

**MARIPOSA COUNTY
2018/2019 GRAND JURY
FINAL REPORT**



Pursuant to California Penal Code §925 and 933(a), "each grand jury shall submit to the presiding judge of the superior court a final report of its findings and recommendations that pertain to county government matters during the fiscal or calendar year."

TABLE OF CONTENTS

Grand Jury Submission Letter to Presiding Judge.....	3
Executive Statement.....	4
Grand Jury Members.....	5
Grand Jury Oversight Visits	
Adult Detention Facility.....	6
Mt Bullion Conservation Camp.....	8
District Attorney's Office/Victim Witness.....	9
Building and Planning Department.....	12
Mariposa County Probation.....	13
Mother Lode Job Training.....	14
Animal Control.....	15
Economic Development.....	16
Responses Required/Invited.....	17
Guest Speakers	
Board of Supervisors.....	18
Mariposa County Sheriff/Interim Fire Chief.....	18
Mariposa County Director of Health and Human Services.....	19
Mariposa Director of Public Works.....	19
Mariposa County Health Officer.....	20
Mariposa County Chief Administration Officer.....	20
Citizen Complaints	
Complaint #1.....	21
Complaint #2.....	22
Complaint #3.....	22
Complaint #4.....	22
Notes.....	23



Superior Court of California County of Mariposa

Michael A. Fagalde
Presiding Judge

F. Dana Walton
Assistant Presiding Judge

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June 26, 2019

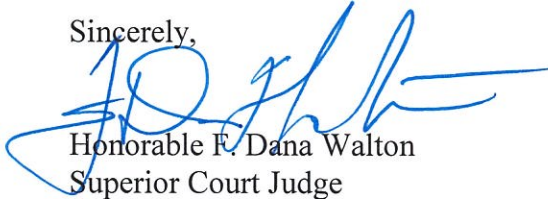
Vaden Savage
Grand Jury Foreperson

Mr. Savage:

I have read and reviewed the 2018-2019 Mariposa County Grand Jury Final Report.

At this time I wish to personally thank you and the other grand jurors for your work on behalf of the citizens of Mariposa County. Without the dedication of those like you this vital part of our system would certainly fail.

Sincerely,



Honorable F. Dana Walton
Superior Court Judge

Honorable Dana Walton, Presiding Judge
Mariposa County Superior Court
P.O. Box 28
Mariposa, California 95338

Dear Judge Walton,

We, the members of the 2018-2019 Mariposa County Grand Jury would like to thank you for the opportunity to have a window into the workings of our various County entities. The interviews, oversight inspections and reviews were not only an education for each of us, but a reiteration of the necessary part the Grand Jury process plays in our governing process.

All 11 jurors that attended our first official meeting remained involved throughout the year, and each contributed to the completion of our obligation. Perhaps the wide variety of food items provided by juror Grace Marble for the first few months, kept us all coming to the table. This Grand Jury received 4 complaints from the public, 3 of which were determined to be under our purview and were investigated or reviewed.

We were informed early in the process that County Counsel would not be available for any legal guidance to the Grand Jury, which put us at a disadvantage in fully performing our duties. It is an accepted practice for the Grand Jury to be provided County Counsel in most other Counties.

As required by law, the Grand Jury inspected the correctional facilities in the County, which included the Adult Detention Facility, as well as the Mount Bullion Conservation Camp. We also updated an oversight matrix of the various County entities and discovered a number of departments that had not had Grand Jury review for years. Per this updated matrix, committee members held site visits and interviews with Animal Control, Fleet Services, Victim Witness, Economic Development, Mother Lode Job Connection, Building Department and Probation. We held meetings with various departments heads, Sheriff, DA as well as all 5 members of the Board of Supervisors.

We experienced some technical issues with the printer, and had it replaced. We also had connectivity issues with the Grand Jury email becoming inaccessible, as well as the Grand Jury P.O. Box being closed due to lack of payment.

Despite the challenges, we would like to thank you, Judge Walton, your staff, and the others in the County for the helpfulness and cooperation during the 2018-2019 Grand Jury session.

Respectfully,
2018-2019 Mariposa Grand Jury

To the Citizens of Mariposa County:

The 2018-2019 Mariposa County Grand Jury is an investigative body that makes recommendations for improvements to a variety of County Government entities by way of publishing this final report. Every year, the Grand Jury collectively chooses which areas of County governance it will investigate, review and comment on based on a variety of factors. Whether local issues of the day, citizen complaints or concerns, interviewing County Officials, Department Heads and County Employees, the Grand Jury combines these factors with the wide range of backgrounds and experiences to determine the final decision.

