TULARE COUNTY

CIVIL GRAND JURY FINAL REPORT

2017 - 2018

TULARE COUNTY CIVIL GRAND JURY 2017-2018

Back row from left to right: Foreman Howard Stroman, Nicholas Sherwood, Thomas W. Mitchell, Marvin Hansen, Lino Moran, David Serpa, Raymond M. Cerniga, DVM, Ron White, Ron Abee, Jack Mori
Front row from left to right: Kimberlei Davis, Sharon K. Lamagno, JoAnna Enea, Judith Casey, Janice Pineda, Marsha Clinton and Lori Combs. (Not pictured: Cheryl Blevins and Tina Lewis)

**On February 6, 2018,
the Tulare County Board of Supervisors
presented a Proclamation
to the Tulare County Grand Jury
recognizing February as Grand Jury Month.**

The Tulare County Grand Jury is an official body of 19 men and women chosen from a pool of volunteers and nominees of the court to serve for one year.

Back row from left to right: Supervisor Pete Vander Poel, Supervisor Amy Shuklian, Supervisor Mike Ennis, Ron Abee, Ray Cerniga DVM, Ron White, David Serpa, Tom Mitchell, Kimberlei Davis, Chairman Steve Worthley, Jack Mori, Marvin Hansen, Nick Sherwood and Janice Pineda
Front row from left to right: Supervisor Kuyler Crocker, Grand Jury Foreman Howard Stroman, Lino Moran, JoAnna Enea, Marsha Clinton, Judie Casey, Sharon Lamagno and Lori Combs

The jury functions as a fact finding body that makes recommendations for constructive changes and suggests meaningful solutions to a wide range of local governmental issues.

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AUTHORIZATION FOR PUBLICATION OF THE 2017-2018 GRAND CIVIL JURY FINAL REPORT

We, the undersigned, being duly sworn and active members of the 2017-2018 Tulare County Grand Jury and comprising of at least twelve (12) members thereof, have investigated, written, read, and authorized publication of this report. We hereby affix our signatures to this Final Report as verification of said authorization.

Howard Stroman, Foreman

David Serpa, Foreman Pro-Tem

JoAnna Enea, Secretary

Lori Combs, Secretary

Marvin Hansen, Member

Lino Moran, Sgt-At-Arms

Sharon K. Lamagno, Member

Ron Abee, Member

Tina Lewis, Member

Cheryl Blevins, Member

Thomas W. Mitchell, Member

Judith Casey, Member

Jack Mori, Member

Raymond M. Cerniga, DVM, Member

Janice Pineda, Member

Marsha Clinton, Member

Nicholas Sherwood, Member

Kimberlei Davis, Member

Ron White, Member

LETTER FROM THE FOREMAN

TULARE COUNTY GRAND JURY
5963 South Mooney Boulevard
Visalia, CA 93277
Phone: (559) 624-7295; Fax (559) 733-6078

Honorable Judge Bret Hillman
Presiding Judge of the Superior Court
State of California
County of Tulare

Honorable Judge Brett Alldredge
Supervising Judge of the Grand Jury
State of California
County of Tulare

Dear Judge Hillman and Judge Alldredge,

Amid decorative remolding at the building housing the Tulare County Grand Jury office, the jury's 2017/2018 session has ended. Returning jurors and new members will be met with new and refreshing interior design to be completed at some point during their 2018/2019 term. A new jury, with improved building interior appeal, simultaneously reflects a new beginning. As duly required, outgoing members of this year's team has stepped aside (except returning jurors) to cheer the 2018/2019 Grand Jury's continued loyalty to their mission of promoting trust, transparency and accountability within the governmental entities of Tulare County.

I proudly salute the Honorable Judge Bret Hillman, Honorable Judge Brett R. Alldredge, and Court Executive Secretary Ellen Kennedy. Least we forget County Counsel for their guidance and support. They may not be aware that they have inspired in me a resurgence of newfound energy that propels me forward instead of backward. Energy that guides me to do my righteous best, and to encourage those with me to do the same.

It has been my privilege to have been associated with each of the men and women jurors this year, all of whom are deserving the highest praise for their devotion to task. Our awesome secretary, Ms. Annette Jones needs no such tribute. Her valued contribution to the Tulare County Grand Jury is priceless.

I am honored to have served as Foreman this past year. By now, this should come as no surprise. We must recognize however, that the job is never finished, never complete. Future jurors will always endeavor to adjudicate the complexities of our governing bodies. To that extent, the Tulare County Grand Jury of 2017/2018 again congratulate the incoming jurors and we wish them a hearty Godspeed going forward.

During our General Meetings, each Friday, we are accustomed to jurors offering 'Words of Wisdom' and memorable 'Quotes' as a reflective and sometimes humorous startup prior to pursuing our business agenda. In that tradition and in closing I offer the following:

> *I have a lifetime appointment and I intend to serve it. I expect to die at 110, shot by a jealous husband.*
>
> *Thurgood Marshall*

With upmost respect and appreciation,

Howard L. Stroman, Sr., Foreman
2017/2018 Tulare County Grand Jury

LETTER FROM THE JUDGES

Superior Court of the State of California

Stephanie Cameron
Court Executive Officer/
Jury Commissioner

COUNTY OF TULARE
ADMINISTRATION
221 S. Mooney Blvd., Room 303
Visalia, California 93291
Telephone: (559) 730-5000
Facsimile: (559) 737-4290

Nocona Soboleski
Assistant Court Executive Officer

JUDGES' COMMENTS

On behalf of the entire bench of the Tulare County Superior Court we want to sincerely thank the 2017-2018 Grand Jury for all the work they have performed on behalf of the citizens of Tulare County. Once again another Grand Jury's term has been completed.

Grand Jurors always assume a great deal of responsibility whenever they agree to be a part of a year's panel. They willingly do this as volunteers without any purpose other than to insure that governmental agencies and individuals are properly performing their duties. The taxpayers of Tulare County were well served by all the time and effort put forth by this Grand Jury. We are especially grateful for the efficient manner in which this year's Grand Jury performed these tasks and the overall cooperation and respect they showed to each other.

Much is misunderstood by the general public as to the functions and purpose of the Grand Jury. It is empowered by statutory authority to investigate local governmental agencies and process citizen complaints involving local government issues. No other agency or group has mandate to be a "watch-dog" to insure that our local government works effectively, efficiently, and to the best interest of all citizens. We need responsible, dedicated people such as those on this year's Grand Jury to serve in the future. If you would like to volunteer to do meaningful work for our community we invite you to apply for service on Grand Jury by contacting the Superior Court at (559) 730-5000 x1359 and ask for an application.

In closing, we applaud each member of this Grand Jury for your dedication to service on behalf of all citizens who live in Tulare County.

Bret D. Hillman
Presiding Judge

Brett R. Alldredge
Assistant Presiding Judge

The 2017/2018 Tulare County Grand Jury recognizes the Tulare County Civil Grand Jury Chapter for its contributions and its participation in various community projects.

The Chapter is a member of the California Grand Jury Association, and its primary goal is to promote the Tulare County Grand Jury. The Chapter promotes the Grand Jury through participation at the Spring Open House at the Visalia Convention Center, a 3-day event, held each February. The Chapter also hosts a booth at the Visalia Senior Citizens Spring Festival.

The community projects the chapter was involved in this year are:

- *Sixty (60) backpacks with school supplies, delivered to two local area elementary schools.*
- *Donation of two youth bicycles to the Tulare County Deputy Sheriff's organization*
- *A monetary donation to the Tulare County Deputy Sheriff's organization to aid the family of a deputy's kidney transplant.*
- *Monetary donation to the Tulare County Child Welfare Agency for their Christmas youth project*
- *Gift cards for four families displaced by the Santa Rosa, CA wildfires.*

If interested on how you can receive more information about the Civil Grand Jury contact the Tulare County Civil Grand Jury at (559) 624-7295 or the Tulare County Superior Court at (559) 730-5000 ext. 1359. Applications are available in each courthouse in the County, or the court or grand jury website.

GRAND JURY STATISTICAL RESPONSE 2016-2017 COMPLIANCE REVIEW

OVERVIEW OF GRAND JURY RESPONSE DUTIES:

The Tulare County Grand Jury (TCGJ) is impaneled annually to act as the public's watchdog by investigating and reporting on the affairs of Tulare County and local governments. The TCGJ reviews complaints brought by citizens and internally initiates investigations about perceived government irregularities. As a fact finding body, the TCGJ has the potential to make recommendations for constructive changes and possible solutions to a wide-range of local governmental problems. This is done by reviewing and evaluating procedures, methods, and systems utilized by county and local government entities to determine if more efficient and economical programs can be implemented. The TCGJ is authorized to and, in some cases, must do the following:

1. Inspect and audit books, records, and financial expenditures to ensure that the public funds are properly accounted for and legally spent.

2. Inspect financial records of special districts in Tulare County.

3. Examine the books and records of any nonprofit organization receiving Tulare County funds.

The TCGJ does not investigate nonprofit organizations not funded by the county, private entities, state or federal agencies, courts, school curriculum, or other matters not connected with local governments.
The TCGJ annually issues a final report which contains specific reports addressing one or more issues. California Penal Code §933 requires responses from governing agencies, including the Tulare County Board of Supervisors, city, and county governments, schools, special districts, and certain non-profit organizations. This ensures these entities have performed their functions in a lawful, efficient manner. Each report contains information such as the background regarding the subject matter, reasons for the investigation, the procedures followed in obtaining information, findings and recommendations. All required responders must reply in writing to each finding and recommendation in the specific report, within a given time period. The TCGJ received and reviewed returned responses to the 2016-2017 TCGJ Final Report. The TCGJ reviewed applicable California Government and Penal Codes. The TCGJ compiled statistics regarding the responses

Facts relative to this statistical response includes 11 specific reports contained in the 2016-2017 TCGJ Final Report. There were 65 findings and 23 recommendations within the 2016-2017 TCGJ Final Report. The first graph indicates the number of concurrences with, or disagreements to, the findings. The second graph depicts the implementation responses received as a result of the 2016-2017 TCGJ Final Report.

