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Introduction

The 2005-2006 Grand Jury Final report published the results of twenty-seven reports produced during its term. The sixteen findings and fifteen recommendations attached to eight of these reports required responses from selected public officials and agencies.

What follows is a verbatim compilation of those responses. The original responses can be viewed on-line at www.co.humboldt.ca.us/grandjury. With the exception of the Jail reports which have one executive summary for all of the individual investigations, we have prefaced the responses to each of the other investigations with the original executive summary from the 2005-2006 Grand Jury Final Report.

**Grand Jury Report # AH-2006-19
Fortuna City Council**

Executive Summary:

The Grand Jury of Humboldt County conducted an investigation into the Fortuna City Council's indemnifying Councilwoman August for partial payment of her attorney fees resulting from the 2003-2004 Grand Jury's accusation against her. The Grand Jury found that the laws governing this issue give governing agencies discretionary powers to approve or disapprove the providing of a defense of an employee or former employee who acted, or failed to act, in good faith without actual malice and in the apparent interests of the public entity. The Grand Jury found no evidence of malfeasance, misfeasance, or nonfeasance on the part of the Fortuna City Council.

- **No response is required.**

***Finding 1:** Government Code 995.8 gives a governing body discretion to provide legal defense for an accusation or criminal action brought against an employee or former employee. The Grand Jury makes no finding regarding malfeasance, misfeasance, or nonfeasance on the part of the Fortuna City Council. Consequently, the Grand Jury will take no further action on this matter.*

***Recommendation 1:** The Grand Jury has no recommendation on this matter.*

**Grand Jury Report #2006-AF-01
Asset Forfeiture**

Executive Summary:

The Grand Jury of Humboldt County made inquiries regarding the distribution of funds received from the sale of asset forfeitures. These funds are distributed to the County and occur as a result of crime related action taken against individuals, or groups of residents, of Humboldt County.

- **No Response is required.**

**Grand Jury Report #2006-AF-02
County Elections Department**

Executive Summary:

The Grand Jury recognizes that one of the most important functions of County government is to insure fair and accurate elections – the backbone of our representative democracy. Concerns from the public led Congress to pass the “Help America Vote Act” (HAVA) and California voters to pass Proposition 41, the “Voting Modernization Bond Act” in 2002. These actions suggested to the Grand Jury that it review the Humboldt County Election Department's procedures and determine the impact, if any, these legislative changes will have on future election practice.

Therefore, members of the Grand Jury monitored all phases of the November 2005 Special Election, interviewed Election Department personnel and participated in the pre-election Logic and Accuracy Observer Panel.

- **No response is required.**

**Grand Jury Report #2006-HS-01
County Veterans Service Office**

Executive Summary:

The County Veterans Service Office (CVSO) was established by the Board of Supervisors of Humboldt County to assist veterans and their dependents in obtaining benefits from federal, state and local agencies administering programs for veterans. The CVSO staff consists of a Veterans Service Officer and a Veterans Service Representative. The CVSO also works in cooperation with other veteran's organizations within the county and state. The CVSO is fulfilling its mission to the veterans of Humboldt County.

- **No response is required.**

**Grand Jury Report #2006-HS-02
Humboldt Senior Resource Center**

Executive Summary:

The Humboldt Senior Resource Center is a non-profit organization which provides numerous services to the community's senior citizens, including Dial-a-Ride, a firewood program, senior home repair, a job bank, a senior nutrition program, Adult Day Health Services, an Alzheimer's Resource Center, and ombudsman services. The Senior Resource Center is committed to collaboration with other agencies in both private and public sectors.

- **No response is required.**

**Grand Jury Report # 2006-HS-03
Mental Health Services to the Humboldt County Correctional Facility**

Executive Summary:

The Grand Jury received information that the mental health services being provided to the inmates in the Humboldt County Correctional Facility (HCCF) were not meeting the facility's expectations or the inmate's needs. The information alleged the lack of sufficient mental health services at the HCCF was having an adverse effect upon correctional staff and inmates.

The Grand Jury was further provided testimony that there exists some degree of inconsistency in mental health treatment to inmates due to a rotating system of doctors, each with their own method of patient management. The Grand Jury's subsequent investigation revealed a significant difference between the services that the Mental Health Branch, Department of Health & Human Services, had set forth in its policies to provide to the HCCF, and the services they were actually providing.

Findings and Recommendations:

Finding 1: *The Grand Jury finds that the Mental Health Branch of the Department of Health & Human Services is not following the written policies of its 2003 Jail Services Program to provide mental health services to the HCCF.*

Response from DHHS:

This response is provided by the Director of the Department of Health and Human Services in consultation with the Department's Administrative Divisions, Mental Health Branch Director, Nursing Director and Jail Services Program Manager.