The Mariposa Grand Jury consists of 11 ordinary citizens of Mariposa County who have volunteered to dedicate a year of their lives to study, review, and collectively collaborating to determine suggested improvements for government services provided to the residents of Mariposa County. The members are a cross-section of the population who have rearranged much of their normal life routine to provide citizen oversight of our County Government and to deliberate on recommendations for a better Mariposa County.

Through this process, all 11 jurors experienced a more broadened understanding of the complexities, challenges, successes and calls for improvement our County Government Officials, Departments and County Employees experience every day. We highly recommend that interested citizens continue to answer the call, if selected for consideration, for Grand Jury service, as it is a necessary component of oversight for the community at large.

While the Grand Jury sets its own agenda, recuses its own members from committees or oversight visits if they have direct working relationships with those entities, and performs its own investigative reviews, we would like to thank Hon. Judge Walton and the administrative staff for their tremendous assistance during this process. We also thank all of the governing officials, Board of Supervisors and Department Heads for their willingness to be interviewed during this process.

The 2018-2019 Mariposa Grand Jury respectfully submits this final report to the citizens of Mariposa County.

Sincerely,

Vaden Savage, Foreperson
2018-2019 Mariposa Grand Jury

2018/2019 Grand Jury Members

Vaden Savage -Foreperson

Garrett Clayton -Deputy Foreperson

Kimberly Keith -Recording Secretary

Grace Marble-Corresponding Secretary

Kathy Chase

Darin McMechan

Laurence Huss

John Sullivan

Paul Lopez

Nicole Bone

Kathy Blalock

REPORTS

Adult Detention Facility

Members of the Grand Jury visited the Adult Detention Facility on January 21, 2019. We would like to thank Lieutenant Land for his comprehensive tour of the facility. Furthermore, all of the staff were professional and willing to answer any questions we had for them.

The current facility was opened in March of 1995 on Hwy 49 North, about a mile north of the town of Mariposa. It has the capacity to house 58 inmates, both male and female, in separate cell blocks. At time of inspection, there were 44 inmates housed in the facility.

The inmate sleeping area consists of 6 block areas that are labeled A - F. A- Block is for already sentenced inmates. B- Block is for pre-sentenced inmates. C- Block is for female inmates. D- Block houses higher crimes risk inmates. E-block is for inmates who need protective custody. F- block is for inmates who need higher security.

Since the last inspection, there had been 15-20 attempted suicides, but 0 successful. There were 0 deaths from other causes, and 0 escapes. The biggest complaint, aside from being incarcerated, was the food choices.

There is a GED program available to inmates, as well as an art and poetry class, a library, and a work program at the fairgrounds. There is also an initiative underway to facilitate a solar certification program to provide technical skills to inmates who can then have job ready training when they are released back into the population to work in the growing solar energy field.

The facility was in decent repair and had signs of upgrades to the booking and surveillance. During our visit, the facility appeared clean, the kitchen appeared well maintained, the recreation yard, library, visitation areas, and holding cells all appeared to be in good operational condition.

The storage area for the jail is in process of renovation, and contained building materials, as well as inmate personal belongings and supplies for daily operations. Once renovations are done in this room, the understanding is that it will be much more organized.

The facility has some challenges in maintaining consistent or comfortable temperatures in both hot and cold weather cycles. It is being addressed by fixing the ducting to better direct HVAC air to affected areas. Transitioning to individual heating and air components in several rooms is one upgrade being tried to better solve this issue.

The staff break area, locker and shower areas are quite small, and do not adequately facilitate full use. There are 9 male and 10 female staff, which is still 1-2 personnel less than what is optimal for the facility.

Findings

F-1: The booking area had some much-needed upgrades in process that had previously put personnel in direct, close quarter contact with inmates. The changes are a big improvement to the process and provide additional safeguards to staff. The upgrades are not yet complete, with wiring dropping through the ceiling.

F-2: The ducting and ventilation system has some logistical challenges, due to the size of the facility, and varying sizes of rooms that are serviced by the system. In both hot and cold weather, adequate temperature control is not successful. Attempts have been made to fix and redirect the air flow by blocking off some lesser used vents, as well as upgrading the ducting system.

F-3: The Staff break area is quite small and inadequate for the number of personnel utilizing the facility. The locker / changing / shower area is congested in one section of the break area, making it difficult to use one without interfering with the other. It was not possible to access the shower without walking over boots, or around jackets hanging on the wall hooks.

F-4: Due to State regulations, the inmate population for the jail is now subject to much longer sentencing than when the facility was built, which brings the difficulty of addressing long term rehabilitation challenges. The GED program, work program, Art and Poetry classes are all good programs to help assist inmates in broadening their horizons when they return to the general population. However, once released, it is an obvious challenge for those returning to society to find gainful employment. The Solar Certification program that is being tried at other detention facilities and being considered here is an admirable attempt at not only giving viable job skills, and certifications, but setting the individuals up to become a productive member in society.

