



Superior Court of California County of Colusa

ELIZABETH UFKES OLIVERA
PRESIDING JUDGE

VACANT
ASSISTANT PRESIDING JUDGE

532 Oak Street
Colusa, CA 95932

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ERIKA F. VALENCIA
COURT EXECUTIVE OFFICER
CLERK OF THE COURT
JURY COMMISSIONER

MEMORANDUM

TO: Governmental Officers and Interested Parties

FROM: Colusa County Grand Jury

SUBJECT: Colusa County Grand Jury 2023-2024 Final Report

DATE: July 16, 2024

Enclosed please find a copy of the 2023-2024 Colusa County Grand Jury Final Report.

A copy of California of California Penal Code Section 933 is attached which provides for comments in response to the Report.

State of California

PENAL CODE

Section 933

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. Final reports on any appropriate subject may be submitted to the presiding judge of the superior court at any time during the term of service of a grand jury. A final report may be submitted for comment to responsible officers, agencies, or departments, including the county board of supervisors, when applicable, upon finding of the presiding judge that the report is in compliance with this title. For 45 days after the end of the term, the foreperson and his or her designees shall, upon reasonable notice, be available to clarify the recommendations of the report.

(b) One copy of each final report, together with the responses thereto, found to be in compliance with this title shall be placed on file with the clerk of the court and remain on file in the office of the clerk. The clerk shall immediately forward a true copy of the report and the responses to the State Archivist who shall retain that report and all responses in perpetuity.

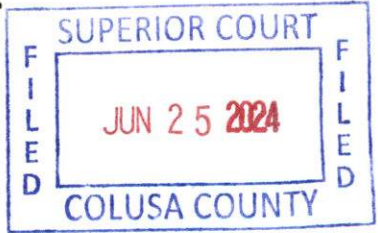
(c) No later than 90 days after the grand jury submits a final report on the operations of any public agency subject to its reviewing authority, the governing body of the public agency shall comment to the presiding judge of the superior court on the findings and recommendations pertaining to matters under the control of the governing body, and every elected county officer or agency head for which the grand jury has responsibility pursuant to Section 914.1 shall comment within 60 days to the presiding judge of the superior court, with an information copy sent to the board of supervisors, on the findings and recommendations pertaining to matters under the control of that county officer or agency head and any agency or agencies which that officer or agency head supervises or controls. In any city and county, the mayor shall also comment on the findings and recommendations. All of these comments and reports shall forthwith be submitted to the presiding judge of the superior court who impaneled the grand jury. A copy of all responses to grand jury reports shall be placed on file with the clerk of the public agency and the office of the county clerk, or the mayor when applicable, and shall remain on file in those offices. One copy shall be placed on file with the applicable grand jury final report by, and in the control of the currently impaneled grand jury, where it shall be maintained for a minimum of five years.

(d) As used in this section "agency" includes a department.

(Amended by Stats. 2002, Ch. 784, Sec. 538. Effective January 1, 2003.)

CIVIL GRAND JURY | 2023- 2024
COUNTY OF COLUSA

ENDORSED



FINAL REPORT

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Cover Photo Credit: Kevin Spesert

JURY MEMBERS | 2023-2024

Kevin Spesert, Foreperson & Criminal Justice Committee Chairperson
Lorri McKey, Foreperson Pro Tempore, City Committee Co-Chairperson

M'Lisa Fowlie, Secretary

Cynthia Zwald, Special Districts Committee Chairperson

Michael Phenicie, City Committee Co-Chairperson

Stephanie Coffman, Editorial Committee Co-Chairperson

Colleen Wrysinski, Editorial Committee Co-Chairperson

Janine Cooper

Ashley Dowden

Vicki England

Nicolus Garofalo

Cristian Ocampo Gonzalez

Marian Jorgensen

Daniel Kalisuch

Charles Morrow

Nancy Newlin

Carol Pearson

Octavio Solis

Kim Womble

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FOREPERSON'S LETTER



COLUSA COUNTY CIVIL GRAND JURY
PO Box 715
Colusa, CA 95932
Phone (530) 458-0431

June 25, 2024

Honorable Elizabeth Ufkes Olivera, Presiding
Judge, Superior Court of California – County of Colusa
532 Oak Street
Colusa, California 95932

Dear Judge Olivera,

As Foreperson of the 2023-2024 Colusa County Civil Grand Jury, I am privileged to provide you with the Grand Jury's final report.