Finding 1:

The department agrees with the finding with the following clarifications. The Mental Health Branch staffing pattern for each budget year is not determined by its 2003 staffing pattern but by available resources within the department each year and/or as can be provided by other funding (e.g., county general funds/grants, etc.) and described in the County's annual budget.

The decrease in staffing from 2003 as compared to FY 2005-06 that the Grand Jury discussed in its report is primarily related to the multi-year state budget crisis and to a decline in available funding in the Sheriff's HCCF budget through a state grant (Mentally Ill Offender Crime Reduction (MIOCR)) received in 2003 that is no longer available. The MIOCR grant funding allocated to Mental Health was \$160,077 which funded 4.0 FTE mental health positions working at the HCCF and providing aftercare for discharged HCCF inmates.

It is also important to note that DHHS' total funding for Jail services is currently higher than in 2003. In 2003 it was \$489,893. In FY 2005-06 it was budgeted at \$501,129. For FY 2006-07, DHHS funding is budgeted at \$538,943. The increase in total costs to DHHS from 2003 to FY 2006-07 is related to increased medication and staffing costs. The medication costs were \$164,278 in 2003. They were \$210,419 in FY 2005-06 and are budgeted to increase again to \$230,000 in FY 2006-07.

In addition to DHHS services provided at the HCCF, DHHS provides 24/7 access for jail inmate emergencies via our Psychiatric Emergency Services (PES) team as well as through Sempervirens, our 24 hour hospital services. It should be noted that Humboldt County's hospital is the remaining county operated psychiatric hospital in Northern California; the rest being closed due to high costs, county staffing complexities and resource issues.

Mental Health HCCF staffing levels or concerns are discussed by the Director and the Sheriff as needed and adjusted based on specific issues within the available funding and staffing resources of both departments.

The communication lines between the Sheriff and this office are open in terms of specific issues that arise in terms of HCCF staffing patterns in any given budget year.

***Recommendation 1:** The Grand Jury recommends that the Mental Health Branch of the Department of Health & Human Services follow the policies as written in its 2003 Jail Services Program to provide adequate staff to the HCCF as noted herein.*

Response from DHHS:

The recommendation will not be implemented because it is not reasonable in terms of how annual staffing patterns are determined and budgeted by both (DHS/Sheriff) departments. As stated in the department's Response to Grand Jury Finding 1, the staffing patterns and budgeting for services at the HCCF are determined on an annual basis within the available resources of the Sheriff and DHHS in each budget year. In 2003, DHHS provided funding for 4.0 FTE at the HCCF and the Sheriff provided funding for 1.0 FTE. In FY 2006-07, DHHS is providing funding for 3.1 FTE positions and the Sheriff is providing funding for 1 FTE position. **While not required, the department is also providing the public and Grand Jury with responses to statements made in this Grand Jury report. The intent of the department is to provide additional facts and information to clarify various staffing issues discussed in the Grand Jury text.**

As mental health services within the HCCF (and other locked settings) are not reimbursable from the state or federal governments, both Sheriff/DHHS departments' funding for services fluctuates in each budget year. The presence or absence of grant or other outside funding impacts the staffing levels in any given budget year.

In contrast to 2003, when the overall mental health budget was not yet experiencing the multiyear impact of the state budget crisis and when additional state grant funding augmented our HCCF-related mental health staffing, the FY 2005-06 staffing pattern was largely supported by DHHS.

For example, the mental health staffing patterns related to HCCF inmates for aftercare services was increased in FY 2003 by state MIOCR grant funding through the Sheriff's Department which has since expired. The renewal of the MIOCR grant funding is (on a competitive basis) in the state's FY 2006-07 budget. The DHHS is in the early stages of assessing this source of potential funding and will be working with the Sheriff's Department to determine application processes.

As an additional point of reference, the last survey of county jail mental health services published by the California Mental Health Directors Association (CMHDA) Forensic Committee in 1998 contained the following information relating to how, on average, jail mental health services are typically funded in counties.

Mental health services (other than medications) in jails are funded by:

- Proposition 172 0%
- Mental Health Realignment 38%

- (County) General Fund 19%
- Sheriff's Budget 59%
- Inmate Welfare Fund 0%

In Humboldt County, DHHS provided over 75% of the funding for mental health services.

The CMHDA forensic survey also provided the following summary of how these medication services are typically funded in counties.

Psychiatric medications are funded through the:

- Sheriff's Budget 44%
- Mental Health Budget 19%
- Medical Budget 25%
- Contract Provider 6%
- Department of Corrections 6%

In Humboldt County all mental health medication services at the HCCF are funded at 100% through the DHHS.

In relation to staffing patterns of jails with populations of an average daily census of 101 to 1,000 inmates, this CMHDA forensic survey provided the full time equivalents of mental health staffing at those jails.