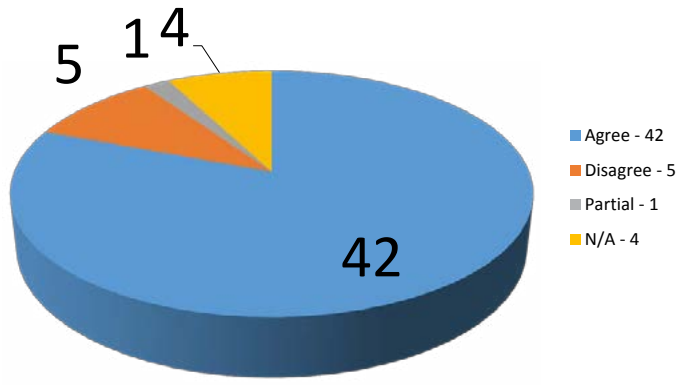
The 2016-2017 TCGJ reports required responses from the following responding agencies:

1. The Tulare County Office of Education child Support Services

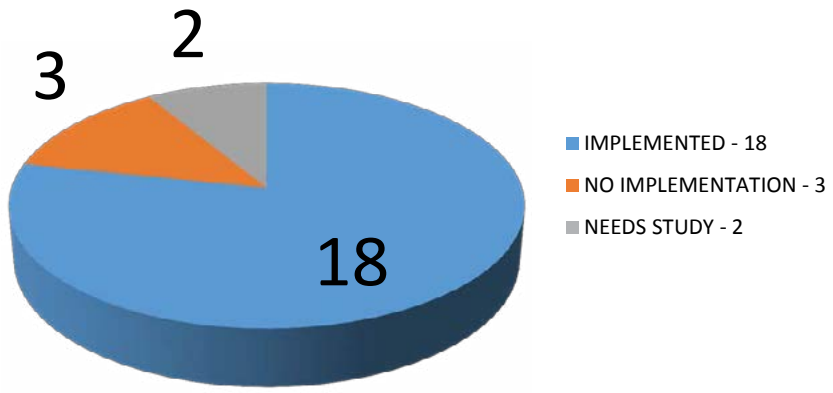
2. Woodlake Public Cemetery District Board of Trustees

3. Farmersville Unified School District Board
4. Kaweah Delta Hospital Board of Directors
5. Tulare County Solid Waste Department
6. Tulare County Solid Waste Department
7. Tulare County Registrar of Voters
8. Chief Administrative Office
9. Richgrove Community Service District Board
10. Tulare County Board of Supervisors

2016-2017 Findings



2016-2017 Responses



TOTAL RECCOMENDED: 23

At the conclusion of each report is a section entitled "Required Responses". This section lists the departments, agencies, and elected officials designated to address the issues detailed in the report.
Instructions are provided to all entities to which responses are required. Not all entities responded by the specified due date. However, with subsequent requests to do so, all entities eventually responded. All entities responding to a report must do so in accordance with California Penal Code §933.
2016-2017 Final Report and Responses may be found on the Tulare County Grand Jury Website: http://tularecounty.ca.gov/grandjury

REVIEW OF 2014/2015 IMPLEMENTATION

The Tulare County Grand Jury (TCGJ) annually issues a final report addressing one or more issues requiring responses from various agencies in the county. All required responders must reply in writing to each finding and recommendation in the specific report. The 2014/2015 Grand Jury Report included 21 reports. The grand jury is obligated to verify implementation of recommendations made in past reports with the required responders using a specific method of follow up as detailed below. Out of 21 reports, seven of the reports of 2014/2015 did not have any recommendations.

METHOD OF FOLLOWUP:

1. Clarification letters were sent to the designated responders.
2. Reviewed websites and confirmed updates were completed.
3. Reviewed updated documents and responses.

SUMMARY OF 2014/2015 RECOMMENDATION IMPLEMENTATION:

Summary 2014/2015- Public Transit in Tulare County:

The Public Transit report recommended that Tulare County Public Transportation consider coordinated revisions in rural schedules so as not to exclude certain south county unincorporated communities. This recommendation has been implemented. In 2017, Tulare County Public Transit needs have changed due to decreased numbers of bus riders from 2014/2015 compared to the present day. The Tulare County Grand Jury recommends continued implementation of its prior recommendations as is financially feasible.

Summary 2014/2015—Main Jail Inspection:

The report recommended the continuation of new policies and procedures as established by the Tulare County Sheriff's Office. Those recommendations include follow-up on systematic monitoring of the air quality and pursuing a contract process for main jail improvements. All recommendations have been implemented. The Tulare County Grand Jury recommends continued implementation of its prior recommendations.

Summary 2014/2015—County Employee Overpayment: "The Gift of Giving":

This report recommended that Tulare County continue to implement and monitor financial safety measures for eligible employee benefit calculations. This report also recommended the Tulare County Auditor undertake procedures to ensure that a periodic comprehensive payroll audit of each county department is monitored. The Tulare Grand Jury 2017/2018 (TVGJ) reviewed the recommendations and found that they have been implemented. The TCGJ recommends continued implementation of its prior recommendations.

Summary 2014/2015—Visalia Public Cemetery: "Headstone For a Loved One":

This report recommended that the Visalia Public Cemetery make a new pamphlet with drawings of all the headstones with all specifications on each type of headstone. The follow-up revealed the Visalia Public

Cemetery has implemented this recommendation. The Tulare County Grand Jury recommends continued implementation of its prior recommendations.

Summary 2014/2015—Teen Pregnancy and Awareness:

The Grand Jury of 2014/2015 did a report on teen pregnancy in Tulare County. The Office of Education agreed with the findings that recommended increased coordination between public agencies involved with teen pregnancy. This report recommended the school districts increase outreach for educating parents on more direct participation on the teen pregnancy issue. Tulare County Health and Human Services Agency continually looks for opportunities to coordinate services providing outreach and shares information with other public agencies within the county. The Office of Education is continuing their efforts in this area. The Tulare County Grand Jury recommends continued efforts within the areas mentioned.

Summary 2014/2015—Special Education:

The Tulare Grand Jury report recommended the time consumed by the initial "Special Education" evaluation process be reduced.

1. Tulare County Office of Education:

   a. The Tulare County Office of Education (TCOE) currently reported that the Tulare County Superintendent of Schools and the Tulare County Education Local Plans Area ('SELPA") Director has implemented a plan to improve the amount of time consumed for initial evaluations of students with special education needs. The TCGJ recommends continued completion of the initial evaluation process within the 60-day time limit.

2. Cutler Orosi Joint Unified School District:

   a. The Cutler Orosi Joint Unified School District (COJUSD) currently reported that as of June 25, 2015, they have added one full-time speech and language pathologist. Occupational therapy has been increased to a 20% full-time equivalent. These school resources were implemented in order to reduce the Special Education timeline. The TCGJ recommends continued completion of the initial evaluation process within the 60-day time limit.

3. Dinuba Unified School District:

   a. The Dinuba Unified School District currently reported that they continue to follow the Board and administrative regulations that the district has in accordance to the law, Code §56026. These are necessary precautions that the district takes to ensure compliance with the 60-day timeline. The TCGJ recommends continued completion of the initial evaluation process within the 60-day time limit.

4. Exeter Unified School District

a. Exeter Unified School District currently reported that they continue to complete the initial evaluation process within the 60 day time limit while efficiently and effectively evaluating the needs of each and every student. The TCGJ recommends continued completion of the initial evaluation process within the 60-day time limit.

5. Lindsay Unified School District:

a. The Lindsay Unified School District currently reported that they continue to establish the ability to complete the initial assessments in a timely manner for the best interest of the special education students. The TCGJ recommends continued completion of the initial evaluation process within the 60-day time limit.

6. Strathmore Union Elementary School District:

a. Strathmore Union Elementary School District currently reported that TCOE, County Superintendent of Schools, and SELPA Director developed, pursuant to the grand jury's recommendation, a successful implementation plan to improve the amount of time consumed for initial evaluations of students who may have special education needs. The TCGJ recommends continued completion of the initial evaluation process within the 60-day time limit.

7. Three Rivers Union Elementary School District:

a. Three Rivers Union Elementary School District currently reported that they are working on an implementation plan to improve the amount of time consumed for initial evaluations of students who may have special education needs. The TCGJ recommends continued completion of the initial evaluation process within the 60-day time limit.

8. Tulare City School District:

a. Tulare City School District currently reported that they are committed to ensuring that all students with disabilities in need of special education services are referred for timely evaluation. The TCGJ recommends continued completion of the initial evaluation process within the 60-day time limit.

Summary 2014/2015—AB109 & Community Corrections Partnership:

The 2014/2015 Tulare County Grand Jury did a report recommending that CCP continue to provide the current services available to its clients. The Tulare County Sheriff's Office is in compliance with implementing this recommendation. The TCGJ recommends continued implementation and compliance of its prior recommendation.

Summary 2014/2015—Workplace Harassment and Employee Grievance Procedure:

The 2014/2015 Tulare Grand Jury (TCGJ) issued a report recommending that Tulare County Human Resources should review and revisit established workplace policies regularly and establish annual training for

supervisors. This report recommended the development of policies and procedures that target preventative measures for possible conflicts. A manager or supervisor should take immediate and appropriate action when observing or receiving complaints of unlawful harassment. Tulare County is in compliance with these recommendations. The TCGJ recommends continued implementation and compliance of its prior recommendation.

Summary 2014/2015 – First 5 Fighting For Our Children:

The 2014-2015 Tulare County Grand Jury (TCGJ) report recommended that the First 5 Tulare County be more transparent in the areas of reporting all programs and grants within the Local Annual Report. TCGJ recommended that First 5 Tulare County officers and managers have additional training in reviewing and verifying reports before distribution to the public. TCGJ recommended that First 5 Tulare County Program Officers have additional training in report writing for consistent interpretations on the Program Report. TCGJ recommended First 5 Tulare County create a checklist for verifying information between financial statements and the Local Annual Report to prevent errors before distribution to the public. First 5 Tulare County is in compliance and has implemented these recommendations. The TCGJ recommends continued implementation and compliance of its prior recommendations.

Summary 2014/2015 - Mooney Grove Park:

The 2014-2015 Tulare County Grand Jury (TCGJ) report recommended there should be more emphasis in planting Valley Oaks in the park. The County should try to increase awareness that the park is there and what the park offers. The County should establish the optimum number of animals in the park, balancing federal and state rules and the needs of the public for a healthy park environment. TCGJ recommended mobile vendors be contracted to drive through the park to sell wares to give the public an opportunity to buy, and to increase marketing of the park for special events. These recommendations are all in the process of being implemented. Tulare County General Services continues researching and exploring regulations for implementing mobile vendors in county parks. The TCGJ recommends continued implementation and compliance of its prior recommendations.

Summary 2014/2015 - Transparency – Open Meeting Law:

The 2014-2015 Tulare County Grand Jury (TCGJ) report recommended that all Tulare County public agencies strictly adhere to the provisions of California open meeting law. TCGJ recommended all elected/appointed members of Tulare County special districts, school boards, planning commissions, etc. participate in Tulare County Counsel's annual board training. TCGJ recommended that eight incorporated cities in Tulare County convey the findings of this report to all public boards within their jurisdiction. TCGJ recommended Tulare County Local Agency Formation Commission (LAFCO) convey the findings of the report to all the agencies within their jurisdiction. TCGJ recommended that Tulare County Office of Education (TCOE) convey the findings of this report to all the school districts within their jurisdiction. These recommendations have been implemented and the agencies are in compliance. The TCGJ recommends continued implementation and compliance of its prior recommendations.