On behalf of my fellow jurors, we are honored to have had the opportunity to serve Colusa County. The Grand Jury performed the duties entrusted to it in a professional, ethical and collaborative manner. I am deeply grateful for the hard work and determination they displayed while carrying out their civic responsibilities as Grand Jurors.

I would like to specifically recognize Lori McKey, Cynthia Zwald, and Michael Phenicie for their leadership and dedication and thank them for their outstanding service to the Grand Jury and thank Deputy County Counsel Jennifer Sutton for all of her support during our term as Grand Jurors.

The vital role that the Grand Jury serves in providing oversight of our local public agencies to ensure they are serving the public in an efficient and professional manner, acting as good stewards of the public's resources, and are transparent in their decision making is critically important to ensuring the public's trust in our government institutions.

I extend my best wishes and appreciation to the incoming 2024-2025 Grand Jury and thank them for their service while they carry on the vital role Grand Jury.

Best regards,

A handwritten signature in blue ink that reads "Kevin Spesert".

Kevin Spesert
Foreperson, 2023-2024 Colusa County Grand Jury

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GRAND JURY'S OATH

Each member of the Grand Jury has taken the following oath:

"I do solemnly swear (or affirm) that I will support the Constitution of the United States and of the State of California, and all laws made pursuant to and in conformity therewith, will diligently inquire into, and true presentment make, of all public offenses against the people of this State, committed or triable within this county of which the Grand Jury shall have or obtain legal evidence. Further, I will not disclose any evidence brought before the Grand Jury, nor anything which I or any other Grand Juror may say, nor the manner in which I or any other Grand Juror may have voted on any matter before the Grand Jury. I will keep the charge that will be given to me by the court."

(California Penal Code §911)

INTRODUCTION TO THE CIVIL GRAND JURY

The Fifth Amendment to the United States Constitution and the California Constitution call for Grand Juries, formed as part of the judicial branch of government. The Colusa County Civil Grand Jury consists of nineteen citizens of the county that range in diversity of men and women of various socioeconomic, ethnic, age and educational backgrounds. Together, the jurors act as the independent, fact-finding body under the advisory supervision of the Presiding Judge of the Superior Court, the District Attorney, County Counsel, and the State Attorney General.

Duties

The primary civil function of the grand jury is to review the operations of city and county government as well as other tax supported agencies and special districts. Based on these reviews, the grand jury publishes its findings, usually at the end of the term, in a Grand Jury Final Report. Based on its findings, the grand jury may recommend constructive action to improve the quality and effectiveness of local government.

The grand jury also investigates complaints from private citizens, local government officials, or government employees.

The Grand Jury is also authorized, but not limited to:

- Inquire into any charges of willful misconduct in office by public officials or employees.
- Inquire into conditions of jails and detention centers.
- Inspect and audit books, records, and financial expenditures of all agencies and departments under their jurisdiction, including special districts and non-profit organizations, to ensure that public funds are properly accounted for and legally spent.

Members of the Grand Jury are sworn to secrecy and most of the jury's work is conducted in closed session. All testimony and deliberations are confidential. Breach of confidentiality is a misdemeanor punishable under the penal code.

Reporting

No later than the end of the fiscal year, the Grand Jury must submit to the Presiding Judge of the Superior Court a final report of findings and recommendations related to the jury's investigations of local government. Those Grand Jury reports that contain recommendations of the improvement of local government are submitted for response to the elected officials and the governing board of the agency that was investigated. Within ninety (90) days after the Grand Jury issues a report concerning a public agency, that agency's governing body must submit its response to the Presiding Judge on the findings and recommendations pertaining to matters under the control of the governing body. Any elective department head who has been asked to comment on a report must submit his or her comments within sixty (60) days to the Presiding Judge. Appointed department heads cannot be required to respond to Grand Jury recommendations, but the Grand Jury may request appointed officials to respond to recommendations. A copy of all the responses is placed on file with the Clerk of the Court and is provided to the Grand Jury.