The full time equivalent of mental health treatment staff was:

- .20 FTE 6%
- .50 FTE 6%
- 1.00 FTE 19%
- 1.50 FTE 25%
- 2.35 FTE 6%
- 2.50 FTE 19%
- 2.90 FTE 6%
- 3.00 FTE 6%

By comparison the total budgeted mental health staffing (DHHS/Sheriff) FTE at the HCCF is provided below:

FY 2005-06	FTE	4.0
FY 2006-07	FTE	4.1

The data indicates that Humboldt County's mental health staffing FTE for last year and the upcoming year) exceeds that of the 16 comparison counties.

This CMHDA survey sheds light on an additional funding responsibility not discussed in the Grand Jury Report but important to highlight in terms of the total cost of mental health services to the HCCF the department is (solely) bearing – psychotropic medication for inmates. In 1998, when the CMHDA forensic survey was compiled, the amount of funding Humboldt County DHHS provided to meet inmate mental health medication needs was \$105,000

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In this past fiscal year (2005-06) the cost of providing these medication services was \$210,419, representing a 100% increase. The budgeted amount for medication services in FY 2006-07 is \$230,000, representing an additional 8% increase over last fiscal year.

Without accommodating for the total costs of the services DHHS provides, the Grand Jury and the public may not understand that despite overall Mental Health Branch budget shortfalls, the DHHS has in fact increased its total funding to the HCCF when all mental health costs for these services are accounted for.

Again, this information is provided to highlight the cost increases the DHHS is bearing in relation to serving the population at the HCCF.

The above data shows that while the department’s Mental Health Branch continues to struggle with budget shortfalls this year it continues to provide stable and quality mental health staffing at the HCCF within its available resources.

In regards to the Grand Jury’s comments related to the department’s medical staff qualifications: All Mental Health Branch physicians meet or exceed state regulations in relation to the scope of services they provide. As of July 2006, the existing medical staff physicians of the department consist of:

Humboldt County DHHS Medical Staff Roster, June 2006

<u>Title</u>	<u>Qualifications</u>
Medical Director	MD, Board Certified
Physician/Psychiatrist	MD, Board Certified
Physician/Psychiatrist	MD, Board Certified
Physician/Psychiatrist	MD, Board Eligible
Physician/Psychiatrist	MD, Board Eligible
Physician/Psychiatrist	MD, Board Eligible
Physician/Psychiatrist	MD, Board Certified (temporary)
Physician/Psychiatrist	MD, Board Eligible (temporary)
Physician/Psychiatrist	MD, Board Eligible (temporary)

As of June 13, 2006, the Mental Health Branch funded 9 MD’s. All of the nine physicians (6 permanent and 3 temporary) have specialty training in psychiatry, 4 are Board Certified with an additional 2 scheduled for their oral exam to become Board Certified.

All of the temporary doctors who deliver adult psychiatric services have completed 4 years of psychiatric specialty training.

In relation to nursing staff oversight and staffing of the services provide at the HCCF, all staff meets or exceed state regulations in relation to the services they provide. As of July 2006, the qualifications of the Directory of Nursing, Assistant Director of Nursing and nursing staff providing services at the HCCF are as follows:

Nursing Roster, June 2006.

Qualifications of DHHS MHB Director of Psychiatric Nursing Services

- Associates degree in nursing
-
- 18 years experience in nursing administration in psychiatric settings

Qualifications of DHHS MHB Assistant Director of Psychiatric Nursing Services

- Associates degree in nursing
- 9 years of psychiatric nursing experience

Qualifications of DHHS MHB Psychiatric Nurse

- Associates degree in nursing
- 6 years of psychiatric nursing experience

This information is provided to highlight the fact that the medical staff of the department, inclusive of those dedicated professionals providing services to the HCCF, is of high caliber and qualifications.

The department's medical and nursing staff and its directors provide these services under difficult conditions to the HCCF and various other sites and populations. The department is fortunate to have these experienced specialty mental health care professionals on staff.

The 2005/2006 Grand Jury report stated "*the Grand Jury located mandates within the California Welfare & Institutions Code, the California Code of Regulations Title 15 and Title 9 of the State Department of Mental Health, all of which clearly state that the mental health services shall be provided to inmates by the local Mental Health Director.*"

The DHHS response below provides clarifying information to this Grand Jury statement:

California Statutes, Welfare and Institutions Code, Division 5, Part 2, "The Bronzan-McCorquodale Act" – General Provisions Section 5600.3 reads as follows"

"To the extent resources are available, the primary goal of use of funds deposited in the mental health account of the local health and welfare trust fund should be to sere the target populations....., which shall not be construed as establishing an order of priority."

The Bronzan-McCorquodale Act governs the expenditure of realignment funding which the Mental Health Branch uses to cover jail mental health service costs.