Summary 2014/2015 - Farming With Bio Solids in Porterville:

The 2014-2015 Tulare County Grand Jury (TCGJ) report recommended the City implement a revised comprehensive performance evaluation process wherein the lessee(s) are more closely monitored. TCGJ

also recommended the City define and implement detailed accounts receivable policies and procedures. These recommendations have been implemented and the City is in compliance. The TCGJ recommends continued implementation and compliance of its prior recommendations.

Summary 2014/2015 - Confusion and Chaos in Richgrove:

The 2014-2015 Tulare County Grand Jury (TCGJ) report recommended the Board will establish regular requirement for Richgrove Community Services District's (RCSD) officers to attend and practice the Tulare County Council Special District Government Basic Training Concepts. TCGJ recommended the Board will have knowledge and training to enable compliance with both generally accepted accounting standards and generally accepted government auditing standards. TCGJ recommended pursuant to Cal. Gov. Code §61050 (b) and §61052 (a), the Tulare County Treasurer shall become the treasurer of the RCSD, be the depository, and have custody of all district money. The Board will require a legal advisor and financial consultant in attendance at board meetings. And pursuant to Cal. Gov. Code §61053, the Board may petition for the resumption of its financial control once the county standards and educational recommendations have been met and approved by the Tulare County Local Agency Formation Commission. The RCSD board has submitted audits for the 2014-2015, 2015-2016, and 2016-2017 years and has received training from governmental entities on special districts. The District does follow the Brown Act. The Board will attend the County Counsel's Special District Government Basic Training in January 2019. The TCGJ recommends compliance with its prior recommendations.

Summary 2014/2015 - $21 Million Dollars Lost To County Schools:

The 2014-2015 Tulare County Grand Jury (TCGJ) report titled "$21 Million Dollars Lost To County Schools" recommended required responses from the Office of the District Attorney and the Tulare County Superintendent of Schools. The Tulare County Superintendent of Schools under the Tulare County Office of Education (TCOE) feels that it would have been more appropriate for the TCGJ to send this report to the individual school districts for comment rather than to TCOE since TCOE has no responsibility for student attendance at the various school districts. The Office of the District Attorney responded that TCGJ recommendations are in various stages of implementation. The TCGJ recommends compliance with its prior recommendations.

REPORTS

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THE ROADS OF TULARE COUNTY

BACKGROUND:

Roads are often taken for granted, generally taking us from point A to point B without mishap or concern. Tulare County has 3,031 miles of maintained roads, of which 2,790 miles are in rural areas. If you stretched these roads end-to-end, from the county seat in Visalia, there would be enough to travel to Albany, New York. How these roads are made, and maintained, is an interesting process, and there are multiple methods of maintaining and repairing them.

REASON FOR INVESTIGATION:

The Tulare County Civil Grand Jury, on its own initiative, decided to review the maintenance and repair procedures of the roads within the County of Tulare.

METHOD OF INVESTIGATION:

1) Interviewed relevant agency personnel.
2) Reviewed statistics, cost, logistics, and revenue associated with maintaining county roads.
3) Reviewed various types of road repairs and their related costs.
4) Conducted site inspections of county roads.

FACTS:

1) There are over 3100 miles of county roads to be maintained and/or repaired.
2) Tulare County has the seventh (7th) largest road network in the state.
3) For fiscal year 2017/18 the transportation funding total revenue is $91.8 million.
4) There are several maintenance and repair treatment categories.
5) Over 37,000 potholes were patched in May, 2017.

FINDINGS:

F1. TRANSPORTATION FUNDING ($91.8 Million)
(DISCRETIONARY FUNDS)

A.	**LOCAL FUNDS**		
1.	Measure R Local	$4,199,499	4.58%
2.	Maintenance Assessment Districts	471,851	.05%
B.	**STATE FUNDS**		
1.	Local Transportation Funds	3,657,490	4.00%
2.	Road Maintenance & Rehabilitation Account	(4,570,058)	(5.00%)
3.	Highway User Tax Funds (Gas Tax)	10,805,973	11.8%

C.	**FEDERAL FUNDS**		
1.	Regional Surface Transportation Funds	1,000,000	1.1%
2.	State Exchange Funds	987,784	1.1%
3.	Forest Reserve Funds	100,000	0.1%

(REIMBURSEABLE FUNDS)

A.	LOCAL FUNDS		
1.	Measure R Regional & Farm-to-Market Advance	19,757,920	21.5%
2.	Developer Fees	132,000	0.1%
B.	STATE FUNDS		
1.	High Speed Rail	190,000	0.2%
C.	FEDERAL FUNDS		
1.	Highway Bridge Program	6,447,744	7.0%
2.	Highway Safety Improvement Program	1,875,050	2.0%
3.	Active Transportation Program	356,500	0.4%

(REVENUE FROM SERVICES & RESERVES)

A.	Services to Other Departments	3,031,113	3.3%
B.	Reserves (includes obligated advances of $3.5m)	34,226,404	37.3%

F2. MAINTENANCE TREATMENT EXPENDITURE OPTIONS

A. Cost Per Mile:

1. *Overlay: (County Crews) = $180,000 per mile
(Contracted) = $300,000 per mile **

*(Asphalt material placed by paver over 0.2 inch thick)

**(Contracted work includes purchase and maintenance of specialized equipment)

2. *Blade Patching: (County Crews) Approximate Cost is $120,000 per mile

*(Asphalt placed by equipment up to 0.2 inch thick)

3. Chip Seal, Slurry Seal, Black Seal: (County Crews) Approximate Cost is $25,000 per mile.

B. Cost Per Day:

1. Hand Patching: (County Crews) Approximate Cost is $25,000 per day
2. Pothole Patching: (County Crews) Approximate Cost is $12,000 per day

a) 2017 Maintenance and Repairs were completed by County Crews.

- Over 300,000 potholes patched (averaging 99 per mile)
- Over 300 other repairs completed
- 5123 traffic signs maintained, installed, repaired or replaced
- 524 miles of road striped
- over 28,170 square feet of road stenciled

CONCLUSION:

The Tulare County road maintenance system is a multi-faceted and complex operation, requiring extensive coordination efforts. While the contracted work is more expensive, the County can not justify the cost of purchasing and maintaining the necessary specialized equipment based on current needs, as contracted work includes purchase and maintenance of specialized equipment.

RECOMMENDATIONS:

1. The Tulare County Grand Jury does not have any recommendations.

REQUIRED RESPONSES:

1. The Tulare County Grand Jury finds that there are no responses necessary.

Disclaimer

Grand Jury reports are based on documentary evidence and the testimony of sworn or admonished witnesses, not on conjecture or opinion. However, the Grand Jury is precluded by law from disclosing such evidence except upon specific approval of the Presiding Judge of the Superior Court, or another judge appointed by the Presiding Judge (Penal Code Section 911, 924.1 (a) and 929). Similarly, the Grand Jury is precluded by law from disclosing the identity of witnesses except upon an order of the court for narrowly defined purposes (Penal Code Section 924.2 and 929).

VISIONS OF PROTECTION

BACKGROUND:

The use of technology for law enforcement surveillance and observation is not new. Thomas Edison and William Dickson invented the first movie camera in 1880. This dramatic start led towards many other forms of surveillance: miniature portable cameras, 1939; video tape recorder, 1951; home surveillance cameras, 1969 and in 1992 the first "nanny cam" was introduced. The two attacks on the world trade center in 1993 and 2001 catapulted the use of facial recognition, and surveillance of possible terrorist attacks.
The August 2014 shooting of an individual in Ferguson, Missouri and the subsequent protests focused new public attention on the problem of police violence and on the possibility that body cameras might be part of the solution.

1. DEPUTY BODY CAMERAS
2. DRONES – UAVs
3. AIRCRAFT-AVIATION SUPPORT UNIT
4. PATROL UNIT DASH CAMERAS

REASON FOR INVESTIGATION:

The Tulare County Grand Jury (TCGJ) observed the futuristic vision of the Tulare County Sheriff's Office (TCSO) and staff. This has created a significant reason to inform the public of their use of state-of-the-art surveillance equipment.

METHOD OF INVESTIGATION:

- Interviewed the TCSO.
- Attended the Press Conference and Dedication Ceremony of the newly secured Sheriff's aircraft and drones, held at the Porterville airport.
- Reviewed on-line information and related laws.
- Witnessed demonstrations of Body Cameras, Drones, Aircraft, and Unit Dash Cameras.

FACTS:

1. BODY-WORN CAMERAS: (BWC)

a. In the wake of high-profile incidents in Ferguson, Staten Island, North Charleston, Baltimore, and elsewhere, law enforcement agencies across the country are rapidly adopting body – worn cameras for their officers.
b. Provide transparency into police interactions.
c. Agencies must carefully tailor body-worn camera programs.
d. Record interactions with the public.

e. California Penal Code 633 provides the provisions prohibiting eavesdropping and recording or intercepting certain communications do not prohibit officers from using or operating body-worn cameras.
f. California Assembly Bill (AB1953) requires police departments that are establishing body camera policies and procedures to consider enumerated best practices.
g. California AB1953 requires that all body-worn camera data be the property of a law enforcement agency.
h. California AB 459 (2017) authorizes a victim who is a subject of such a recording to be permitted to inspect the recording and to obtain a copy of the recording.

2. DRONES: Unmanned Arial Vehicles (UAV):

a. The UAV program is designed to save lives and prevent injury while utilizing technology to extend the capabilities while on patrol.
b. Each substation in Tulare County has a UAV unit and a properly trained Deputy Operator that consists of a commercial grade quad copter with zoom capability as well as thermal imaging.
c. All operational deployments are "Mission Specific" and are never used for surveillance or for a general search of an area.
d. The TCSO is the first law enforcement agency in the state to use drones on patrol.

3. AVIATION SUPPORT UNIT:

a. The Sheriff's Aviation Support Unit is now operational and functions as the "EYES IN THE SKY".
b. The department has two aircraft which are being equipped with state-of-the-art law enforcement avionics. .
c. Cessna 182, N705JW, is named "WREN" after James Wren, the first deputy killed in action in 1889.
d. Cessna 206, N189JC, is named "TRIBUTE" after the deaths of Dep. Scott Ballantyne and pilot James Chavez following a crash just East of Success Lake in 2016.
e. The camera system is compact in size, light weight, and full featured, which provides high definition imagery in a wide range of daylight conditions.
f. The mapping system is combined with video overlay and a digital video recorder all in one compact package. It features all new industry-best targeting with smart search and much more.