REPORTS OF THE 2023-2024 CIVIL GRAND JURY

#1 CITY OF COLUSA

#2 BEAR VALLEY - INDIAN VALLEY FIRE PROTECTION DISTRICT

#3 INSPECTION OF THE COLUSA COUNTY JAIL

CITY OF COLUSA

SUMMARY

Under its statutory authority, the Colusa County Grand Jury (Grand Jury) conducted an investigation to review the City of Colusa’s actions and progress in implementing the findings and recommendations of the 2021-2022 Grand Jury Report titled “Misuse of Public Funds and Multiple Code and Violations for City of Colusa”. The focus of this investigation was not to reopen the 2021-2022 investigation, but rather review the actions that the City of Colusa has taken to date to implement the recommendations that were identified in the 2021-2022 report. The Grand Jury specifically investigated the City of Colusa’s progress in developing new policies, or updating existing policies, to address the concerns raised in the 2021-2022 Grand Jury Report.

The Grand Jury found that the City of Colusa has generally made progress in addressing the concerns identified by the 2021-2022 Grand Jury. However, through a review of the public record, and based on interviews with City administration and staff, the Grand Jury has concluded that the City of Colusa has not updated its Purchasing Policy as it had represented in its response to the 2021-2022 Grand Jury Report.

BACKGROUND

The 2021-2022 Colusa County Grand Jury published an investigative report titled “Misuse of Public Funds and Multiple Code and Violations for City of Colusa” on June 24, 2022. The report was in response to multiple written public complaints regarding the City of Colusa sponsored events in the summer of 2021. The report identified several instances of misuse of public funds, violations of state and local event permitting regulations, and violations of several City of Colusa policies and procedures. As a result of the report, the City of Colusa committed to addressing the issues identified in the report, including updating existing policies and developing new policies and procedures to remediate the issues identified by the 2021-2022 Grand Jury.

At its August 2, 2022 meeting, the Colusa City Council considered the adoption of a letter of response to the 2021-2022 Grand Jury’s findings. Based on concerns expressed by members of the City Council and members of public as to the adequacy of the proposed response, the City Council established an Ad Hoc Committee to develop a revised response letter for City Council consideration. At its August 16, 2022 meeting, the Colusa City Council considered the adoption of the revised letter of response developed by the Ad Hoc Committee. This revised letter of response was approved unanimously by the City Council.

METHODOLOGY

Information for this investigation was sources from the following:

- 2021-2022 Grand Jury Report
- City of Colusa Letter of Response to 2021-2022 Grand Jury Report

- City of Colusa City Council Meeting Agendas, Staff Reports and Meeting Minutes
- City of Colusa Policy and Procedures Documents
- Interviews with City Administration and Staff
- California Grand Jurors Association (<https://cqja.org/>)
- Colusa County Grand Jury Procedures Manual

DISCUSSION

In the City of Colusa's letter of response to the 2021-2022 Grand Jury Report approved by the City Council on August 16, 2022, the City acknowledge numerous violations of City policies and committed to update these polices to address the issues raised by the 2021-2022 Grand Jury. As part of these commitments, the City agreed to develop policies and protocols for city sponsored events, updating the credit card use policy, and updating the City's Purchasing Policy.

During the course of its investigation, the Grand Jury has confirmed that the City of Colusa has developed and implemented a policy associated with the planning, permitting, and expenditure of public funds for City sponsored events and has made updates to its credit card use policy to address the concerns that were raised by the 2021-2022 Grand Jury.

However, during the course of its investigation, the Grand Jury concluded after a thorough review of the public record and by interviews conducted with city administrators and staff that the City of Colusa did not make updates to its existing Purchasing Policy as it had represented in its letter of response to the 2021-2022 Grand Jury Report.

In its August 16, 2022 response letter, the City of Colusa stated in its response to Grand Jury Finding Number 5 that it acknowledged that the City had violated its Purchasing Policy by making large monetary purchases related to the 2021 City sponsored summer events without attempting to get at least three (3) competitive quotes for qualified items or utilizing local business first. The response further stated that the City's Purchasing Policy had been amended on November 2, 2021.

At its November 2, 2021 meeting, the Colusa City Council Agenda included an item to consider updating the City's Purchasing Policy. The staff report associated with the agenda item was submitted by the City Manager. The staff report noted that the City of Colusa last amended its Purchasing Policy on April 17, 2012. The report further noted that the City Manager did not see a need to change the current policy, but the City Council could consider changing dollar amounts to reflect current costs and how to purchase items with the new digital age.