Title 9, Rehabilitative and Developmental Services Division 1. Department of Mental Health, Chapter 7. Acute and Nonacute Levels of 24-Hour Mental Health Care Provided by County Mental Health Agencies in Correctional Treatment Centers, Section 1102 reads as follows:

“A mental health treatment program shall be organized, staffed, and equipped to provide mental health treatment services for inmate-patients who require 24-hour inpatient care and treatment for acute or non-acute mental health disorders. A mental health treatment program is an optional program within a licensed correctional treatment center and therefore shall be subject to all pertinent rules contained in 22CC Sections 79501 through 79861.”

An “in house” 24 hour mental health facility in a jail setting is voluntary only. The Humboldt County Mental Health Branch serves inmates in need of acute care at SemperVirens. Outpatient Services are rendered by MHB staff at the jail.

Title 15, Crime Prevention and Corrections, Division 1. Board of Corrections, Chapter 1, Board of Corrections, Subchapter 4, Minimum Standards for Local Detention Facilities, Article 11, Medical/Mental Health Services, Section 1200. Responsibility for Health Care Services states:

“(a) In Type I, II, III and IV facilities, the facility administrator shall have the responsibility to ensure provision of emergency and basic health care services to all inmates,”

The above section assigns responsibility for the provision of all health care services, inclusive of mental health, to the administrator of the local detention center.

Title 15, Crime Prevention and Corrections, Division 1, Board of Corrections, Chapter 1, Board of Corrections, Subchapter 4, Minimum Standards for Local Detention Facilities, Article 11, Medical/Mental Health Services, Section 1209, Mental Health Services and Transfer to Treatment Facility states:

“(a) The health authority, in cooperation with the mental health director and facility administrator, shall establish policies and procedures to provide mental health services.”

In conclusion, the DHHS acknowledges the intent of the Grand Jury is to advocate for increased mental health staffing services at the HCCF. However, the reality of funding cycles at the local, state and federal level precludes the department’s unilateral ability to staff all sites to maximally desirable levels without the undesirable impact of reducing mental health services to other sites serving adults, older adults, children and families.

It is this difficult balancing of need against available resources that this office must determine when allocating staffing resources in each budget year.

The DHHS responses hopefully highlight the fact that providing health care (in this case mental health care) in California is an increasingly expensive endeavor. As in all other health care areas, from primary care to hospitals, the costs of providing health care services is vastly beyond the capacity to fully provide what a population may require at an ideal level. The provision of mental health care to the population at the HCCF is not an exception to this health care crisis.

**Grand Jury Report #2006-HS-04
Multiple Assistance Center (MAC)**

Executive Summary:

The Multiple Assistance Center (MAC) is operated by the Redwood Community Action Agency. The facility provides transitional housing to homeless men, women, and families. MAC requires adult participants to actively follow a self-development and education program. Case managers monitor each participant in the formulation and progression of a personalized action plan.

- **No response required**

**Grand Jury Reports # 2006-JL-01 through 16
Humboldt County's Jails and Holding Facilities**

Executive Summary:

Pursuant to California Penal Code Section 919(b), the Grand Jury inspected each prison, jail and holding facility within the county. Eleven such facilities are addressed in the reports referenced above. Five additional facilities, Sheriff's Agricultural Farm, McKinleyville Sheriff's Substation, Sheriff's Evidence Room, Sheriff's Evidence Yard, and the Coroner's Office, were also inspected and are included in these reports.

**Grand Jury Reports #2006-JL-01 through #2006-JL-03
Humboldt County's Jails and Holding Facilities**

- **No responses are required.**

**Grand Jury Report #2006-JL-04
The Northern California Regional Facility**

- **No response is required.**

Grand Jury Report #2006-JL-05
Sheriff's Work Alternative Program (SWAP) woodlot

Finding 1: *The Grand Jury applauds the continued success of SWAP and the deputies who oversee the program. One area of concern was discovered during the investigation. No emergency telephone or means for radio communication exists on the woodlot in the absence of a deputy. While deputies are on site most of the time, there are periods when they are absent. During that time chainsaws and hydraulic wood splitters are in use. Should a serious medical emergency arise when a deputy is absent, a SWAP assignee would have to run to a neighboring facility to summon emergency personnel. This would add significantly to any emergency response time, and the person reporting the emergency would be out of sight and contact with the accident victim(s).*

Response from Sheriff's Office:

Partially disagree.

SWAP workers do not use chainsaws or hydraulic wood splitters when an officer is not present at the woodlot; however, the possibility of a serious medical emergency arising when an officer is temporarily away is still a significant factor.

Recommendation 1: *The Grand Jury recommends an emergency communication system be installed at the woodlot for use by SWAP assignees during a medical emergency in the absence of a deputy.*

Response from Sheriff's Office:

The recommendation has not been implemented, but will be implemented in the future, and should be completed within the next sixty to ninety days. We are moving forward to have a hard line telephone line that directly connects to our emergency communications center installed at the woodlot. This line will be for on-site emergency communications use by the deputies and SWAP assignees when a deputy is temporarily away.