4. PATROL UNITS: DASH CAMERAS:

a. First introduced in Texas in the late 1980s. Video cassettes were mounted on tripods. Purchased to help keep officers in remote areas safe.
b. They were bulky and expensive so most police departments passed on them.
c. In the early 90s, dash cams would begin to be adopted more by police departments. One reason was the number of incidents in which police engaged in questionable behavior which was being recorded by citizens on camcorders.
d. As technology became cheaper and better, the dash cam gained wide spread adoption and soon police departments across the country began using them.
e. The main benefit was that we were able to see what confronts our nation's law enforcement.

FINDINGS:

F1 Statistics prove that when patrol aircraft is utilized, property crime and theft decrease, while apprehensions increase.

F2 Surveillance equipment helps protect and limit infringement on individual civil rights, especially in heavily policed communities.

F3 The TCSO has been working with numerous state and federal agencies to make Drone (UAV) units available to as many departments as possible.

F4 UAVs can search a 20 acre field in a matter of minutes, rather than using 4 deputies, and spending hours looking for a victim or a suspect.

RECOMMENDATIONS:

R.1. The Tulare County Grand Jury encourage TCSO to continue pursuing technological advancement in its operations.

CONCLUSION:

The TCSO is looked upon as the leader in surveillance techniques, and are well-equipped in current technology.

REQUIRED RESPONSES:

1. Tulare County Sheriff Office.

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SHOW ME THE RECORDS!!!

BACKGROUND:

Transparency is an obligation of government. Per California Public Records Act (CPRA), California Government Code § 6253(c):

> "Each agency, upon a request for a copy of records, shall within ten days from receipt of the request, determine whether the request, in whole or in part, seeks copies of disclosable public records in the possession of the agency and shall promptly notify the person making the request of the determination and the reasons therefor. In unusual circumstances, the time limit prescribed in this section may be extended by written notice by the head of the agency or his or her designee to the person making the request, setting forth the reasons for the extension and the date on which a determination is expected to be dispatched. No notice shall specify a date that would result in an extension for more than 14 days."

According to the CPRA Government Code 6250 ET SEQ Aug. 2004, government records shall be available to the public upon request with certain exemptions. Exemptions generally relate to confidentiality, such as medical records, investigative reports, or those with pending litigation. In cases where an exemption is appropriate, confidential information is to be redacted.

REASON FOR INVESTIGATION:

The Tulare County Grand Jury received a complaint from a citizen alleging public records requested had not been received in a timely manner. The complaint cited a violation of the CPRA.

METHOD OF INVESTIGATION:

1. Interviewed witnesses.
2. Reviewed specific documents.
3. Visited Tulare County Board of Supervisors (TCBOS) Clerk's Office.

FACTS:

1. Public records may be available for inspection during business hours of state and local agencies.
2. There may be a fee for document search and/or reproduction.
3. "A public agency must respond no later than ten calendar days from the receipt of the request to notify the requestor whether the records will be disclosed."
4. The ten calendar day response time begins when the request is received.
5. A local agency must update the requestor if there is a delay in providing the requested documents and the reason for the delay.
6. The period may be extended an additional 14 days by informing the records requestor within the ten calendar day period.

7. Generally only one courtesy extension is allowed, unless there are unusual circumstances.
8. During calendar year 2017, four CPRA requests were received and acted upon by the TCBOS Clerk's Office. These requests are stored in one file folder.

FINDINGS:

F1. Tulare County employees receiving public document requests are offered annual training on the CPRA.
F2. Requests for records may be submitted to any department or agency within Tulare County, but all requests must go through the TCBOS Clerk's Office as stated by agency personnel.
F3. Two of the four CPRA requests received by the TCBOS Clerk's Office did not meet the ten day requirement for responding to the request, either by informing the requestor that records would be produced or by providing an extension notification about this determination.
F4. The county does not provide procedural information for CPRA requests. This information is available online.

CONCLUSION:

CPRA regulations were not consistently followed by the TCBOS Clerk's Office.

RECOMMENDATIONS:

R1. Set up separate files for each CPRA request.
R2. Establish a date-based tracking system for each CPRA request received.
R3. Inform requestors of CPRA required procedures.

REQUIRED RESPONSES:

1. Tulare County Board of Supervisors
2. Tulare County Chief Administrative Officer

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A PLEASANT VIEW OF DISCIPLINE TO CREATE A POSITIVE ENVIRONMENT

BACKGROUND:

Pleasant View School District is an independent district located in a predominantly rural farming community. The school district consists of Pleasant View Elementary School (grades K-4) and Pleasant View West School (grades 5-8). They have approximately 500 students. They are governed by a 5 member school board, a Superintendent, and two Principals overseeing the day to day operations.

There are many factors that may affect why a student may not be achieving their grade level requirements. Inappropriate student behavior is one area that both teachers and administrators work on in an effort to re-train and change inappropriate student behaviors affecting classroom or school safety and to maintain a positive learning environment. Behavioral discipline is also a method used by teachers and administrators to further identify Special Education students with extraordinary needs.

REASON FOR INVESTIGATION:

The Tulare County Grand Jury (TCGJ) received a complaint from a citizen regarding student behavior and classroom safety. The complaint detailed unsafe student behaviors that have been reported to school administration, but not corrected.

METHOD OF INVESTIGATION:

1. Visited school sites.
2. Interviewed complainant.
3. Interviewed witnesses.
4. Reviewed appropriate documents.

FACTS:

1. The Response To Intervention (RTI) process was developed by the Pleasant View Intervention Leadership Team to establish a five tiered system to address student behaviors and academic progress.

   A. Tier I includes classroom management strategies by the teacher to restore acceptable behaviors in the classroom.
   B. Tier II includes individual action plans with classroom observations by the Principal. The Principal may consult with the school Psychologist to modify the action plan.
   C. Tier III includes a school Psychologist consultation with the Teacher to analyze data. The Psychologist will observe the classroom conduct, ongoing data collection, and may revise an action plan.
   D. Tier IV includes Principal data review with Administrative Support Staff and a behavior support plan may be developed.
   E. Tier V includes a comprehensive cumulative file review and an assessment by school Administration for Special Education.

2. Within the RTI process these general steps are followed:

   A. When a student does not respond to Tier I classroom management strategies, then the behavior problem is identified by the teacher who submits the Disciplinary Referral Form (DRF).
   B. The Administration mails a copy of the DRF to the student's parent after the Principal acknowledges and signs the form.
   C. The teacher completes an action plan, including data and frequency of behavior, and emails this to the Principal to schedule a meeting to submit and discuss the plan.
   D. The Principal schedules a meeting with the teacher within 3 school days of receiving the email. A meeting is held within one week.
   E. The Principal conducts follow-up through classroom observation within 3 days.
   F. The Principal may consult with the school Psychologist to review the observations and action plan.
   G. The Principal provides feedback/suggestions from the observation to the Teacher. Within 2-3 weeks the Principal will follow up and set up a data review meeting. If a Special Education evaluation is considered, a Student Study Team (SST) meeting will be arranged.

FINDINGS:

F1. The RTI Leadership Team was a collaborative effort with input from the Administration, the School Psychologist, an Intervention Teacher, Academic Coaches, A Resource Specialist, and an Intervention Program Coordinator. The RTI Process created by the Leadership Team adequately outlines the steps to be taken when addressing student behavioral issues.

F2. The DRF does not allow for determining the timeline from the date of the incident, the date of review by the Principal, or the date of the notification to the Parents.

F3. The Administrative RTI process outlined does not give notification to the parents in a timely manner. It could take up to 7 days for written notification of the DRF to be received via U.S. mail.

F4. More than 200 DRF's were delivered to the TCGJ for review. Additional information regarding disciplinary action was requested by the TCGJ on 13 DRF's to determine adherence to the RTI "Behavior" Process. There is evidence to show that in some cases the Administration timeline for additional action has not been met. The additional Administrative actions taken on the 13 Referral Forms were lacking in details.

CONCLUSION:

The RTI Process created by the Leadership Team adequately outlines the steps to be taken when addressing student behavioral issues. The TCGJ considers the RTI "Behavior" Process to be a living document that should be updated to reflect process improvements. Improper timeliness and insufficient communications in the RTI Process could possibly lead to an unsafe environment.

RECOMMENDATIONS:

R1. The DRF should be revised to include a date line that indicates when the Principal is signing off and sending a copy of the referral to the parents.

R2. Parental involvement in the RTI "Behavior" process to determine solutions to the student behavioral issues should be more immediate.

REQUIRED RESPONSES:

1. Pleasant View School Board President
2. Superintendent of Pleasant View School District

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IT'S REIGNING CATS AND DOGS
ANIMALS ARE IN CONTROL

BACKGROUND:

In 1966 the Animal Welfare Act was established by the federal government to regulate the treatment of animals. Tulare County Animal Services (TCAS) is operated under Tulare County's Health and Human Services Agency. In July 2002, Tulare County opened a shelter for animals at 14141 Ave 256 in Visalia, CA. In 2015, there was a six million dollar upgrade and expansion of the facility and services.

TCAS's Mission/Vision statement is:

> "Animal Services vision is to be a transparent animal care organization administering quality services to the community; promoting the humane treatment of animals through community partnerships, outreach and education; placing animals in living homes; and, decreasing the euthanasia of sheltered animals."

REASON FOR INVESTIGATION:

The Tulare County Grand Jury initiated an investigation to review the administration of services, operations and conditions of the new TCAS facility.

METHOD OF INVESTIGATION:

1. Documents were reviewed.
2. Employees were interviewed.
3. TCAS facility was toured.

FACTS:

1. The TCAS facility was upgraded in 2015 at a cost of six million dollars.
2. The facility has been increased to 50 runs and 37 cages to house dogs and cats. There are temporary accommodations for other animals.
3. TCAS Personnel consists of:
   - 1 Manager
   - 1 Administrative Aide
   - 1 Office Assistant
   - 1 Volunteer Coordinator
   - 3 Animal Control Officers
   - 1 Kennel Worker
   - 1 Registered Veterinary Technician
4. Services include:

- Animal adoptions for hundreds of animals each year
- Spay and neuter services

- Microchipping and vaccinations
- Fostering
- Dog licensing
- Cruelty Investigations

5. Feral cats fall under supervision of livestock control operations and may be adopted.
6. TCAS provides education programs.
7. TCAS annual budget is $ 1,649,210.00.
8. TCAS received a Petco Grant of $35,000 for off-site services in 2017.
9. TCAS has volunteers that assist in fostering animals, run adoption sites, and clean cages and runs.

FINDINGS:

F1. With the recent upgrade, TCAS can accomplish their mission and vision for expanded services.
F2. During an unscheduled visit to the facility, the runs and cages were found to be kept clean and well maintained.
F3. TCAS personnel are knowledgeable and dedicated to providing animal care and associated services. Approximately 10-20 volunteers are an integral part of maintaining routine operations.
F4. TCAS is providing excellent services to Tulare County residents.
F5. After four days at TCAS, feral cats may be euthanized.