Meeting minutes from the November 2, 2021 meeting note that the City Manager asked the council if it had any changes to the Purchasing Policy but do not indicate if the Council Members made any suggested changes or additions. The meeting minutes also note that the City Attorney recommended adding detailed bid specifications and the City Manager recommended adding Requests for Qualifications, but the meeting minutes do not indicate if these additions were made to the Purchasing Policy or considered by the city council. The meeting minutes further state that there were no public comments and that there was no council action needed.

Additionally, the Grand Jury reviewed the City Council meeting agendas and meeting minutes - from November 2, 2021 to the present - and concluded that there has not been any action taken by the City of Colusa to update its existing Purchasing Policy as of the date of this report. Based on this review of the public record, the Grand Jury has concluded that the City of Colusa did not make updates to its existing Purchasing Policy as it had represented in its letter of response to the 2021-2022 Grand Jury Report.

In the course of its investigation, the Grand Jury conducted several interviews with City of Colusa administrators and staff regarding its progress in implementing the findings and recommendations of the 2021-2022 Grand Jury Report. These interviews confirmed that the City has made general progress in addressing some of the concerns, however they also confirmed that the City has not made updates to its existing Purchasing Policy as it represented in its letter of response to the 2021-2022 Grand Jury Report.

During the interviews that the Grand Jury conducted, several of the interviewees expressed concerns about the implementation of the City's current Purchasing Policy. These interviewees identified confusion among city staff regarding the requirements of the policy, inconsistencies in the implementation of the Purchasing Policy, lack of transparency in reporting purchases, and concerns regarding the general management and oversight of the process to ensure compliance with City's adopted policy. The information the Grand Jury received from the interviewees who expressed these concerns was consistent across all of the interviews.

In light of the issues identified in the 2021-2022 Grand Jury report regarding the Purchasing Policy - and through the investigation and interviews conducted by the current Grand Jury - the Grand Jury has concluded that the City of Colusa should make a thorough review of its current Purchasing Policy and make all necessary and appropriate revisions to ensure that the expenditure of public funds for City purposes is conducted in a professional and transparent manner.

Further, the Grand Jury has concluded that once the City makes the necessary and appropriate revisions to the Purchasing Policy, the City should conduct a training program for city staff responsible for the expenditure of public funds, department heads who approve the expenditure of public funds, newly hired employees, and other appropriate staff to ensure that the protocols and requirements of the Purchasing Policy are consistently implemented.

During the course of the investigation, the Grand Jury was not able to find the contact information for some city administrators from the City of Colusa's public website. The Grand Jury specifically noted that the contact information for the elected City Treasurer and the City Attorney were not available on the City's website. The Grand Jury concluded that, as an elected official, the City Treasurer's contact information should be available to the public and that the City Attorney's contact information should be included on the City Website.

FINDINGS

- F1. The Grand Jury finds that the City of Colusa has made good progress in the development and implementation of policies associated with the planning and permitting of City sponsored events and has made updates to its credit card use policy.

- F2. The Grand Jury finds that the City of Colusa did not make updates to its existing Purchasing Policy as it had represented in its letter of response to the 2021-2022 Grand Jury Report.
- F3. The Grand Jury finds that there exists confusion and a lack of general understanding among City of Colusa administrators and staff regarding the applicability and requirements established in the City's current Purchasing Policy.
- F4. The Grand Jury finds that some city administrators and staff have identified issues and concerns with the City's implementation of the existing Purchasing Policy.
- F5. The Grand Jury finds that the City of Colusa website should include the contact information for the elected City Treasurer and City Attorney.

RECOMMENDATIONS

- R1. The Grand Jury recommends that the City of Colusa conduct a thorough review of the existing Purchasing Policy and make all necessary and appropriate revisions to address the deficiencies identified by the 2021-2022 Grand Jury Report and to make any appropriate updates to ensure the City's Purchasing Policy is consistent and reflects current regulations, ordinances, and policies by December 31, 2024.
- R2. The Grand Jury recommends that the City of Colusa develop a training program for elected officials, city administrators and staff who are responsible for the expenditure of public money that is consistent with the City's Purchasing Policy. This training should be held on an annual basis.
- R3. The Grand Jury recommends that all City of Colusa administrators and staff responsible for the expenditure of public money attest in writing that they have received Purchasing Policy training and understand their duties and obligations as established in the Purchasing Policy.
- R4. The Grand Jury recommends that the City of Colusa establish an Ad Hoc Committee of the City Council that includes two (2) City Council members and the elected City Treasurer to provide general oversight of the City's Purchasing Policy and the expenditure of public money - including a regular review of expenditures to ensure consistency with the City's adopted policy. The Ad Hoc Committee should report out to the full City Council and the community at a regularly scheduled meeting of the City Council on a quarterly basis highlighting the Ad Hoc Committee's activities.
- R5. The Grand Jury recommends that the City of Colusa website include the contact information for elected City Treasurer and the City Attorney.