Grand Jury Report #2006-JL-06
Humboldt County Correctional Facility

- **No response is required.**

**Grand Jury Report #2006-JL-07
High Rock Conservation Camp #32**

- No response is required.

**Grand Jury Report #2006-JL-08
Eel River Conservation Camp # 31**

- No response is required.

**Grand Jury Report #2006-JL-09
Juvenile Hall**

- No response is required.

**Grand Jury Report #2006-JL-10
Humboldt County's Sheriff's Agricultural Farm**

- No response is required.

**Grand Jury Report #2006-JL-11
McKinleyville Sheriff's Substation**

***Finding 1:** There is no telephone on, or reasonably near, the exterior of this facility for after hours use by the public, in an emergency situation.*

Response from Sheriff's Office:

Agree

***Recommendation 1:** The Grand Jury recommends the installation of a dedicated 911 telephone be located on the exterior of the substation.*

Response from Sheriff's Office:

The recommendation has not been implemented, but will be implemented in the future, and should be completed within the next sixty to ninety days. Our Office has previously determined that there is a need for an emergency line located on the exterior of the McKinleyville Station for after hour's use. Estimates for the installation of an emergency ring down line on the exterior of the station are already in the process of being obtained and the plans for installing an available outside emergency line will be completed in the near future.

Grand Jury Report #2006-JL-12
Hoopa Sheriff's Substation and Holding Facility

Finding 1: *The Grand Jury finds that while one deputy is transporting an arrestee to HCCF, a large geographical area is left short a sworn officer when there are already limited resources.*

Response from Sheriff's Office:

Agree

Recommendation 1: *The Grand Jury recommends that the Sheriff's Office investigate the feasibility of placing a qualified person to transport arrestees, leaving deputies available for other responsibilities. The benefits and expenses could be shared among the Sheriff's Department, the California Highway Patrol and the Tribal Police departments utilizing the facility.*

Response from Sheriff's Office:

The recommendation will not be implemented because it is not reasonable at this time. Our outstation in Hoopa is not now. Nor has it ever been, staffed for twenty-four hour day, seven-day week coverage due to lack of sufficient funds for the required minimum amount of staff.

Because of a lack of funding we do not have any clerical staff at this station to provide even general services to the public during normal business hours. Since our Hoopa station and its temporary holding facility is not generally open, our deputies and officers from various other agencies, when making an arrest requiring transport to the HCCF, normally have to transport their in-custody suspects themselves.

The various law enforcement agencies in the Hoopa/Orleans/Willow Creek area operate on different work schedules and it is impossible to accurately determine when one agency or another might make an arrest requiring a transport to the HCCF. Hiring a person specifically to be available to transport arrestees would at best only provide limited coverage capability for eight hours a day, five days of the week, which would still leave very significant gaps and would leave us with the same issue. Because of the limited coverage this position would provide and the uncertainty of when arrests will occur requiring transport, I believe it would not be a fiscally prudent use of our limited financial resource.

I believe it would be more important to use our limited county funds to add additional deputy sheriffs for general patrol duties in this beat area. Adding deputies would increase our law enforcement coverage and service capability in the area as well as reduce the amount of times any one officer would have to work alone under any circumstance. With added deputies, working in conjunction with other area law enforcement personnel, if one officer had to transport an arrestee out of the beat area. The remaining officers could better coordinate their efforts and assist one another until the transporting officer returned.

**Grand Jury Report #2006-JL-13
Garberville Substation**

***Finding 1:** The Grand Jury finds the facility to be lacking in proper care and maintenance.*

Response from Sheriff's Office:

Disagree partially. Our Garberville Station is a county building, and general janitorial maintenance as well as general building maintenance is the responsibility of the Building Maintenance Department. However, realizing the Building Maintenance is short staffed, we do try to supplement their efforts using SWAP eligible workers when available. Since the inspection conducted by the Grand Jury in October 2005, routine janitorial service for the facility has greatly improved, and at the present time, our staff finds it is no longer an issue.

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***Recommendation 1:** The Grand Jury recommends that the Sheriff's Office provide for proper care and maintenance of the facility. Regular inspections are recommended to insure compliance.*

Response from Sheriff's Office:

The recommendation has been implemented. Currently we are utilizing SWAP eligible workers to supplement the limited janitorial service County Building Maintenance is able to provide to the Garberville Station and will continue to work with Building Maintenance to ensure the station receives appropriate janitorial service and is properly maintained.

***Finding 2:** The Grand Jury finds no external phone available for emergencies.*

Response from Sheriff's Office:

Agree

***Recommendation 2:** The Grand Jury recommends that a dedicated 911 line be installed on the exterior of the facility.*

Response from Sheriff's Office:

The recommendation requires further analysis to determine the feasibility and cost to install an exterior line. A feasibility study will be done within the next sixty to ninety days.