CONCLUSION:

The operation and services provided by TCAS are continuously improving. Services are provided at a reasonable cost and in a timely manner. Areas of improvement include call response times, adoptions, and reduction of euthanasia, as reported by TCAS to the Tulare County Board of Supervisors.

RECOMMENDATIONS:

R1. Continue to explore improvement options at TCAS.

REQUIRED RESPONSES:

Tulare County Health and Human Services Director

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HOMELESS HEALTH AND SANITATION

BACKGROUND:

Homelessness continues to be a serious and complex problem in Tulare County. According to the homeless, there are many different reasons for their circumstances. Some of these include job loss, eviction, substance abuse, criminal background, or mental health difficulties.

Resolving homeless issues requires resources available through various agencies and groups. Tulare County is actively assisting the reported 600-700 unsheltered homeless persons seeking assistance. Many unsheltered individuals are not accounted for in the census of homelessness.

There are major challenges facing the homeless due to poor living conditions and difficulty accessing health care, which exposes them to communicable infections.

REASON FOR INVESTIGATION:

The Tulare County Grand Jury (TCGJ) decided to open an investigation to determine the extent of unmet needs and available resources for health and sanitation of the unsheltered homeless.

Public concern and press coverage of homeless health and sanitation issues, such as the recent southern California hepatitis A outbreak and other communicable infections, prompted this investigation.

METHOD OF INVESTIGATION:

1. Interviewed Tulare County health officials.
2. Interviewed a non-profit agency representative.
3. Interviewed homeless individuals.
4. Reviewed specific documents.
5. Attended various meetings.

FACTS:

1. Homeless persons do not have access to personal or private sanitary facilities.
2. The homeless use public facilities or available water outlets for their hygienic needs.
3. Project Homeless Connect provides referral to health and dental care annually.
4. The January 2017 Annual Homeless Connect event provided access to services for 885 guests.
5. Two thirds of adults surveyed at the Homeless Connect event self-identified as having a disabling condition.
6. Homeless Connect assists guests with applying for disability resources.
7. The public health clinics and FQHCs are mandated to provide outpatient care regardless of insurance or ability to pay.
8. Federally Qualified Health Centers (FQHC), such as Family Healthcare Clinics, are available within Tulare County.

9. Two public health clinics are available in Farmersville and Visalia.
10. Unsecured personal property belonging to the homeless, including toiletries, is often stolen or discarded.
11. Programs to securely store homeless belongings are not currently available.
12. Transportation is needed to get to necessary services.
13. Tulare County has recently approved a Homeless Initiatives Program Coordinator position in Health and Human Services.

FINDINGS:

F1. Housing assistance requires documentation, such as tax returns for income verification.
F2. Documentation is difficult to obtain for necessary services.
F3. Transportation passes are not readily accessible.
F4. Access to services is often complicated or unobtainable due to a lack of necessary identification or documentation.

CONCLUSION:

The health and sanitation of the homeless could benefit from improved communication, cooperation, and coordination within the various support agencies. Transportation, health care, access to facilities, housing services, and assistance with applications for documentation and financial support could help lift people out of homelessness.

RECOMMENDATIONS:

R1. Increased direct outreach to the homeless should be provided.
R2. Reduce difficulties for homeless to obtain housing.
R3. Research possible funding sources for portable shower facilities and increased restroom access.
R4. Investigate transportation accessibility to services and resources.

REQUIRED RESPONSES:

1. Health and Human Services Department
2. Tulare County Board of Supervisors
3. Tulare County Association of Governments

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FEMALE DETAINEES IN TULARE COUNTY JAILS

BACKGROUND:

The Tulare County Grand Jury (TCGJ) is part of the California Superior Court and has the legal authority to conduct investigations into the affairs of the County, City and Special Districts under Penal Code (PC) §925 et seq. This authority is found primarily in statues: PC §777-§940 and Government Code §3060-3075 per PC §919(a): "The Grand Jury may inquire into the case of every person imprisoned in the jail of the County on a criminal charge and not indicted" per PC §919(b): "The Grand Jury is mandated to investigate the operation and conditions of the public prisons within the County."
The Sequoia Field Detention Facility was opened for men in May of 1987. Women inmates (detainees) were housed at the facility later that year. The facility name was later changed to Bob Wiley Detention Facility (BWDF) to honor retired Sheriff Bob Wiley. The Tulare County Sheriff's Department's Detentions Division (TCSDDD) has facilities to house approximately 1700 inmates. Inmates are housed at the Main Jail, Bob Wiley Detention Center, and the Men's Correctional Facility. Women are incarcerated at Bob Wiley Detention Center and the Pre-trial Facility. The TCSDDD is managed under Title 15 guidelines, which are minimum standards for local detention facilities. Title 15 addresses numerous issues, including health and welfare.

REASON FOR INVESTIGATION:

The 2017-2018 TCGJ initiated an investigation to determine whether compliance was being maintained under title 15, Minimum Standards for Local Detention Facilities, concerning female detainees and their personal and institutional issues.

METHOD OF INVESTIGATION:

1. Interviewed officers of the Tulare County Sheriff's Department.
2. Reviewed documentation.
3. Visited Tulare County Detention Facilities.

FACTS:

1. Bob Wiley started housing females in 1987. The current maximum capacity for adult females is 156.
2. Each inmate is provided with a booklet of written Rules and Regulations (revised/reviewed 4/30/2013).
3. Corizon Health is contracted to provide medical care at Bob Wiley.
4. The specific medical and hygienic needs of female inmates are being addressed.
5. Daily inspections of female inmate units are conducted by TCSDDD staff for cleanliness.
6. To ensure facility cleanliness, a vendor is contracted for pest control.
7. The Bob Wiley Detention facility has a farm on site to provide a majority of the food for all inmates.

FINDINGS:

F1. Female detainees are housed in 3 module units.
F2. Inmates are responsible for their own behavior.
F3. Corizon Health's contract has recently been renewed by Tulare County Board of Supervisors.
F4. Female inmates are provided with sanitary supplies, lactation supplies, and other necessary items.
F5. TCSDDD strictly enforces hygienic requirements.
F6. Pest control practices address the management of rodents, bedbugs, and other pests.
F7. Inmates are allowed to work at the prison farm and kitchen to provide food for TCSDDD.

RECOMMENDATIONS:

There are no recommendations.

CONCLUSION:

The Tulare County Grand Jury has concluded that the Sheriff's Department is housing female inmates in a cost effective and efficient manner, with trained professional staff. In addition, coordinating agencies enhance the overall well-being of inmates.

REQUIRED RESPONSES:

There are no required responses.

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KAWEAH DELTA'S EMERGENCY

BACKGROUND:

The Emergency Medical Treatment and Labor Act (EMTALA), a federal law enacted in 1986, requires anyone coming to an emergency department to be stabilized and treated regardless of their insurance status or ability to pay. Kaweah Delta Health Care District is a special district in Tulare County designed to meet the medical needs of the local population. Kaweah Delta Medical Center's Emergency Department (KDMCED) is mandated to meet these obligations. The quality of care and timeliness of emergency services at KDMCED in Visalia, California was reviewed.

REASON FOR INVESTIGATION:

A complaint was received from a private citizen regarding the timeliness and care received as a patient of the KDMCED.

METHOD OF INVESTIGATION:

1. Visited Kaweah Delta Medical Center.
2. Interviewed complainant and KDMCED staff.
3. Attended Kaweah Delta Board meetings.
4. Reviewed documents.

FACTS:

1. Kaweah Delta documents reference a median arrival to triage time of 8 minutes, and a median arrival to provider time of 17 minutes.
2. According to Kaweah Delta documents, October 2016 through September 2017, the time for "door to discharge" exceeded their benchmark median by approximately 55 minutes.
3. The Emergency Department's last major renovation was in 2009. It currently has 41 beds.
4. There are plans to increase the capacity of KDMCED to 74 beds to be completed in the summer of 2019.
5. The Emergency Department has 90,000 visits per year, with 7,517 being the monthly average.
6. Approximately 22 percent of emergency patients are admitted to the main hospital.
7. Based on hospital staff, the capacity of hospital beds is inadequate to serve the need of patient admissions.
8. The current waiting room capacity is 65 seats.
9. There are plans to expand the waiting room to 100 seats by the end of 2019.
10. Plans have been approved to open a quick care area for minor medical emergency needs.
11. Kaweah Delta Healthcare District has developed a program to educate the public on other medical options for non-emergency care.

FINDINGS:

F1. KDMCED meets its administrative benchmark for timely median patient registration and triage according to the statistics presented by Kaweah Delta documents.
F2. KDMCED is unable to meet its established benchmark of 204 minutes for "door to discharge" due to patient volume.
F3. Forty to sixty percent of walk-in patients could be treated at other facilities because they are considered non-emergencies.
F4. Patient volumes have increased substantially, leading to lengthier wait periods. The emergency facility was designed to accommodate 72,000 patients per year.
F5. The waiting area is currently inadequate for the patient volume, but plans being enacted will expand the waiting area (i.e. temporary tent).
F6. Pending main hospital admission or transfer, many patients are boarded in the emergency area until beds in the main hospital are available.
F7. Kaweah Delta is expanding the amount of main hospital beds and facilitating transfers to other facilities to increase room availability for patients.

CONCLUSION:

The KDMCED has been serving the community for many years with limited resources and legal limitations. Community demand has outpaced the rate of facility expansion. Plans are in place and are being enacted to increase the facility capacity to help meet the needs of the community.

RECOMMENDATIONS:

R1. Continue to develop and improve an educational program to inform the community of other medical options for non-emergency care.
R2. Continue with plan to open quick care area to assist with minor emergencies.
R3. Continue with the planned expansion.

REQUIRED RESPONSES:

Kaweah Delta Healthcare District

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WHERE IS TRUST, TRANSPARENCY, AND ACCOUNTABILITY?

BACKGROUND:

Per Government Code § 56036, "District" or "Special District" means an agency of the state, formed pursuant to general law or special act, for the local performance of governmental or proprietary functions within limited boundaries."

East Orosi is an unincorporated farming community located in the northeastern area of Tulare County. The East Orosi population of approximately 700 people is serviced by the East Orosi Community Service District (EOCSD.) There are approximately 110 property owners subscribing to water and sewage services. According to the Tulare County Registrar of Voters, there are currently 92 registered voters in EOCSD.

EOCSD is tasked with providing water to the community of East Orosi. The community of East Orosi has not had potable drinking water for over 10 years, as nitrate levels continue to exceed state and federal standards. Bottled water is provided by EOCSD for drinking and cooking.

REASON FOR INVESTIGATION:

The Tulare County Grand Jury initiated an investigation into the operations of EOCSD to determine their compliance with state and federal regulations.