REQUEST FOR RESPONSES

The following responses are required pursuant to Penal Code §933 and §933.05:

From the following individuals and governing bodies:

City of Colusa:

- o Finding F1 – F5

- o Recommendations R1 – R5

DISCLAIMER

Reports issued by the Grand Jury do not identify individuals interviewed. Penal Code §929 requires that reports of the Grand Jury not contain the name of any person or facts leading to the identity of any person who provides information to the Grand Jury.

This report on the City of Colusa is issued by the full 2023-2024 Grand Jury. No Grand Jurors recused themselves from the investigation.

BEAR VALLEY – INDIAN VALLEY FIRE PROTECTION DISTRICT

SUMMARY

The Colusa County Grand Jury (Grand Jury) conducted a review of the Bear Valley-Indian Valley Fire Protection District (BVIVFPD) in Stonyford. The Grand Jury’s comprehensive investigation examined the BVIVFPD’s operations, finances, staffing, recruitment, training, and coordination with other local and regional agencies. The Grand Jury found there is an immediate concern regarding the area’s aging water system infrastructure and its effect on the reliability of water for emergency use, the lack of new volunteers, and challenges related to limited law enforcement presence in the area due to law enforcement resources and staffing challenges.

BACKGROUND

The BVIVFPD service area covers approximately 270 square miles and includes the communities of Stonyford and Lodoga. The main facility is located at 5122 East Park Road, Stonyford, California 95979. A sub-station is located at 271 Quail Street, Lodoga, California (within Century Ranch). In addition, a medical team equipped with foam used for fire suppression is stationed East of Lodoga.

THE BVIVFPD operates in collaboration with Cal Fire under a Mutual Assistance Agreement. They also have active mutual assistance agreements with Maxwell and Williams Fire Departments for assistance when requested. BVIVFPD operates 9 trucks, 2 medical pickups and 1 ATV ranging in age of 6 to 26 years old. All equipment is well maintained and ready to respond at any time.

The mission statement for the BVIVFPD states:

“It shall be the mission of the Bear Valley-Indian Valley Fire Authority to serve and protect the citizens of the Bear Valley-Indian Valley Fire Protection District from all disasters, natural or manmade. To respond to all calls at all hours of the day or night with the highest professional level of service”.

Some of the essential services they provide are:

Fire Suppression: The district responds to fires, including structure fires, wildfires, and vegetation fires. Their trained firefighters work diligently to control and extinguish flames, protecting lives and property.

Emergency Medical Services (EMS): In addition to firefighting, the department provides basic medical assistance. Their personnel are often the first responders to medical emergencies, administering first aid, CPR, and stabilizing patients until professional medical help arrives.

Search and Rescue: The Bear Valley-Indian Valley Fire Protection District assists in search and rescue operations. Whether it’s locating lost hikers, helping stranded motorists, or responding to other emergencies, they play a crucial role in saving lives.

The main facility appears to be adequate for the operations. Equipment maintenance is an absolute priority in order to keep the fleet ready and able to respond to emergencies. The majority of the department's revenue comes from Proposition 172, the Local Public Safety Protection and Improvement Act, which imposed a half cent sales tax throughout the state to provide funding for public safety services. The department budget is approximately \$85,000-\$90,000 per year. Half of those funds are used for insurance, and the other half for operations. If BVIVFPD was to lose the Prop 172 funding, they would not be able to continue operations.

The BVIVFPD is an all-volunteer organization with 18 current members, consisting of 5 board members, 1 fire chief, 1 assistant fire chief, 1 training officer, 2 captains, 1 medical captain, 11 firefighters, 4 reserves, and 1 chaplain (some volunteers fill two roles). Board members are elected to 4-year terms by voters who reside in their district. Volunteers are recruited by word of mouth, are subject to a background check, and have a six-month probationary period. Their membership is aging, and volunteers are desperately needed. The current members are trained and certified and are ready to respond to calls within their jurisdiction as well as to assist other local fire departments in times of need.