***Finding 3:** The Grand Jury finds that there is no alarm system in the facility.*

Response from Sheriff's Office:

Agree

Recommendation 3: *The Grand Jury recommends either the installation of an alarm system, or that evidence should not be stored at the facility.*

Response from Sheriff's Office:

The recommendation is being implemented. Since the only court held in Garberville is for traffic matters, items of evidence have no need to be maintained at the Garberville Station. All items of evidence will now be transported and booked and held at our Eureka Main Station Evidence/Property Storage facility.

Finding 4: *The Grand Jury finds that photos of arrestees are displayed in public view.*

Response from Sheriff's Office:

Disagree. All photographs were removed several months ago based on an internal inspection and audit of our station facility.

Recommendation 4: *The Grand Jury recommends these photographs be removed from public view.*

Response from Sheriff's Office:

The recommendation was implemented several months ago based on an internal audit/inspection prior to the Grand Jury's release of their findings.

**Grand Jury Reports #2006-JL-14
Sheriff's Evidence Yard**

- **No response is required.**

**Grand Jury Report #2006-JL-15
Sheriff's Evidence Room**

Finding 1: *Stored weapons are no longer a source of revenue for the county.*

Response from Sheriff's Office:

Agree

Recommendation 1: *The Grand Jury recommends that the county consider the feasibility of reinstating the auction process to bring back a source of revenue.*

Response from Sheriff's Office:

The recommendation will not be implemented because it is not warranted. Changes in California's firearms laws makes it more difficult to sell and transfer firearms. Handguns, for example, must be transferred through appropriate licensed gun dealers, which adds to the costs. Time involved and record keeping. Additionally, most of the firearms stored in our evidence storage facility have been used in criminal matters and are often either unlawful for members of the general public to possess or require destruction by court order. At present our property/evidence section diligently tracks the status of firearms held in our custody so that we can dispose of them in a timely and legal manner. As a public law enforcement agency, we also find it not appropriate for our agency to act as a firearms dealer.

***Finding 2:** The storage of inmate property is a burden to the staff of the Evidence Room due to space constraints.*

Response from Sheriff's Office

Agree

***Recommendation 2:** The Grand Jury recommends that possessions of inmates of the Humboldt County Correctional Facility be stored at that facility to relieve the storage problems at the Evidence Room and to be accessible to the inmate at the time of discharge.*

Response from Sheriff's Office:

The recommendation will not be implemented at this time, as the recommendation requires further analysis. Presently large items of inmate property brought in with individuals arrested by Sheriff's Office staff, such as backpacks, are booked into our Evidence Room because the HCCF has, by far, much less storage capacity to hold such large items. Large items of arrestee property, such as backpacks that are the property of persons arrested by other law enforcement agencies, are also not accepted at our booking facility and must be stored by the arresting agency at their facilities. While we have explored many options, there simply is not sufficient storage space available to handle large items in the HCCF inmate property room. We continue to explore alternatives for storage; however, limited currently available space and construction costs to create new storage areas make this a difficult fix.

***Finding 3:** Inmate possessions are only retrievable during business hours. This can be a hardship to the inmate released at times other than business hours. This also adds to the storage problems as some inmates may not pick-up the stored items at all.*

Response from Sheriff's Office:

Partially disagree. Only large items of inmate property, such as backpacks, are stored outside the HCCF. For the majority of inmates, all their personal property is kept in our secured personal property storage area within the HCCF and is available to them at their release no matter when it occurs.

If a Sentenced inmate who was arrested by Sheriff's Office personnel has a large item of property stored in our Evidence Room, and having served their sentence has a known release date, prior arrangements could possibly be made to transfer the large item or property to the HCCF so it could be available at release. We will need to further explore the feasibility and workability of such a procedure to deal with this type of situation since the large item would not have been accepted at the HCCF at time of booking and therefore would not be listed on the inmate's property sheet. The inmate would however, have been given a property receipt by the arresting deputy/officer, which could possibly help in coordinating its availability upon release. Other than staffing our Evidence/Property Section 24/7 or significantly expanding our Correctional Facilities storage capacity, both of which are fiscally costly solutions, an infrequent issue like this simply cannot always be avoided.

**Grand Jury Report #2006-JL-16
Coroner's Office**

- **No response is required.**

The Grand Jury inspected the Coroner's facility on September 20, 2005. The offices are efficiently run, clean, and well organized. Forensic pathology services are performed out of the county. The office receives money from Homeland Security for disaster supplies. The Coroner can provide estate services for those who die intestate or when executors and heirs cannot be located. The Grand Jury commends the Coroner's office for its efficiency.

**Grand Jury Report # 2006-LJ-01
Humboldt County Adult Probation Department**

Executive Summary:

Previous Grand Juries of Humboldt County have conducted investigations and interviews with the Probation Department, regarding Juvenile Probation. The current Grand Jury of Humboldt County conducted an investigation with specific regard to the Adult Probation Department.