F-5: The library facility does not yet have computers available for inmate access to educational opportunities.

F-6: The visitation area is far too small for families to visit inmates.

RECOMMENDATIONS:

R-1: Finish the renovations of the booking area by completing professional install of cameras, where wires are not hanging from ceiling.

R-2: Complete upgrading of ducting for the heating and cooling system. Where ducting upgrades are not effective, install individual ductless systems, such as a 'Fujitsu' type, energy efficient models.

R-3: Reorganize the locker / changing / shower area to be a more adequately used by personnel.

R-4: Pursue implementation of the Solar Certification program or other viable work skill certification programs into the facilities rehabilitation process.

R-5: Add/update computer system(s) in the Library location to allow access to those inmates who would like to further their education.

R-6: As much as possible re-arrange visitation area to have at least one space for families

Mt Bullion Conservation Camp

On April 29th, members from the Grand Jury visited the Mt Bullion Conservation Camp. We would like to thank the staff there for their time and professionalism in giving us a tour and answering our questions. We would also like to thank the kitchen staff for a wonderful meal. Below are some topics covered during our visit:

The Mount Bullion Conservation Camp is a minimum-security detention center operated by the California Department of Corrections in concert with Cal-Fire. Inmates are regularly assigned to work as road crews, clean-up crews etc. They are closely supervised and are given the opportunity to earn a small income.

When fighting fires, they earn \$1.00 per hour. During time spent at the camp when there are no active fires to fight, inmates earn \$2.00 per day for working at the facility. All inmates have less than five years of time to be served for non-violent crimes and are determined to be a low security risk. The grand jury was given a tour of all facilities and given the opportunity to ask any questions.

The facility includes a large outside exercise area, sports field, weightlifting area, wood craft/hobby shop, metal shop and welding shop. These shops are used for inmates who earn "good" time credits to use for hobby work. The shops are also used by inmates to work in for purposes of the facilities repairs.

There were 86 inmates at the time of the visit. Capacity is 110. In general, the inmates recognize that the camp is a privilege to be housed at and show respect toward all staff. There is one Fire chief, ten Fire Captains and 4 other staff at the Cal-Fire division of the camp and nine CDC security staff for the inmates

The buildings could use some upgrades and repairs but operate satisfactory as they are now. Inmates were doing upgrades during our visit, including mixing and pouring cement for new sidewalks. The roof over the sleeping area does not leak but there are panels of the ceiling that are missing. The ceiling has been left this way by the CDC to help prevent contraband from being hidden in the ceiling. All repairs at the facility are taken care of when needed and most work is performed by the inmates. The facilities show age but are adequate for now.

Volunteers do counseling. There are no professional services for inmate mental health needs.

Night staffing is down to one CDC officer. Because of this, there have been cases where inmates will have the opportunity to run up the hill to the road and pick up contraband that has been left by friends and family. Contraband is usually cell phones, drugs, tobacco and alcohol.

The cost for three meals a day for inmates adds up to \$3.10 per inmate. The kitchen also cooks more elaborate and expensive meals for firefighting crews and are covered by Cal-fire.

Findings

F1: Night staffing is down to 1 CDC officer. This is not adequate should safety and security issues arise.

Recommendations

R-1: While this facility is in need of additional staffing, it is not funded by the County, Therefore, our recommendations to increase funding for a second CDC staff member for night shift are beyond our purview.

Office of The District Attorney/Victim Witness

Members of the Grand Jury visited the office of the District Attorney at 5101 Jones Street on March 26, 2019 and District Attorney Walter Wall shared the following information:

*Office needs to remain close to the Court House and if Victim Witness could be housed closer it would create more security and privacy for victims. Currently, victims preparing for a court hearing are often exposed to the defendant and associates in open areas without security or protection. This creates an unsafe environment.

*In inclement weather, there is no transportation or covered access from the DA's office to the Victim Witness buildings, forcing victims to walk through the elements to another building.

*Need larger office to allow for client conferences. Currently there is only one conference room for all four attorneys to use. Using individual offices is not possible as some of the offices are no larger than a closet.

*Currently, the office has one part-time person working on digitizing old records. This is a very time-consuming task because of the degraded condition of the records, which is due to current storage methods.

*Nearly 1200 cases are referred to the DA each year from the Sheriff's Office. This is 95% of all the cases the Sheriff's Office handles.

VICTIM WITNESS: Currently housed in two leased homes near the Courthouse, one block away from the DA Office. The smallest of the homes was built in the 1920's and the larger in the 1940's. Victim Witness leases these properties using grant money, no county money supports the leases or the Victim Witness Program.

-Current interview room is not soundproof.