METHOD OF INVESTIGATION:

1. Interviewed witnesses.
2. Reviewed available documents.
3. Conducted site visits.

FACTS:

1. EOCSD is required to be in compliance with SB135 Chapter 249, Government Code § 61040 and §61042.

   A. "The board of directors shall establish policies for the operation of the district." Government Code §61040 (a)
   B. "The board of directors shall adopt policies for the operation of the district, including, but not limited to, administrative policies, fiscal policies, personnel policies, and the purchasing policies required by this division." Government Code §61045 (g)
   C. "The board of directors shall provide for the implementation of those policies which is the responsibility of the district General Manager." Government Code (§61040 (a)
2. Subpoenas were served requesting Policy and Procedures, District Bylaws, and other documents, as required by law.
3. "The county treasurer of the principal county shall serve as the treasurer of the district." Government Code §61050 (b)

4. The EOCSD office is scheduled to be open on Tuesdays from 2 P.M. – 4 P.M.
5. Customers are charged $57.00 per month for water and sewer services.
6. EOCSD is currently in the process of rehabilitating an existing well to provide potable water. A new well is awaiting state certification. Both projects are being financed by Proposition 84 funds.
7. Special Districts are required to provide a financial audit annually to the County Auditor.
8. EOCSD is pursuing funding to upgrade water meters.
9. EOCSD is required to appoint a General Manager. Government Code §61050 (a)
10. EOCSD has only one employee, a part-time employee who is salaried with benefits.
11. EOCSD office is required to be compliant with the Americans with Disabilities Act (ADA).
12. EOCSD is required to comply with the Brown Act.
13. "The board of directors shall adopt rules or bylaws for its proceedings" Government Code § 61045 (f)
14. "A legislative body of five members known as the board of directors shall govern each district." Government Code §61040 (a)
15. The board of directors can submit a request to the Tulare County Board of Supervisors to fill board vacancies. (SB 135 Chapter 2 §61022)
16. California SB 154 Chapter 249 and Government Code §61050(f) requires persons handling district finances to be bonded.

FINDINGS:

F1. EOCSD does not have administrative policies, fiscal policies, personnel policies, or purchasing policies as required.
F2. EOCSD failed to provide subpoenaed documents after a two week extension including:
   A. Policy and procedures manual
   B. Board bylaws
   C. Complete board meeting minutes for 2017
   D. Procedures for billing and delinquent account collection
   E. District Resolution approved by the Tulare County Board of Supervisors to maintain bank accounts outside of the county treasurer
F3. EOCSD failed to comply with the requirement of SB135 in selection of a treasurer.
F4. The available office hours are inadequate to accommodate the needs of the community. EOCSD is not consistently adhering to the posted office hours.
F5. According to the Tulare County Auditor's records, EOCSD is delinquent in filing an audit for FYE 06-30-2016.
F6. EOCSD does not have a General Manager.
F7. The sole EOCSD employee is designated as an office manager. The office manager duties encompass some tasks of a General Manager.
F8. There is limited understanding by the board members of employee duties performed. There is no established schedule for work hours or a system of tracking hours worked.
F9. A site visit to the EOCSD office discovered no designated disabled parking.
F10. Board meeting minutes received for 2017 indicate that previous meeting minutes were not approved
F11. Agenda packets are not provided in a timely manner to board members.
F12. The board of directors has not adopted rules or bylaws for conducting its meetings.
F13. The EOCSD board consistently operates with fewer than five board members. Meetings have been cancelled for lack of a quorum.
F14. EOCSD has not established bonding for their employee handling finances.

CONCLUSION:

Special districts with limited resources are often met with difficulties filling the required board seats. The Tulare County Board of Supervisors must be more proactive in discharging their supervisory duties over special districts with dysfunctional boards such as EOCSD.

RECOMMENDATIONS:

R1. Hire a qualified general manager.
R2. Divide financial and administrative duties among more than one employee.
R3. Cross train board members in the operation of district functions.
R4. Seek grant funding to become compliant with state regulations requiring all customers to have their water metered by 2020.
R5. Petition the Tulare County Board of Supervisors to appoint new board members for EOCSD.
R6. Contact the California Special District Association for education and guidance.
R7. Investigate the feasibility of consolidating with other districts.
R8. A forensic audit be conducted of EOCSD within six months.

REQUIRED RESPONSES:

1. Tulare County Board of Supervisors (R1-R8)
2. East Orosi Community Services District Board President (R1-R8)
3. County of Tulare Auditor-Controller (R8)
4. LAFCO (R7)

Disclaimer

Grand Jury reports are based on documentary evidence and the testimony of sworn or admonished witnesses, not on conjecture or opinion. However, the Grand Jury is precluded by law from disclosing such evidence except upon specific approval of the Presiding Judge of the Superior Court, or another judge appointed by the Presiding Judge (Penal Code Section 911, 924.1 (a) and 929). Similarly, the Grand Jury is precluded by law from disclosing the identity of witnesses except upon an order of the court for narrowly defined purposes (Penal Code Section 924.2 and 929).

TO UNIFY OR NOT TO UNIFY?

BACKGROUND:

In California, a unified school district is a school district that generally consolidates and operates both primary schools (kindergarten through middle school or junior high) and high school (grades 9-12) under the same district's control.

The unification process within the schools started almost immediately as California became a state in 1849; followed by the founding of Tulare County on July 10, 1852. By 1911 within Tulare County there were 114 primary schools and seven high schools. In 1937, the Alpaugh School District became Alpaugh Unified School District and the Lindsay School District became Lindsay Unified School District.

Over many years California legislators enacted laws to make school districts more efficient and to provide better delivery of education to students. From 1945 to 1964 California reduced the number of school districts from 2,508 to 1,325 and unified school districts had increased from 46 to 164.

In 2009, Assembly Bill 174 was enacted:

> "…allowing unification proposals supported by all affected local education agencies to be approved by the county committee on school district organization and sent to the local election without coming to the State Board of Education for additional approval."

In 2012 the most recent unifications included Woodlake School District followed by Exeter School District in 2013.

As of 2017, in California there are 560 elementary districts, 87 high school districts, and 330 unified school districts. In Tulare County, there are 9 unified school districts and a total of 34 elementary and high school districts.

REASON FOR INVESTIGATION:

The 2017-2018 Tulare County Grand Jury on its own initiative decided to investigate the process of school district unification.

METHOD OF INVESTIGATION:

1. Interviewed relevant appointed and elected Tulare County Education officials.
2. Reviewed documentation regarding unification of school districts.

FACTS:

1. The unification of a school district can be initiated by the following criteria:
   a. The adoption of a resolution by a school district's governing board for all districts seeking to unify

b. A petition signed by 10% of the registered voters of the entire proposed school district.
c. The most common is the adoption of a resolution by a governing board or boards of the school districts seeking to unify.

2. A feasibility study must be done to determine the financial impact on the proposed unification.
3. Unification can incur substantial costs savings.
4. Unification can incur substantial costs.
5. While there is a state policy favoring unification, the state has not continued to provide financial incentives to unify.
6. Unification will impact and change the number of members on a school district's governing board.
7. School districts that do not become part of a new unified school district must pass a resolution to remain an independent school district while supporting the unification.

FINDINGS:

F1. Approval of the initiated resolution or petition for unification occurs when:
A. A resolution is approved by the majority members of a city council, county board of supervisors, governing body of a special district, or a local agency formation commission.
B. Within 120 days, following the first public hearing, the county committee on school district organization must grant or deny the resolution or petition. The county committee transmits the resolution or petition, report, and recommendation to the State Board of Education.
C. The State Board of Education holds a public hearing and then approves or disapproves the resolution or petition.
D. If approval is received, the county superintendent calls an election in the area determined by the State Board of Education.

F2. A feasibility study must be done by a third party to ensure the following:
A. The school districts affected by unifying must be financially viable after unification.
B. Unification cannot result in racial or ethnic segregation.
C. The state cannot be financially impacted by the unification by more than 10% of the existing school district's budget.
D. School districts seeking unification should have a minimum enrollment of 1500 students.

F3. There can be substantial cost savings in:
A. Administration
B. Transportation
C. Food Service
D. Facility
E. Custodial and maintenance

F4. Salary schedules would incur significant cost increases because California law requires uniformcertificated employee salary schedules for years of training and years of experience. Normally, high school districts have higher pay schedules than elementary school districts.

CONCLUSION:

There is a procedure for unifying school districts that wish to be unified. Some school districts choose not to unify for specific reasons. The decisions to unify are made on a case-by-case basis.

RECOMMENDATIONS:

R1. All non-unified school districts are encouraged to research unification due to the potential for cost savings.

REQUIRED RESPONSES:

This investigation requires no response.

Disclaimer

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PAY UP AND RECOVER

BACKGROUND:

In 2000, Proposition 36 was passed by California voters allowing qualifying defendants convicted of non-violent drug possession offenses to receive probation in lieu of incarceration. As a condition of probation, defendants are required to complete a licensed and/or certified community drug treatment program.

In 2014, Proposition 47 was passed by California voters reducing certain drug possession and non-violent felonies to misdemeanors. Proposition 47 was designed to help keep offenders out of prison and jail.

One Tulare County Probation Officer qualified 226 defendants this year for the Tulare County Recovery Court drug rehabilitation program under Proposition 36 Subdivision (b) of §1210.1 of the California Penal Code.

Approximately 30,000 Adult and Juvenile Probation Court defendant cases were actively being billed or were in collections under the Tulare County Probation Accounting and Collections Department (TCPACD) as of January 2018.

Nearly $9.4 million in Adult Probation Court ordered restitution and fines in Tulare County remain unpaid as of January of 2018.

Only $19,273.63 of the $9.4 million (.002%) was collected on Adult Probation Restitution and Fines as of January 2018.

REASON FOR INVESTIGATION:

The 2017-2018 Tulare County Grand Jury (TCGJ) received a citizen complaint regarding the application of payments for Adult Probation Court to the TCPACD.
There were concerns with random drug testing frequency, economic disparities, and low-income offenders with financial hardships.

METHOD OF INVESTIGATION:

1. Interviewed Tulare County agency personnel.
2. Interviewed complainant.
3. Reviewed on-line information.
4. Reviewed agency administration policies, procedures, and best practices.

FACTS:

1. Proposition 36, known as the Substance Abuse and Crime Prevention Act of 2000, was passed by California voters on November 7, 2000.

2. Proposition 47, known as the Criminal Sentences, Misdemeanor Penalties Initiative Statute, and/or the Safe Neighborhoods and Schools Act, was passed by California voters on November 4, 2014.
3. The jurisdiction of the Tulare County Probation Department includes, but is not limited to, Adult Recovery Court and Adult Drug Court.
4. Drug testing is 100% random. Testing and the collecting of $10.00 drug testing fees are conducted by Averhealth.
5. The TCPACD is managing approximately 30,000 cases. Of those, 20,000 cases are delinquent accounts that total nearly $49 million dollars of Adult & Juvenile Probation Court Ordered restitutions and fines.