- **No response is required.**

After having conducted seven interviews at various levels of the Adult Probation Department, the Grand Jury of Humboldt County is pleased to report a high degree of dedication and commitment by the management and staff. The Grand Jury has found that despite the budgetary restraints and the resultant personnel shortages, the current staff is performing in an exemplary manner.

Although most Probation Officers manage at least one and a half times of what would be considered a case load consistent with previous years, staff continues to perform at a high level and are deserving of our commendation.

According to all interviewees, it will be impossible for staff to sustain their present level of performance, without additional personnel.

Grand Jury Report #2006-LJ-#02 Police Department Handling of Citizen Complaints

Executive Summary:

The Grand Jury reviewed the policies, practices and procedures of the police departments in small Humboldt County communities, with specific regard to the processing of citizen complaints.

- **No responses are necessary.**

Report:

The Grand Jury interviewed the police chiefs of Blue Lake, Ferndale, Rio Dell and Trinidad to determine how these jurisdictions with smaller populations and limited staffs process citizen complaints.

Without exception, the Grand Jury found that these facilities were well versed in dealing with their respective communities regarding complaints. All interviewed jurisdictions had complaint forms and accompanying instructions readily available to the public.

The various police chiefs have instructed their staff, uniformed or otherwise, in the processing of citizen complaints.

Most complaints received by these police agencies are verbal and are discussed and resolved directly with the complainant. If required a written report may be filed, in all of the jurisdictions interviewed, a very small number of complaints (one or two) per year result in a written report filed.

The individual police chiefs are the determining authority regarding the disposition of the citizen complaints. In the event of a conflict of interest or even the appearance of a conflict of interest, all of the noted jurisdictions have indicated that they would engage an outside agency to resolve the complaint.

The Grand Jury is satisfied that the jurisdictions interviewed have established proper policies, procedures and practices. The Grand Jury of Humboldt County commends the Blue Lake, Ferndale, Rio Dell and Trinidad Police Departments for their professionalism and sensitivity in dealing with their citizens.

Grand Jury Report #2006-PW-01
Arcata/Eureka Airport

Executive Summary:

The Grand Jury of Humboldt County visited the Arcata/Eureka airport in October 2005. The Airport Manager provided a tour of the airport facilities as well as an overview of the airport's evolution from a World War II training facility to a modern regional transportation hub.

Findings and Recommendations:

Finding 1: *Obsolete items left over from when the airport facility was under the control of the U.S. Government present a degree of hazard and liability.*

Recommendation 1: *The Grand Jury recommends the Board of Supervisors and County Department of Aviation personnel appeal to the U.S. Army Corp of Engineers for the removal of all "left-over" government material from the airport.*

Response to Airport Manager to Findings and Recommendations 1:

I agree with the Grand Jury findings and have been working with the following to establish implementation dates:

- Mr. Dan Larkin of the Humboldt County Office of Emergency Services for removal of the surplus/obsolete circa 1950 X-ray machine, mobile emergency generators and other Civil Defense equipment that has been parked on and around the airport for over forty years. It is my understanding that OES is in the process of removing the items and the Aviation Division will request a removal date of September 1, 2006.
- Mr. Jerry Vincent who manages the Formerly Used Defense Site program for the US Army Corp of Engineers, is working with the County to remove tanks and other items left behind by the military at Arcata/Eureka Airport. An action timeline on this issue is based on federal funding. Mr. Vincent has been very responsive and met with the airport a number of times this past year and is dedicated to completing the clean up at ACV.
- The Sheriff's Department will be asked to remove the safe by September 1, 2006.

Finding 2: *The Arcata/Eureka Airport's principal emergency response vehicle is thirty years old.*

Recommendation 2: *The Grand Jury strongly recommends the Board of Supervisors and County Department of Aviation management determine if there is a need to replace or upgrade the airport's emergency response vehicles.*

Response from Airport Manager to Findings and Recommendations 2:

I agree with the Grand Jury finding that the Aircraft Rescue and Fire Fighting (ARFF) Vehicle needs to be replaced and the County has been working with the Federal Aviation Administration to establish implementation by:

- Completing an Airport Improvement Program (AIP) grant application for FAA to replace the existing ARFF vehicle. A new vehicle costs approximately \$800,000 and is AIP grant eligible. The Grant application will be completed by April 1, 2006.
- Being prepared to provide the 5% sponsor match through the Passenger Facility Charge (PFC) program #8. This was established on April 1, 2006.
- Understanding AIP Grant funding for this depends on the availability of discretionary AIP funds. A timeline for purchase cannot be determined, however, FAA is aware of the need for a new ARFF truck.