-Video/recording system is secure in that it is a closed system.

-Funding for this department is completely grant based with an opt in match by the county.

-Buildings are well kept and maintained by the staff of Victim Witness, not the county. The roof on the smaller of the two houses needs fascia and gutter repairs.

-Victim Restitution: This is typically handled by a collections unit; which Mariposa County does not have. If there were funds to hire another full-time advocate, there would be help for victims to collect restitution.

Findings:

F-1: The DA office Building is approx. 2050 sq. ft. There are 12 full time staff, which averages 171 sq. ft. of workspace for each employee. It is in varying levels of disrepair.

F-2: The DA building, and Victim Witness buildings are more than a block apart and not conducive to providing a protected environment to crime victims. When victims need to walk from the DA office to the Victim Witness office, which is past the courthouse, the potential to have direct contact with the accused outside the courtroom exists. This can create an unnecessary intimidating situation prior to the court hearing.

F-3: The Victim Witness buildings are currently being leased with Grant funding and are maintained by staff. The time spent on facility maintenance, janitorial services, etc. takes away from their regular duties, and adds an unnecessary burden on the already limited number of staff.

F-4: In cases where victim restitution is ordered by a judge, in addition to probationary fines and fees, Mariposa County does not have a collections unit for victims to pursue should the additional restitution not be paid.

F-5: The DA office currently has one part time associate who is tasked with digitizing old records that are at risk of deteriorating.

F-6: Bathrooms and ADA Compliance in DA facility. While the one bathroom does have handrails and a wheelchair accessible sink, the room is also used for storage of office supplies. The door is slightly blocked by items being stored behind it, making it difficult to completely open the door.

F-7: Building Condition-Inside.

- Tears in carpet mended with duct tape.
- Photo copier sitting on plywood with protruding square corners. Staff express concern that the plywood is to support the weight of the machine on the weak floor
- Black Mold visible in the front office.
- Crack in wall at rear of building.
- HVAC system not adequate. Example: one side of the office is hot, the other cool. If windows are opened it throws conditions off for the whole office. Staff report the average temperature in the office on a summer day is 80 degrees.
- Staff reports increased incidents of illnesses and headaches.

F-8: Building Condition-Outside.

- Roof condition is extremely poor.
- Outside window casing and screens are falling apart, and off the building.

- Crack in outside stone wall which matches the crack on the same inside wall.
- Concrete slab and stairway retaining wall are separating.
- Sidewalk outside the conference room is above floor level which requires the use of sandbags during rain events to prevent water from getting into the building.
- Sidewalks: They are cracked/broken which has led to injuries to employees.

F-9: Basements:

- Well-lit and files are off the floor on metal shelving. The smell of mold is very evident. The outside access door does not seal well. There is “day light” visible around the door. Evidence of dried water/mud on the floor. Also, there is evidence of rodents of some kind. There were piles of shells and other matter in the basement.
- Strong smell of mold and evidence of flooding. Both basement doors have sandbags to prevent water from entering. Records are kept on wooden shelves. There is a back area in this basement which is reached by a crawl hole opened in the stone wall. Pallets have been placed here for record boxes.

Recommendations:

Mariposa County should maintain this property to the standard building code.

R-1: Recommend moving DA and Staff to a larger facility to allow adequate space to perform their duties, and to address code violations of current facilities.

R-2: Recommend bringing Victim Witness staff into the same building as DA office to better facilitate a safe and protective environment and eliminate the necessity to walk victims between facilities. This will also minimize the potential for direct contact between victim and accused before the court hearing.

R-3: With the Victim Witness team being brought into same building as the DA’s office, it will eliminate their need to provide their own building maintenance, janitorial services, etc. and provide more attention to their roles as Victim Witness Advocates.

R-4: Institute a collections program within the County, where victims can pursue any ignored restitution payments that are awarded them.

R-5: As the paper records are at risk of deterioration in the current document storage facilities, expand the role, or add staff, to more rapidly digitize the records at risk.

R-6: Until such time as a bigger facility is secured, the need for an additional bathroom should be addressed as the building is in current violation of the following Building Codes:

- 422.2 Separate Facilities-Separate toilet facilities shall be provided for each sex. Exceptions to this do not apply due to the fact the office has more than 10 employees
- 422.4 Toilet Facilities Serving Employees and Customers: Each building or structure shall be provided with toilet facilities for employees and customers.

Items stored in the bathroom should be relocated to prevent any blockage of access by handicapped persons.

R-7: Mariposa County should maintain this property to the standard building code.

