the probation department study salaries to include possible "hardship" clauses in order to improve staffing.

RESPONSES

Response(s) to this report is required in accordance with California Penal Code §933.05.

COMMENDATION

The 2007-2008 Grand Jury commends the El Dorado County Probation Department and the El Dorado County Office of Education for their outstanding advocacy and rehabilitation programs for at-risk children.



**THE 2007-2008
EL DORADO COUNTY
GRAND JURY**

COMMENDS

**The El Dorado County
Probation Department
and
Office of Education**

**For its exemplary programs for youth at
South Lake Tahoe Juvenile Treatment Center**

DATE:

SIGNED:



EL DORADO COUNTY GRAND JURY 2007-2008

Growlersburg Conservation Camp Georgetown, California

REASON FOR REPORT

The El Dorado County Grand Jury is charged with inspecting correctional institutions in El Dorado County each year per §919(a) and §919(b) of the California Penal Code.

BACKGROUND

Growlersburg Conservation Camp (Growlersburg) was built in 1967. Originally built as an 80-bed camp, it has increased to accommodate 132 inmates. The primary mission of Growlersburg is fighting fires throughout California. It is operated and managed by two entities: California Department of Corrections and Rehabilitation (CDCR) and California Department of Forestry and Fire Protection (Cal Fire). The staff of 34 consists of 10 correctional officers, 14 Cal Fire staff and 10 CDCR staff. Inmates assigned to Growlersburg have a low risk level classification. Growlersburg provides training in fire fighting, emergency response and woodworking.

METHODOLOGY

Members of the Grand Jury inspected Growlersburg on two occasions. Inspections of the facility included living quarters, bathrooms and showers, day rooms, kitchen, mess hall, wood working shop, and garden.

People Interviewed:

- Cal Fire Officer
- CDCR Officer
- Several inmates

Documents Reviewed:

- California Code of Regulations, Title 15, Section 1029, Policy and Procedures Manual
- California Code of Regulations, Title 15, Section 1280, Facility Sanitation, Safety and Maintenance

- El Dorado County Sheriff's Office, Custody Division, Policy and Procedures
- FC 79 Reports
- Grand Jury Reports 1998-2007
- Jails and Inspections Handbook
- Jails and Prisons Inspection Checklist Forms
- Management Review – Growlersburg CC#33 dated January 17, 2002

RESULTS OF INVESTIGATION

The Jails and Prisons Inspection Checklist was used by the jurors during the inspection. Of particular note are the extensive work hours performed annually for community service projects such as maintenance for school districts, El Dorado Irrigation District, cemeteries, state parks, and Sheriff's Office. There are additional hours of emergency response work performed with agencies such as Office of Emergency Services. The Growlersburg inmates also maintain a garden that saves an estimated \$12,000 a year in food costs for the institution.

Some parts of the institution showed its age. The condition of the buildings appeared to be generally good and the grounds are attractive and well maintained; however, the facility is due for renovation. Some repairs are needed. There is a five-year capital outlay plan that will help to alleviate these concerns.

FINDINGS

The 2007-2008 El Dorado County Grand Jury has arrived at the following findings:

1. The kitchen range hood remains out of compliance. It was first identified in the 1999-2000 Grand Jury Report. It does not meet fire code requirements (Standard for Ventilation Control and Fire Protection of Commercial Cooking Operations – National Fire Protection Agency). It has been mentioned in every Grand Jury Report since with no action.
2. The facility, built in 1967, fails to be in full compliance with the American Disabilities Act (ADA). However, all visitors' areas are in compliance. Currently there are no inmates or staff that require special considerations. The State-approved renovation contract which was funded in July 2007 will provide all ADA public access items. This violation has been identified in Grand Jury Reports 2000-2001 and 2001-2002.
3. The fan vents in the bathrooms in the housing areas do not work and grout needs replacing.
4. The aged evaporative coolers in the living areas do not provide adequate cooling.
5. There is no academic component as part of the inmates' training and rehabilitation program.

RECOMMENDATIONS

1. Given that the kitchen hood was first identified seven years ago as not meeting fire code regulations, the Grand Jury recommends that it be repaired immediately.
2. The Grand Jury recommends correction of the following items to be completed within the 2008-2009 fiscal year:
 - Bathrooms
 - Evaporative coolers
 - All ADA requirements
3. An academic component should be added to the educational program (i.e., General Education Development, California High School Proficiency Exam).

RESPONSES

Response(s) to this report is required in accordance with California Penal Code §933.05.

COMMENDATION

The 2007-2008 El Dorado Grand Jury commends Growlersburg Conservation Camp. The excellent training provided by Growlersburg gives the inmates the opportunity upon release to lead productive lives and become solid members of society. As a result of the training programs, the inmates exhibit skills of qualified professionals in the fields of fire fighting, emergency response and woodworking.

The Grand Jury commends Growlersburg for their exceptional community service.

Growlersburg is commended for savings incurred by the maintenance of their produce garden.



EL DORADO COUNTY GRAND JURY 2007-2008

**Mother Lode Union School District
Case No. GJ 07-001**

REASON FOR REPORT

The El Dorado County Grand Jury received a complaint from a citizen alleging that Mother Lode Union School District (MLUSD) was spending district funds inappropriately. These allegations were limited to expenditures for incremental building space, equipment, travel, and personnel costs for in-house technology services.

BACKGROUND

Mother Lode Union School District is a relatively small district of approximately 1,400 students in grades K-8. The district is experiencing declining enrollment. One key objective that the MLUSD Board set in 2005 was to increase the use of technology to improve educational practices. They charged the Superintendent to carry out that mission. The plan developed by the Superintendent involved adding space, hiring more people to impact district technology services and enlisting other school districts to utilize their new technology department. This latter effort was to create an income stream from outside of the district to help offset incremental costs. In response to the complaint the Grand Jury proceeded to investigate the allegations.

METHODOLOGY

The Grand Jury gathered data from many sources.

People Interviewed:

- The complainant
- MLUSD Board Members (current and past)
- MLUSD Chief Fiscal Officer
- MLUSD Superintendent

Documents Reviewed:

- California Administration Code, Title 5
- California Education Code
- MLUSD board meeting minutes, and related posted agendas covering 2004 to present
- MLUSD financial records covering 2004 through the current budget year

Websites:

- Various web-sites in the technology and education disciplines

FINDINGS

1. No evidence of wrong doing was uncovered regarding the expenditure of MLUSD funds.
2. Mother Lode Union School District is commended for taking a politically and financially aggressive approach to improving the educational practices in their district.