The BVIVFPD responds to an average of 10-15 fire calls and 60-75 medical calls per year. BVIVFPD stated that they are not in a high fire area.

METHODOLOGY

Information for this investigation was sourced from the following:

- Grand Jury tour of BVIVFPD facilities and equipment demonstrations.
- Interviews with BVIVFPD administration, board members and volunteer staff.
- BVIVFPD Standard Operation Procedures Manual.
- BVIVFPD Policies and Bylaws.
- BVIVFPD Staff and Board of Directors meetings agendas and minutes.
- BVIVFPD website (<https://www.bearvalleyindianvalleyfireprotectiondistrict.com>).
- California Grand Jurors Association (<https://cqja.org/>).

DISCUSSION

The Grand Jury conducted a review of the BVIVFPD in Stonyford. The Grand Jury decided to examine the operations of the BVIVFPD as there had not been a Grand Jury review of the agency in recent years. The investigation looked into BVIVFPD responsibilities, boundaries, operational policies, safety, training, equipment, and coordination with other agencies.

During the course of the investigation, the Grand Jury was made aware of BVIVFPD's concerns regarding two non-functioning fire hydrants in the community of Stonyford located near the Grange Hall and the Catholic Church. BVIVFPD noted that the non-functioning hydrants could pose a significant challenge to the BVIVFPD's ability to respond to a fire. BVIVFPD further stated that it had notified the Colusa County Public Works Department that the hydrants need to be repaired and that BVIVFPD has discussed the issue with the County but the hydrants had not yet been repaired.

There are currently nine (9) fire hydrants located in the community of Stonyford. The fire hydrants are fed by the community's existing potable water supply system, County Service Area 2, which is governed by the Colusa County Board of Supervisors and operated and maintained by the Colusa County Public Works Department.

The water system in the community of Stonyford was constructed in 1979. There are 52 water connections in the community that are billed monthly for water service. The system is aging and there are significant challenges to the long-term maintenance and operation of the system. Maintenance and operation funding for the water system is generated in part from the revenue received from current water users in Stonyford, however that revenue does not fully cover the cost of maintaining or operating the water system. To cover the short fall, money from the County General Fund is used, or when available, grant funds are used. The monthly fee for water service to the community of Stonyford is \$45.58 per month which was established by the Colusa County Board of Supervisors in 2004 and the rates have not been adjusted since that time.

During the course of the investigation, the Grand Jury was made aware that the two fire hydrants in question were operational but were disconnected by Colusa County because the pipes leading to the fire hydrants were leaking. Colusa County noted that the pipes leading to the two hydrants have required numerous repairs over the past several years and identified that the leaking is likely from the systems aging infrastructure coupled with the use of the hydrants for non-fire emergency activities.

Colusa County noted that it was working to address the issues with the two hydrants and at the time of this report's publication, the hydrant at the Grange Hall was operational and the one at the Catholic Church was undergoing repairs.

There is a severe lack of new volunteers joining the BVIVFPD. The current members are aging, and there is a need for new volunteers. Currently, the district uses their website, word of mouth, and they have developed a Facebook page to help with recruitment. The fear is if volunteers don't come forward, and as the current members age out, the fire department may lose the ability to continue to provide needed fire protection and medical response services. If this were to occur, Cal Fire may need to assume these responsibilities.

Responding to emergency calls that require the presence of law enforcement is a challenge for the BVIVFPD. The BVIVFPD has had incidents where they responded to calls that required law enforcement support for the safety of fire department personnel. Because law enforcement was not available, and in order to protect their members, they left the scene and advised dispatch that they would return if needed, or when law enforcement arrived.

Currently there is limited law enforcement coverage in the Ladoga/Stonyford area and response times to the area can be 45 minutes to 1 hour. The Colusa County Sheriff's Office has faced challenges in filling the Resident Deputy position for several years. Efforts have been made to actively recruit candidates including increasing the residential pay incentive. The Sheriff's Office have received applications for the position over the last several years, however none of the applicants have successfully completed the hiring process. At the time of this report, the position remains unfilled.

Patrol operations and service calls in the Stonyford area are generally covered by the Maxwell deputy or, when staffing permits, a deputy is sent to the Stonyford area to patrol. Deputies are directed to remain in the area and conduct patrols for extended periods during services calls that do not require an immediate return to the valley.