- Replace carpet throughout the building to eliminate trip hazards to staff and clients.
- To assure no trip hazards exist, as well as address possible structural integrity issues of the flooring, have the area inspected by the Building Department and follow recommendations for reinforcing area under copy machine.
- Have office inspected for Black Mold. If found, remediate all areas affected Black Mold from the office. Offer employees the opportunity to be tested for any potential Black Mold illnesses.
- Inspect and repair cracks in the interior wall (near the copier).
- Replace current HVAC system with energy efficient ductless 'Fujitsu' type units.
- Repair or Replace roof
- Repair/replace outside window screens and frames.
- Repair or re-grout the crack in the exterior wall: After it has been inspected for proper integrity.
- Repair or renovate exterior sidewalk to prevent flooding into conference room.
- Repair all cracked and chipped sidewalks to eliminate trip hazards and potential injuries to employees and public.

R-8: Due to the obvious moisture issues in the basements, all records should be kept in waterproof containers until they can be digitized. Basement doors need to be renovated to fit properly to keep out water and rodents.

(Photos can be made available upon request)

Building and Planning Department

Grand Jury members visited the Building and Planning Department on April 17th, 2019. Thank you, Michael Kinslow, for your time and willingness to meet with us. During our visit we discussed the following:

Michael Kinslow, the Department Head, has been with the department for 9 years.

The Building Department issues permits and enforces the safety laws of structures.

Mariposa County is one of the cheaper counties.

The Planning, Building and Environmental Health department are all located next to each other.

It also works with Public Works department for roads.

Archives need to be scanned.

Staffing of the Building Department consists of three employees at the front counter, three development service technicians, two inspectors, one extra help and department head, Michael Kinslow.

There are informational handouts located in the lobby area as well as the Mariposa County Website for fees and other information.

Someone can typically get a permit within 30 days, 7-10 days if fully staffed.

Findings

F-1: It is underfunded and understaffed, no one has been able to take a decent vacation in the past 9 years.

F-2: This department still uses the green screen computers which is outdated and hackable.

Recommendations

R-1: Update system to replace the green screen for better security.

R-2: More staffing for proper coverage.

Mariposa County Probation Department

Members of the Grand Jury met with Chief Judy of the probation department on 5/13/2019. Items discussed include the following:

Findings

Pete Judy is the head probation officer for the probation department.

F-1: There are four buildings that house staff for the department. The newest building was built in 1990. The other buildings are older houses that have been converted for the use of the probation department. The main office has a deteriorating front walkway/deck which is taped off with caution tape. The buildings and the parking areas have inadequate paint.

F-2: Currently the probation department is understaffed, needing three more probation officers.

F-3: Juvenile cases are down significantly. Juveniles cost \$800 per day to house. When a juvenile is required to be housed, they are transported to Tuolumne county where the cost to the county is only \$100 per day.

F-4: Adults are sent to the probation department by the courts when the crime deems so. At this point the probation department determines what type of probation procedures are required. Requirements are, but not limited to, drug testing, electronic monitoring, anger management and mental health evaluations. Rehabilitation for the convicted offender is the main objective of the probation department.

F-5: Assembly bill AB109 (The Public Safety Realignment Legislation) has caused some problems for the probation department in Mariposa county as well as the rest of the state. As a result, the probation department implemented and continues to strengthen its program model to be consistent with the Evidence Based Practice Research. AB 109 required that each county's Community Corrections Partnership (CCP) develop an AB 109 implementation plan.

In 2011, California voters passed assembly bill 109, known as "realignment." The effect of this bill was to divert people convicted of certain classes of less serious felonies from the department of corrections (state prison) to local county jail. However, realignment

does not change how things work for serious crimes, violent crimes or sex crimes. People convicted of these offenses are still eligible for state prison.

AB 109 remains the subject of significant controversy. This was intensified by a shooting death of a California police officer in 2017. As a consequence of realignment, the suspect of the case was on local probation rather than the more stringent jurisdiction of the Department of Corrections.

Recommendations

R-1: Increase funding for probation officers which will entice eligible candidates to apply for a Mariposa County probation officer position, rather than look for higher paying positions in the surrounding counties.

R-2: Fund the departments need to fix the main office walkway/deck and painting of the buildings and parking spaces.

R-3: It was mentioned that the county owns the empty lot that is currently located next to their Probation current location. This could house all their staff in one SECURE location which could also house other offices that the County supports (for example; DA offices, Court Administrative, etc.

Mother Lode Job Training

On March 14, 2019, Grand Jury Members visited the Mother Lode Job Training Center (MLJTC). Thank you, Stephanie Leasure, who gave us an overview of the work performed here. The Mother Lode Job Training Center provides job training, work experiences, funding for vocational trainings, and other assistance in job placement. The MLJTC provides a number of resources including; computers, assessments for reading and math as well as aptitude tests to assist with job placement. The computer lab is free to use, and they also have a bulletin board with job openings. They assist with resume creation, interviewing skills, tutoring for high school equivalency, and overcoming barriers to employment. The MLJTC is a wonderful free service for Mariposa County residents.