FINDINGS:

F1. With the passage of Proposition 36, the Tulare County Recovery Court program was implemented in 2001by the Tulare County Probation Department. This measure allowed non-violent drug possession offenders to qualify for probation in lieu of incarceration. Under this measure, if the defendant fails to complete this program or violates any conditions of probation, then probation can be revoked. The defendant may be required to serve jail time.

F2. The passage of Proposition 47 in 2014 required that money saved as a result of this measure be spent on school truancy and dropout prevention, victim services, mental health, drug abuse treatments, and other programs designed to keep offenders out of prison and jail. This measure classifies petty theft, receiving stolen property and forging or writing bad checks of $950 or less as a misdemeanor offense.

F3. Tulare County Probation Department and the Recovery Court:

A. Tulare County Recovery Court is a 16 week outpatient drug rehabilitation program. Medi-Cal covers the $900 - $1000 outpatient drug rehabilitation program costs, while the defendant pays approximately $70 -$90 a month in drug testing for 16 weeks. The defendant then transitions to After Care and the costs for drug testing are approximately $50-$70 a month. If a defendant returns to drug rehabilitation for 16 weeks on a first or second probation violation, monthly drug testing frequency and costs will increase from 5-7 drug tests to 7-9 drug tests.
B. Tulare County Recovery Court has 200-226 probationers at any one time.
C. The Recovery Court Judge has the discretion on a third probation violation to allow a defendant to stay in Recovery Court, or to send the defendant to the more expensive Drug Court program.
D. The Cost of Supervision for the Recovery Court program is a $20 per month fee, for each qualifying defendant.

F4. Random Drug Testing and the third-party testing facilities:

A. The Tulare County Probation Officer can check drug test results online through the AverHealth Drug Testing system.
B. Probation violations include a missed test recorded as Failure To Appear (FTA).
C. A positive drug test is a violation of probation.
D. Drug testing is done every Friday at 8:30 a.m. in Visalia and on Thursday's in Porterville at the AverHealth testing facilities.

F5. Tulare County Probation Accounting and Collections Department:

A. There are five Probation Claim Investigators, three Accounting Clerks, and one Supervisor in the TCPACD. They worked on approximately 30,000 accounts for fiscal year 2018 including both juvenile and adult probation cases. Approximately 20,000 were delinquent accounts. Approximately $9.4 million is attributed to unpaid adult probation obligations.

B. Approximately one percent of debt obligations will be collected by the California Franchise Tax Board (CFTB). The CFTB collects by way of liens on defendant property, checking account or wage garnishments. There are two Probation programs serviced by the CFTB for Tulare County:
   a. Intercept Program including amounts more than $10 delinquent and no payments made in 30 days.
   b. Court Ordered Debt Collections including amounts of $100 or more delinquent and no payments made in 90 days.
C. In Recovery Court, the defendant has two financial payment options:

   1. Make a one- time payment of all court ordered restitution and other administrative costs, including any prior offenses.
   2. Pay in installments.
D. A defendant who claims he/she does not have the ability to pay monthly installment payments must complete the Financial Evaluation Form with TCPACD. A financial assessment will be completed which may modify an installment payment plan.
E. TCPACD makes daily calls to defendants who are delinquent in their payments. They advise them that the case may be sent to the CFTB and wage garnishments and tax liens may be pursued. They do not advise defendants that delinquencies will be reported to the major credit bureaus.
F. California state procedures are followed by the TCPACD to verify information and to apply monies on named accounts.

CONCLUSION:

TCPACD is meeting California State and local procedures pertaining to the collection of delinquent court ordered debts, restitutions, and fines.

RECOMMENDATIONS:

R1. Inform probationers that the TCPACD will report delinquent accounts to the national credit bureaus

R2. TCPACD should conduct a feasibility study to determine what amount a single collector is able to recoup, and if additional collectors would increase collection rates.

REQUIRED RESPONSES:

1. Tulare County Probation Department.
2. Tulare County Board of Supervisors.

Disclaimer

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SYNOPSIS

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2017-2018 Tulare County Grand Jury Synopses

Introduction
The following synopses reference complaints received by the Tulare County Grand Jury that did not meet the jury's criteria for further scrutiny.

Complaint 2017-2018 #1:
The Tulare County Grand Jury received a complaint on July 6, 2017, from an inmate housed in the Tulare County Jail complaining about needing medical attention. After reviewing documentation and interviewing the complainant, the Grand Jury determined that no further action was warranted. The complaint was closed September 15, 2017.

Complaint 2017-2018 #2:
Tulare County Grand Jury received a complaint from a private citizen on July 6, 2017 alleging malfeasance of office from a county department. After the Grand Jury reviewed the complaint, it was determined the complaint was unsubstantiated and no further action was warranted. The complaint was closed on August 18, 2017.

Complaint 2017-2018 #3:
The Tulare County Grand Jury received a complaint on July 6, 2017, from a private citizen alleging misconduct and conflict of interest by a director from a Special District within Tulare County. The Grand Jury reviewed the complaint and determined that no further action was warranted. The complaint was closed on August 4, 2017.

Complaint 2017-2018 #4:
The 2017-2018 Tulare County Grand Jury received a complaint on July 7, 2017, from an individual with concerns of pot holes in the County. The complaint was withdrawn per the request of the individual. The complaint was closed on September 29, 2017.

Complaint 2017-2018 #5:
The Tulare County Grand Jury received a complaint on July 6, 2017 from an inmate housed in the Tulare County Jail complaining about multiple issues. After reviewing documentation, the Grand Jury determined that no further action was warranted. The complaint was closed on August 18, 2017.

Complaint 2017-2018 #6:
The Tulare County Grand Jury received a complaint on July 7, 2017 from an inmate housed in the Tulare County Jail. The complainant had an issue with program time. After reviewing documentation, the Grand Jury determined that no further action was warranted. The complaint was closed on August 4, 2017.

Complaint 2017-2018 #7:
The Tulare County Grand Jury received a complaint on July 6, 2017, from an inmate housed in the Tulare County detention facility complaining about inmate issues. After interviewing officials and reviewing documentation, the Grand Jury determined that no further action was warranted. The complaint was closed August 25, 2017.

Complaint 2017-2018 #8:
The Tulare County Grand Jury (TCGJ) received a complaint on July 6, 2017, alleging issues at Mooney Grove Park. The TCGJ is prohibited from investigating active litigation. This complaint was closed on September 15, 2017.

Complaint 2017-2018 #9:
The Tulare County Grand Jury received a complaint from a private citizen on August 4, 2017, alleging inappropriate business practices by a county agency. After review, the Grand Jury determined no further action was warranted. The complaint was closed on September 8, 2017.

Complaint 2017-2018 #10:
The Tulare County Grand Jury (TCGJ) received a complaint from a private citizen on September 08, 2017, alleging misconduct on the part of a county agency. The TCGJ is prohibited from investigating active litigation. This complaint was closed on September 15, 2017.

Complaint 2017-2018 #11:
The Tulare County Grand Jury (TCGJ) received a complaint from a private citizen on August 23, 2017, alleging misconduct on the part of a county agency. The TCGJ is prohibited from investigating active litigation. This complaint was closed on September 15, 2017.

Complaint 2017-2018 #12:
The Tulare County Grand Jury (TCGJ) received a complaint on September 25, 2017, from a private citizen concerning the operations of a Special District within Tulare County. TCGJ reviewed the complaint and discovered there were ongoing legal proceedings. The TCGJ is precluded from investigating any case involving possible litigation. The complaint was closed on November 17, 2017.

Complaint 2017-2018 #15:
The Tulare County Grand Jury (TCGJ) received an anonymous complaint on October 4, 2017, alleging misconduct on the part of a school district's governing board. TCGJ investigated the allegations and determined that the board's actions were within the board's authority. The complaint was closed November 3, 2017.

Complaint 2017-2018 #17:
The Tulare County Grand Jury (TCGJ) received a complaint on October 16, 2017, from an anonymous private citizen, alleging unmet responsibilities of a local special district. The TCGJ reviewed documentation, attended meetings, and visited the facilities of this special district. The TCGJ determined that the special district has made some improvements and are presently addressing the concerns in the complaint. The complaint was closed on December 8, 2017.

Complaint 2017-2018 #21:
The Tulare County Grand Jury (TCGJ) received an anonymous complaint on January 25, 2018, alleging poor working conditions and inadequate salary levels within a county department. TCGJ investigated the allegations and determined that the complainant had not availed themselves of the County's grievance process. TCGJ closed the complaint on March 16, 2018.

Complaint 2017-2018 #22:
The Tulare County Grand Jury received a complaint on February 14, 2018, from an inmate in the county jail alleging poor living conditions. The Grand Jury's investigation determined that there was no merit to the allegations. The complaint was closed on March 9, 2018.

Complaint 2017-2018 #23:
The Tulare County Grand Jury received a complaint on February 26, 2018, from an inmate in the county jail alleging misconduct by the Sheriff's Department. The Grand Jury's investigation determined that it was not in its jurisdiction due to civil litigation filed by the complainant. The complaint was closed on March 9, 2018.

Complaint 2017-2018 #24:
The Tulare County Grand Jury received a complaint on March 13, 2018, from an inmate in the county jail alleging poor conditions and treatment. The Grand Jury's investigation has determined that no action is warranted. The complaint was closed on March 23, 2018.

Complaint 2017-2018 #25:
The Tulare County Grand Jury (TCGJ) received a complaint alleging neighborhood drug activity previously reported to the authorities that has not been resolved. After an interview with the complainant and a subsequent interview with local law enforcement, TCGJ concluded no further action is warranted. The complaint was closed April 13, 2018.

Complaint 2017-2018 #26:
The Tulare County Grand Jury (TCGJ) received a complaint on March 20, 2018, from an inmate housed in the Tulare County Jail, alleging poor living conditions. TCGJ reviewed the complaint and determined that no action was warranted. The complaint was closed on April 20, 2018.

Complaint 2017-2018 #27:
The Tulare County Grand Jury received a complaint on April 10, 2018, from an inmate in the county jail. The complainant alleged that he was not receiving his mail. The Grand Jury's investigation determined that no action was warranted. The complaint was closed on May 4, 2018.

TCCGJ FORMS

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CITIZEN COMPLAINTS

The Grand Jury receives complaints from Tulare County citizens concerning a variety of grievances. These complaints are assigned to one of the standing committees for action.

The Grand Jury may refuse to act on a complaint, particularly if the matter is under judicial review, appears to be more appropriate for action by another agency, or it is out of the Jury's purview. Grand Jury investigation reports (regarding complaints) are submitted to the entire jury with recommendation for action. A quorum of 12 jury members must approve the report. Some complaints may remain open for action by the following Grand Jury as deemed appropriate.