Response from Board of Supervisors to all Findings and Recommendations

The respondents agree with the findings. The Board of Supervisors is pleased that the obsolete equipment is scheduled for removal, and strongly supports the Aviation Division's application for federal Airport Improvement Program funds to replace the Airport Rescue and Fire Fighting (ARFF) vehicle.

**Grand Jury Report #2006-PW-02
Department of Community Development Services (CDS)
Planning Division**

Executive Summary:

The 2006 Grand Jury of Humboldt County received several citizen complaints concerning aspects of the county's Department of Community Development Services (CDS) operations. The Grand Jury was introduced to a large, specialized, and complex county agency during its investigation.

CDS is divided into three main divisions; building, planning, and economic development. Most of the complaints received dealt with problems in the planning division, consequently the Grand Jury focused its attention on this area.

Findings and Recommendations:

Finding 1: *The Planning Division of Humboldt County's Department of Community Development Services (CDS) is responsible for planning and facilitating land use development based on the policies of the county's General Plan, Community Plans, Codes, and Ordinances as well as state and federal regulations. This complex division receives numerous complaints from permit applicants that CDS acknowledges and for which it is attempting to develop solutions.*

Response from Director of Community Development Services:

The Community Development Services agrees with this finding.

Recommendation 1: *The Grand Jury strongly urges the Board of Supervisors to assist, approve, and expedite the recommendations of the Permit Reform Committee when presented and to closely monitor the effectiveness of the reforms implemented.*

Response from Director of Community Development Services:

The Community Development Services Department concurs with this recommendation and, with the Board of Supervisor support, is expeditiously implementing recommendation of the Permit Reform Committee. In working with the PRC, CDS has initiated 15 Permit Reform initiatives to increase productivity, improve customer service and respond quickly to complaints.

Response from Board of Supervisors Findings and Recommendations 1:

The board created the Permit Reform Committee (composed of two County Supervisors, two members of the Planning Commission, the County Administrative Officer, the Community Development Services Director and staff, and representatives from Public Works and the Department of Health and Human Services) in October 2005. The Permit Reform Committee has developed 16 permit reform initiatives. It was recognized from the beginning that some of the initiatives could be accomplished fairly quickly, whereas others would require a year or more to complete. To date, the 16 permit reform initiatives and their status are as follow:

1. Create a centralized Permit Assistance Division to coordinate the permit process across divisions. *In progress.*
2. Create Regional Planning Work Groups to work on permit application from specific geographic areas. *Fully Implemented.*
3. Develop formalized Customer Service Program, with annual customer service training and periodic collection of customer service feedback/surveys. *Substantially completed.*
4. Establish 1 24-hour Call-Back Policy. *Fully implemented.*
5. Establish a Permit Tracking System. *A pilot program is underway.*
6. Reformat Planning Commission Report and Agenda. *Substantially completed.*
7. Expand the Use of Applicant-Attended Scoping Meetings. *In progress.*
8. Identify Back-Up Staff Assignments. *Substantially completed.*
9. Implement Complaint Handling System. *Implemented.*
10. Increase Permit Processing Productivity. *In progress.*
11. Create Application Processing Guides. *Eight of 11 planned brochures are completed and are available on the department's website.*
12. Re-engineer Permit Process to Decrease Timeframes. *In progress.*
13. Improve Permit Processing Staff Training (technical, administrative, legal). *In progress, will be an ongoing process.*
14. Implement Customer-Service-Related Performance Measures. *Parameters are now being tracked by the department.*
15. Front Counter "Express Lane". *In progress.*
16. Increase staffing levels to improve permit process performance. *In progress.*

The Board of Supervisors is committed to improving the permit application process, and will continue to monitor the effectiveness of the initiatives and their resultant impacts on customer satisfaction.

Finding 2: *Many parcels of land in Humboldt County are of “suspect” legality under California’s Subdivision Map Act. CDS does not proactively attempt to rectify this problem by contacting the owners of these “suspect” properties.*

Response from Director of Community Development Services:

The Community Development Services Department agrees with this finding.

Recommendation 2: *The Grand Jury understands the size and complexity of this problem is beyond CDS’s present resources to rectify. This does not mean the problem should continue to be allowed to grow. The Grand Jury strongly recommends that CDS begin sending form letters to the taxpayers of all newly assigned Assessor Parcel Numbers that are not recognized on an approved subdivision map. The purpose of the letter would be to alert the property owner of CDS’s inability to process any permits for the property until a Determination of Status is made and, if necessary, a Certificate of Compliance is issued. Similar form letters need be sent to landowners of existing “suspect” parcels as staff and time allows.*

Response from Director of Community Services Department:

The Grand Jury recommendation is an excellent first step towards addressing this complex problem. CDS will work with the Assessor to establish the appropriate notification process.

Response from Board of Supervisors to Findings and Recommendations 2:

The Board of Supervisors, through the County Administrative Office, will work with the Community Development Services Department to initiate the notification process.