Items discussed include:

- Job resources provided
- Youth program for out of school youth
- Senior program - SERS
- Grant funding
- Annual Contract with Human Services and other agencies
- CalWORKs
- Employment successes

Mariposa County Animal Control

On March 27th, 2019, members of the Grand Jury visited the Mariposa County Animal Control Department. Below are the findings of this visit:

Staffing consists of 3 full time and 1 part time employees and the staff feel it is sufficient but would like a front desk clerk if ever possible. There are 9 dog kennels. None were occupied during the visit. There are several cat kennels/cat carriers. 3 cats were housed during the visit. Animals are quarantined for 10 days if they have bitten or broken skin by scratching a person. This is for observation for rabies and the animal's behavior. There are traps for feral cats for loan. Educational info is provided to reduce attracting feral cats on private properties.

Deputies are often called upon when animal control officers have an overload of calls. This happens commonly during disasters such as wildfires. Animal control averages 1000+ animal cases per year. This includes the public bringing in animals for various reasons including found animals and animals that are no longer able to be cared for. Livestock are housed at the fairgrounds when necessary. This is most common during wildfires. Staff work up to 16-18 hours a day during fires, helping to transport animals/livestock as well as feeding animals that are in or near evacuation zones that have not yet been evacuated. Even as far as going to Yosemite during the Ferguson fire, solely to feed 2 fish in an aquarium.

The facility appeared sanitized and clean. It appeared the staff was happy with the facilities capability to handle the traffic of animals that flow through the building. The facility has been leased for thirty years.

FINDINGS

F-1: licensing fees are \$3.25 which is significantly less than other counties in California

F-2: The front desk is not staffed full time during the operating hours. The front desk is staffed by animal control officers who often must leave to go out on calls. The office is then closed until an animal control officer is back from a call.

RECOMMENDATIONS

R-1: Raise licensing fees to reflect the average county rates in California.

R-2: Hire a full-time employee dedicated for the front desk; otherwise the county is losing money and is not meeting the needs of the citizens by having no one present to answer questions, give out information and collect fees.

R-3: County should investigate buying or building a new Animal Control building. The county has been leasing the same property for 30 years. They could have already owned their own building with the money they have spent over the 30 years of leasing.

ECONOMIC DEVELOPMENT DEPARTMENT

Members of the Grand Jury met with Tara Schiff, who impressed us with her diligence, drive and knowledge of the needs of the county. For a county with the demographics like those of Mariposa, this department carries a lot of responsibility for creating potential upsides for many of the residents and businesses. This department has not only been maintained but dramatically revitalized by the efforts of Tara. Touching all facets, all departments, and all entities within the county, this department measures and proves its importance by working to drive job growth and opportunities, addressing resident/employee housing availability, and by enhancing the overall quality of life within Mariposa County. The exposure of her efforts has even enabled her to sit on external committees and boards, furthering her reach to help Mariposa County. We wish to thank her for her passion and dedication to the position and her honesty regarding the needs of her department:

Findings

F-1: This is a department of one performing the duties of several comparatively speaking

F-2: The physical space to perform duties is severely limited creating issues with confidentiality and capacity

F-3: Technology is grossly lacking, creating increased time requirements, enlarged workloads, as well as jeopardizing confidentiality.

F-4: Exposure to the efforts/achievements is relatively non-existent making any pluses rendered unknown.

F-5: A key element of this department being hindered and/or neglected because of findings 1-4 above, is the community outreach component, not only for researching issues but also measuring the cause and effect of items implemented.

Recommendations

R-1: Pursue additional resources (hiring personnel or reallocating existing resources), full or part time, to assist with paperwork and minutia, allowing for more field work to be done to increase and improve departmental efforts and community awareness.

R-2: Update the available technology used to increase productivity by reducing the current manual nature of most if not all the existing processes.

R-3: Increase community exposure to the efforts AND achievements of the department for continued and improved support. For example: Gazette articles, Board of Supervisor Meetings, and community presentations when available.