Additionally, the Sheriff's Office conducts boating patrols in the area and at East Park Reservoir on the weekends during the spring and summer months, and an Off Highway Vehicle Team consisting of one patrol unit with two deputies on designated weekends during the spring, fall and winter months.

During special events and holidays such as the Stonyford Rodeo Weekend, Memorial Day, Fourth of July, and Labor Day, two-person units are deployed for day and night patrols, it is common to have six or more deputies assigned to the area during these events.

FINDINGS

- F1.** The Grand Jury finds that the BVIVFPD is a well-run agency that makes the most out of its limited resources to provide essential public safety services to the communities in the Bear and Indian Valley.
- F2.** The Grand Jury finds that BVIVFPD volunteer firefighters are well trained, professional, and dedicated to serving their community.
- F3.** The Grand Jury finds that the Colusa County Public Works Department is working to address the two nonoperational fire hydrants located at the Grange Hall and Catholic Church in Stonyford.
- F4.** The Grand Jury finds that the community of Stonyford's water system is aging and in need of extensive repair to ensure water supply reliability for emergency response and local community needs.
- F5.** The Grand Jury finds there is a severe lack of new volunteers joining the BVIVFPD, creating potential staffing issues that could impact BVIVFPD ability to respond to future emergencies.
- F6.** The Grand Jury finds that there is limited law enforcement coverage in the Bear and Indian Valley area due to the difficulty in recruiting a resident Sheriff's Deputy in Stonyford causing challenges for BVIVFPD in responding to calls that require law enforcement support.
- F7.** The Grand Jury finds that the Colusa County Sheriff's Office is performing in a highly professional and efficient manner working with limited resources and staff at its disposal to provide as much law enforcement coverage to the Bear and Indian Valley area as possible.

RECOMMENDATIONS

- R1.** The Grand Jury recommends that Colusa County conduct a review of the County Service Area 2 water system to identify infrastructure deficiencies that could affect water supply reliability and delivery for emergency response and local community needs to be completed by the end of 2024.

- R2.** The Grand Jury recommends that Colusa County conduct a review of the existing rate structure for the County Service Area 2 water system and make any appropriate or necessary adjustments to ensure that there are adequate resources available to fund critical repairs, necessary upgrades, and long-term maintenance for the water system. The County should also look at other potential sources of funds, including federal or state grant programs, that may be available for these purposes.
- R3.** The Grand Jury recommends that the BVIVFPD continues to reach out to the public on their Facebook page, highlighting current firefighters (i.e.: Fire Fighter of the month), inviting the public to open house events, which may strengthen community relationships with the fire department.
- R4.** The Grand Jury recommends the department highlight additional ways community members might volunteer, based on their individual abilities (i.e.: office support, radio support, logistics, etc.).
- R5.** The Grand Jury recommends that the BVIVFPD work in coordination with the Colusa County Sheriff’s Office to develop a plan to address the limited law enforcement support for BVIVFPD service calls while the Stonyford Resident Deputy position remains unfilled.
- R6.** The Grand Jury recommends that the Colusa County Sheriff’s Office continue to take proactive efforts to recruit, hire and retain a Stonyford Resident Deputy, and in the interim continue to find ways given its limited resources and staff to increase law enforcement presence in the Bear Valley/Indian Valley area.

REQUEST FOR RESPONSES

The following responses are required pursuant to Penal Code §933 and §933.05

From the following individuals and governing bodies:

BVIVFPD:

- Finding F1, F2, F3, F4, F5, R6, R7
- Recommendations R1, R2, R3, R4, R5, R6

Colusa County Board of Supervisors:

- Finding F3, F4, F6, F7
- Recommendation R1, R2, R5, R6

Colusa County Sheriff’s Office:

- Finding F6, F7
- Recommendation R5, R6

INVITED RESPONSES

Colusa County Public Works Director:

- Finding F3, F4
- Recommendation R1, R2

DISCLAIMER

Reports issued by the Grand Jury do not identify individuals interviewed. Penal Code §929 requires that reports of the Grand Jury not contain the name of any person or facts leading to the identity of any person who provides information to the Grand Jury.

This report on the Bear Valley/Indian Valley Fire Protection District is issued by the full 2023-2024 Grand Jury. No Grand Juror recused themselves from the investigation.