Submission of Complaint

Complaints should be in writing and legible. All normal attempts to resolve the problem should have been taken prior to the submission of the complaint. When these efforts have been proven unsuccessful, a complaint form should be prepared and submitted. These complaint forms may be requested and obtained from the Grand Jury office and this Web Site.

Content of Complaint

The complaint form available from the Grand Jury is designed to help an individual supply pertinent data regarding the reason for the complaint. It is easy to fill out and asks for information that is vital in helping the Grand Jury resolve the problem.

1. Identify yourself with your full name, correct mailing address and a phone number where you can be contacted during office hours.
2. Identify the nature of your complaint.
3. Identify all the people involved and how they might be contacted.
4. If needed, the location of the occurrence that precipitated your complaint.
5. Furnish originals or copies of documents and / or recordings that may support your allegation. ***(according to Ca. Evidence Code 140 all submitted documents & recordings are evidence and will not be returned)***
6. Be specific in reporting the reasons for you claim. Avoid making broad statements.

Confidentiality

The ***complainant's identity is rigorously guarded*** and the Grand Jury is forbidden, by law, to release any information about investigations.

You will receive written acknowledgment of this complaint after it is received and reviewed by the Grand Jury. This acknowledgment will be mailed to the address on the form.

Citizen Complaint Form

All complaints submitted to the Grand Jury are held in the strictest confidence

Tulare County Grand Jury
5963 So. Mooney Blvd.
Visalia, CA 93277
Phone: (559) 624-7295
Fax: (559) 733-6078

Date: _____

1. YOUR PERSONAL INFORMATION:

Name: _____ **Res. Phone** _____

Res. Address (City/Zip) _____

Work Location _____ **Bus. Phone** _____

2. PERSON OR AGENCY ABOUT WHICH THE COMPLAINT IS MADE:

Name/Agency: _____

Location or Address: _____

Phone: _____ **Person in Charge (if agency):** _____

3. OTHER PERSONS OR AGENCIES YOU HAVE CONTACTED ABOUT THIS PROBLEM:

Agency and Location	Approximate Date of Contact

4. BRIEF SUMMARY OF PROBLEM (Include names and dates of events, and agencies involved)

(Attach Additional Sheets if Necessary)

5. PLEASE SUBMIT COPIES OF CORRESPONDENCE AND / OR DOCUMENTS REGARDING YOUR COMPLAINT AND THE NUMBER OF PAGES SUBMITTED WITH YOUR COMPLAINT. (PAGES \ ATTACHMENTS)

6. PERSONS YOU THINK SHOULD BE CONTACTED:

Name and Occupation: _____

Address: _____

Reason to Contact: _____

_____

_____

Name and Occupation: _____

Address: _____

Reason to Contact: _____

_____

_____

Name and Occupation: _____

Address: _____

Reason to Contact: _____

_____

_____

7. ACTION WHICH YOU BELIEVE WE SHOULD TAKE:

Excerpt from the Grand Juror's Oath:"…I will keep my counsel, and that of my fellow Grand Jurors and of the government, and will not, except when required in the due course of judicial proceedings or authorized by statute, disclose the testimony of any witness examined before the Grand Jury, nor anything which I or any other Grand Juror my have said, nor the manner in which I or any other Grand Juror may have voted on any matter before the Grand Jury…"

DUTIES OF THE CIVIL GRAND JURY

The Civil Grand Jury consists of a panel of nineteen jurors plus three or more alternates. Jurors serve a one-year term from July 1 through June 30. The Presiding Judge may continue up to ten jurors into a second one-year term.

The selection process of a prospective Grand Juror begins with the submission of a completed nomination questionnaire to the Courts by ***mid April.*** Between May and June, Tulare County Grand Jury Association and Presiding Judge of the Tulare County Superior Courts, reviews the questionnaires and evaluates a prospective juror's qualifications as required by California Penal Code §893. Prospective jurors are then interviewed and their names are placed in a pool to be drawn by lot.

The California Supreme Court described the duties of the grand jury in a 1988 case called *McClatchy Newspapers v Superior Court, 44 Cal 3d 1162:*

> "The California grand jury has 3 basic functions: to weigh criminal charges and determine whether indictments should be returned (Penal Code §917); to weigh allegations of misconduct against public officials and determine whether to present formal accusations requesting their removal from office (Penal Code §922; and Government Code §3060 et seq.) and to act as the public's "watchdog" by investigation and reporting upon the affairs of local government (e.g. §§919, 925 et seq.) Of these functions, the watchdog role is by far the one most often played by the modern grand jury in California."

California Penal Code §919(b)(c) states, "The Grand Jury shall inquire into the condition and management of the public prisons within the county." It also states, "The Grand Jury shall inquire into the willful misconduct in office of public officers of every description within the county."

California Penal Code §925 states "The Grand Jury shall investigate and report on the operations, accounts, and records of the officers, departments, or functions of the county including those operations, accounts, and records of any special legislative district or other district in the county created pursuant to state law for which the officers of the county are serving in their ex-officio capacity as officers of the districts." It also states, "Investigations may be conducted on some selective basis each year."

For more information visit the Tulare County Grand Jury's website at:
www.tularecounty.ca.gov/grandjury/

2018 – 2019

TULARE COUNTY CIVIL GRAND JURY QUESTIONNAIRE

Pursuant to California Penal Code §893, the following questions must be answere

STATUTORY QUALIFICATIONS: (Place a check in the appropriate box)

No	Yes	Are you a citizen of the United States?
No	Yes	Are you eighteen years of age or older?
No	Yes	Have you been a resident of Tulare County for at least one year prior to the date of application?
No	Yes	Are you in possession of your natural faculties? Are you of ordinary intelligence a of sound judgment and fair character?

STATUTORY DISQUALIFICATIONS: (Place a check in the appropriate box):

No	Yes	Are you serving as a trial juror in any court of this State? If Yes, County _____
No	Yes	Have you been discharged as a grand juror in any court of this State within one yea to the date of this application? If Yes, County_____
No	Yes	Have you ever been convicted of malfeasance in office or any felony or other high
No	Yes	Are you currently serving as an elected public official?

Check one: ( ) I am interested in serving on the Tulare County Civil Grand Jury for the fiscal yea **2018-2019** and I understand the time commitment required.

( ) I am unable to serve on the Grand Jury in **2018-2019.**

( ) I am unavailable at this time, but would like to be considered for term **2019~2020.**

If you answered **NO** to any **STATUTORY QUALIFICATIONS** or you answered **YES** to any **STATUTORY DISQUALIFICATIONS**, you do not qualify. There is no need to continue or to return the questionnaire.

IF QUALIFIED, please continue and complete the questionnaire, returning it to the address listed on Page

CALIFORNIA RULES OF COURT, Rule 10.625, regarding certain demographic data relating to regular grand jurors.
{Please check the appropriate box to the following}

(A) Age range, please check the appropriate box: ☐ 18-25 ☐ 26-34 ☐ 35-44 ☐ 45-54 ☐ 55-64 ☐ 75 and over (B) Gender: ☐ Male ☐ Female

(C) Please indicate your ethnic origin by circling one of the following (may select more than one):

American Indian or Alaska Native Asian Black or African American Hispanic/Latino

Native Hawaiian or other Pacific Islander White Other (please specify)_____

THIS QUESTIONNAIRE IS TO ASSIST THE JUDGES OF THE SUPERIOR COURT IN COMPLETING A LIST OF NOMINEES WHICH FAIRLY REPRESENTS A CROSS-SECTION OF OUR COMMUNITY.
SOME OF THE QUESTIONS THAT MAY SEEM PERSONAL ARE NECESSARY IN ORDER TO ASSURE THE JUDGES THAT THE GROUP THEY NOMINATE, FROM WHICH THE FINAL NAMES WILL BE DRAWN, REPRESENTS VARIOUS AGE GROUPS, ECONOMIC, SOCIAL AND ETHNIC BACKGROUNDS.

PLEASE PRINT LEGIBLY

1. Full Name:_____ Date of Birth: _____
(First) (Middle) (Last)

2. Address (Phys.):_____ City:_____ Zip +4:_____
Address (Mail): _____ City:_____ Zip +4:_____
Residence Phone: ( ) _____ Business Phone: ( ) _____
Cell Phone: ( ) _____ Fax Number: ( ) _____
Email Address: _____

3. Occupation: _____
Employer: _____
If retired, previous occupation _____

4. Can you afford the time required to be a Civil Grand Juror (approximately 20 hours per week)?_____
If not, briefly state why not: _____

5. Do you have any physical or mental condition which would interfere with your ability to function as a Civil Grand Juror? _____ If yes, explain briefly _____
What accommodations would the Court need to provide to accommodate your physical or mental impairment?
_____

6. Education (Circle highest grade completed):
6 (or less) 7 8 9 10 11 12 College: 1 2 3 4 5 6 7
Name of schools attended and degrees or certification attained:_____
_____

7. Clubs or organizations: List any civic, service organizations or any volunteer work to which you belong.
_____
_____

8. Spouse / Domestic Partner Name: _____
Occupation: _____
If retired, list previous occupation you retired from: _____
Employer: _____

9. Are you or any immediate family member an appointed or elected public officer of any public agency? _____
If yes, explain: _____

10. Are you currently involved in any litigation (law suits) in this county? _____

11. Are you or any of your immediate family members employed by the County of Tulare? or any school district within the county? _____
If yes, where? _____

12. Do you have any significant problems reading or understanding the English Language? _____

13. Do you have any suggestions, comments or other matters you would like to bring to the judges attention in connection with your application?_____

14. Please tell us about any special skills or abilities that you have which the judges should know about in considering your application? _____

_____

15. Please tell us why you are interested in serving on the Tulare County Civil Grand Jury. (Please attach additional pages as needed) _____

_____

16. Describe any background experience or skills you have which would be helpful to grand jury service (i.e., computer skills, leadership skills, or experience writing/editing reports, working in groups, or conducting investigations or interviews.)

_____

_____

Would you be willing to serve in any of the following capacities?

FOREPERSON	Yes☐	No☐
SECRETARY	Yes☐	No☐
COMMITTEE CHAIRPERSON	Yes☐	No☐

Mail in or deliver questionnaire to:

Civil Grand Jury
Tulare County Superior Court
221 S. Mooney Blvd., Room 303
Visalia, CA 93291

Or Fax to: (559) 737-4290

NOTE: Applicants for nomination as a member of the Tulare County Civil Grand Jury are subject to investigation by an appropriate law enforcement agency as to the statutory qualifications for service and the applicant's ability and suitability for service.

In support of my application for selection as a member of the Tulare County Civil Grand Jury, I declare under penalty of perjury that the foregoing information is true and correct.

Signed:_____ Date: _____

PLEASE RETURN THIS QUESTIONNAIRE NO LATER THAN: April 19, 2019