SOLICITED RESPONSES

Entity	Issue Summary (see details on Ref page)	Ref page	Respondent(s)	Required/ Invited
District Attorney	-Perform necessary repairs or relocate to another facility	11	Building Maintenance Board of Supervisors	Required Required
	-Assess for mold contamination	12	Environmental Health	Required
	-Expedite the digitizing of archives	11	Technical Services	Required
Adult Detention	Pursue funding for computers for inmate education as well as skills training certification	7	Board of Supervisors Technical Services	Invited Invited
Building and Planning	Update computer system	13	Technical Services	Invited
Animal Control	Consider license fee increase and full time front office staff	15	Board of Supervisors	Invited
Health and Human Services	Prioritize low income housing and job development	18	Board of Supervisors	Required
Informational Technology	Update Grand Jury website with information on confidentiality of complaints submitted	22	Technical Services	Required
Informational Technology	Pursue addition of link to electronically submit citizen complaints	22	Technical Services	Invited

GUEST SPEAKERS

Mariposa County Board of Supervisors

Thank you to all 5 members of the Board of Supervisors for taking the time out of their busy schedules to visit us during our meetings. The following items were discussed:

- Overall, the vision for the county is prosperity for all. Challenges to making things happen are finding resources to make things happen and then working through the Government Bureaucracy.
- Finding a balance between vacation rentals in county vs long term rentals -not yet discussed by Board.
- Low Income housing
- Self-help Enterprises
- Homelessness

Mariposa County Sheriff Department

Thank you to Sheriff Doug Binnewies for visiting the Grand Jury during our meeting on December 3, 2018. During his visit he discussed the following items:

- Measure M/TOT Feels this increase in funds will help to make the County safer by hopefully being able to ten more Deputies on the department.
- Sanctuary Act-Mariposa is a Non-Sanctuary City.
- Working on property/location for a new Sheriff's Office Headquarters.

Findings

F-1: The Sheriff is an elected official, and Sheriff Binnewies is in his third term

F-2: Typical actions a Deputy Sheriff covers:

- Street Crime
- Thefts
- Car Thieves
- Burglaries

Recommendations

R-1: To house all parts/employees under one SECURE location.

Health and Human Services

Director of Health and Human Services, Chevon Kothari attended the Grand Jury meeting on April 14th and shared with us information regarding the department. We appreciate her openness regarding changes to the department as well as her goals for future development. Topics covered included:

Findings

F-1: The Department encompasses three divisions:

- The Public Health Division
- Community Services Division
- Human Services Division

F-2: The Department oversees:

- SSI Advocacy
- The Senior Center
- In Home Support Services (Currently approximately 30 clients)
- CalFresh
- Veteran Services
- General Assistance

Recommendations

R-1: Provide services for our homeless community with low income housing and job development.

Public Works and Transportation

Thank you to Mike Healy, Director of Public Works and Transportation for visiting the Grand Jury during our meeting on November 19, 2018. During his visit he discussed the following items:

- Staffing issues
- Initial challenges of getting staff to work as a team. Now there is a new work culture and the team is working well together. The natural disasters brought the team together.
- Efficient teamwork results are being shown through productivity measurements.
- Safety training program was implemented 3 years ago, and there have been no lost days of work by employees due to injury since the Detwiler Fire.
- Remaining life span of the Landfill is 30 +/- years.
- Prop 6 and Measure M funds.
- Public Works Independent audit
- Described different roles public works takes on during disasters.
- FEMA Funding

Public Health Officer

Dr Erik Sergeinko visited the Grand Jury during our meeting of April 1, 2019. We appreciate his time and thank him for sharing information regarding his department with us. Below are some of the topics discussed:

- Pursuit of National Public Health Accreditation
- Salary Study
- Health Department and Human Services Consolidation
- Community access to healthcare
- Gave description of new systems of care and wrap around approach to treat the whole person.
- Emergency Homeless declaration
- Grant funding sources

Mariposa County Chief Administrative Officer

CAO Dallin Kimble met with the Grand Jury on December 17, 2018. We appreciate his willingness to speak with us regarding operations within the county and share his challenges and goals for Mariposa County. Some of the topics covered were:

- His educational and employment background
- Described his role as CAO
- Work with budget, strategy, and Board priorities
- New positions. County is hiring a grant writer and Housing Specialist; both are grant funded positions.
- Consolidating technical services and administration
- Capital improvement plan and strategic plan
- Changing the budget process to be simple and transparent
- Measure M
- County Fire Department and Cal Fire partnership
- Citizen survey and community meetings
- Vacation Rentals
- Consultants and Grant Funding

Citizen Complaints

Complaint #1

During the complaint process, it was determined that better instructions for submitting a complaint to the Grand Jury should be posted. A complaint was sent to two entities within the county, which minimized the ability of the Grand Jury to conduct an inquiry or investigation in anonymity, as well as gave opportunity for the subject of the complaint to have advance notice of the investigation. The supervisor was given the complaint by one of the two entities it was sent to.

Five areas of concern were brought up regarding one of our Mariposa County Supervisors:

Concern #1. The improper use of “power” as a Supervisor through self-representation as a legal authority; unethically and possibly illegally, giving legal advice to clients.

F-1: Unable to confirm, as to provide legal advice is not illegal. Supervisor only provided guidance with a contract that was presented to the Supervisor for consultation.

Concern #2. The inappropriate use of Consent Agenda to promote political agendas and, in an earlier situation, to advance the additional payment of county money to the Visitor Center (CVC).

F-2: In speaking with the other Board of Supervisors we found that they do not control the Consent Agenda, rather it goes through the CAO office, County Clerk, and/or County Counsel to determine which items qualify for consent agenda or regular agenda items. An individual Board Member can, with department heads, have an item placed on the consent agenda, but the final decision will be made by the County Clerk.

Concern #3. Complainant alleged a conflict of interest in Jeffrey Hotel subsidized water decision and stated that the Supervisor recommended his business partner to be the contractor for the repair of the Jeffery Hotel after the fire. Complainant pointed to the Mariposa Gazette article titled “Hotel Jeffery utility break will be axed” from the May 17th, 2018 issue.

F-3: The grand jury listened to the Board of Supervisors meeting audio recording and heard during the public comment period at that the owner of the Jeffery Hotel stated that the contractor did not do the work properly, which resulted in the delay of the re-opening and was in litigation with the Contractor and requested they continue the water subsidy. The supervisor stated he had knowledge that there are no approved plans on file for the Hotel Jeffrey and the work would not be finished anytime soon. The Board of Supervisors made the decision to sunset the resolution on August 31, 2018.

When the Supervisor was interviewed the Grand Jury asked about a possible conflict of interest on the Hotel Jeffrey consent agenda item since his business partner was the contractor for the Hotel Jeffrey. He claimed there was no conflict of interest and that he spoke with County Counsel about it. Grand Jury asked why the contractor had no

approved plans submitted for the work already completed and he replied because the contractor was known at the Building Department and was doing the repair on a “as built” basis which is allowed through the building department.

Concern #4. The improper use of “power” by the Supervisor by appointment of select persons to the Mariposa County Boards to advance the Supervisors own political and financial interests.

F-4: The Supervisor advises that all positions (Visitor Center/Commissions, etc.) were appointed and approved by the Board of Supervisors of Mariposa. Stated it is common practice.

Concern #5. The improper use of “power” through the use of “insider knowledge” as Supervisor to obtain properties and partnership with political patrons.

F-5: The Supervisor advised that they use newspaper and county records to obtain information regarding properties for sale and that he has a business partnership with a local contractor, they attend the County Tax lien sales to legally bid and obtain properties. Supervisor informed the Grand Jury he currently has 3 properties with his business partner.

Recommendations:

This complaint is not closed, and the Grand Jury is recommending the next Grand Jury open an investigation into this complaint.

Complaint #2:

Dealt with questionable conduct by Mariposa County Officials regarding the TOT Ballot measure. After researching numerous allegations in this complaint, which were found to not be valid, no further action was taken.

Complaint #3

Concern was raised that the conduct and practices of a certain special water district was unethical. Under further review it was determined that this special water district was outside the jurisdiction of this grand jury.

Complaint #4

A question on how to file a complaint against a County Official was raised by someone who does not live in the County. A response was sent to the methods by which a complaint can be filed, per the online form. A formal complaint was not received by the time this report was written.

NOTES:

1. This Grand Jury did not have any Legal Counsel due to a recusal of the current County Counsel to provide counsel. The concern was that there would be a conflict of interest as he is the only legal counsel for the County and would not be able to provide counsel to both Grand Jury, and any County entity that was being investigated.

We recommend this issue be resolved for future Grand Juries, should significant findings emerge, contacting the State Attorney General for assistance is not a prudent process for any time sensitive findings.

2. Difficulties with copier/scanning abilities and e-mail issues.

3. Recommendations to the public on submitting complaint letters to the Grand Jury. It is highly recommended that citizens who are submitting complaint letters to the Grand Jury for consideration, ONLY send to the Grand Jury, and do not include CC to any other governing entity or County employee.

For purposes of confidentiality, as well as adherence to the law, anyone outside the Grand Jury who has copies of investigative complaints or Grand Jury materials could face indictment.

4. The Mariposa County website directs citizens to mail their complaints to:

Mariposa County Grand Jury
P. O. Box 789
Mariposa, CA 95338

However, this post office box was inaccessible to the jury for nearly ½ of the term of office. We encourage the county to rectify this situation in a timely manner. To serve the citizens of Mariposa County, it is imperative that they be able to submit their concerns and have them reviewed by the Grand Jury. We also suggest adding an online submittal form onto the county website.

VADEN SAVAGE

KIMBERLY KEITH

KATHY BLALOCK

PAUL LOPEZ JR

NICOLE BONE

GRACE MARBLE

KATHLEEN CHASE

DARIN MCMECHAN

CLAYTON GARRETT

JOHN SULLIVAN

LAURENCE HUSS