INSPECTION OF THE COLUSA COUNTY JAIL

SUMMARY

The Colusa County Grand Jury (Grand Jury) participated in an inspection of the Colusa County Jail (Jail) with the Jail's operations team on March 20, 2024. The Jail is operating to current Board of State and Community Corrections (BSCC) standards, which sets the guidelines for recreation, food, and healthcare for inmates. The Jail facilities are outdated and present a potential safety risk to both inmates and staff. However, these issues will be addressed with the construction of the new jail facility. The Grand Jury has prepared this report summarizing the findings of our Jail inspection and recommendations.

BACKGROUND

The Grand Jury is authorized to visit and inquire into the conditions of any public jail within the county, as outlined in Section 919 (a) and 919 (b) of the California Penal Code. Inspecting the safety and security in jails are the Grand Jury's priorities along with ensuring inmates are treated in a safe and humane manner. The BSCC is a state regulatory agency that establishes and oversees standards for the construction, operation, and administration of the county detention facilities. The Jail houses a maximum of 92 inmates, and the inmate population at the time of our inspection was 58. The existing layout and infrastructure of the Jail is not up to current detention facility standards and may create safety risks to inmates and Jail staff. Construction of a new jail facility is planned to start in the Spring of 2024 and will take between 15-18 months to complete.

METHODOLOGY

Information for this investigation was sources from the following:

- Grand Jury Committee tour of the Jail facility
- Interviews with the County's Jail administration and staff
- Review of jail inspections conducted by the California Board of State and Community Corrections (BSCC)
- Fire, health, and safety inspection reports
- Past Colusa County Grand Jury reports
- Documents concerning jail services available to inmates provided by the Jail
- Colusa County website (www.countyofcolusa.org)
- American Correctional Association (<https://www.aca.org/>)
- California Grand Jurors Association (<https://cqja.org/>)
- Title XV operating standards
- Colusa County Grand Jury Procedures Manual

DISCUSSION

Pre-Inspection Interview

On December 14, 2023, the Grand Jury members and Jail administration held an introductory meeting. The meeting served to acquaint the Grand Jury with the overall operations of the Jail. At the time of the pre-inspection interview there were 52 inmates in the facility.

During the pre-inspection interview, the issues of staffing, jail facilities, general jail operations, inmate services, and food were discussed.

Grand Jury Jail Inspection Tour

On March 20, 2024, the Grand Jury conducted an inspection tour of the Jail. The Grand Jury was interested in how an inmate is processed through the jail – which was the focus of the in-person tour of the facility.

The inspection included touring the Jail's in-processing area, housing units, food storage area and kitchen, recreation area, educational programming rooms, medical office, laundry, and the Jail staff breakroom and commissary storeroom.

At the time of the March 20th inspection tour, there were 58 inmates housed at the jail, including 12 female and 4 Federal inmates.

Meal Program and Food Facilities

Trinity Services Group, Inc. (Trinity) provides the contract food service for the jail. Jail staff indicated that they were overall pleased with the service that Trinity has provided to date. The jail staff noted that the existing food service contract expires in 2024.

Inmates are served three meals per day, including one hot meal which is typically the dinner meal. Inmates may obtain jobs working in the jail kitchen and work with Trinity Chefs to prepare the meals. Inmates that have special dietary requirements are given meals that reflect those diets. Meal planning and preparation are developed in collaboration with the Nursing staff, Jail administration and the Trinity Services Chefs.

Inmates can supplement the jail provided meals with orders from the Commissary. These items can be ordered by the inmate or their family. Orders placed by Sunday evening are delivered directly to the inmate on Tuesday. There is a \$150.00 per week limit on commissary orders per inmate.

Recreation Program

The recreation section of the Jail is very small and offers very little space to provide adequate recreation space for inmates. The recreation space is a small square courtyard surfaced entirely with asphalt. The Jail is required to provide three (3) hours of recreation time per week, but it does provide a general recreation time each day. Each inmate is offered a specific time; however, the inmate may request an alternate time which jail staff make efforts to accommodate. The construction of the new jail facility will have additional recreation yards that are larger and more functional than those at the current facility.

Education Program

The Jail's educational facilities include a classroom and a well-stocked library. The educational program is staffed by a teacher from the Colusa County Office of Education who provides educational services to inmates on a voluntary basis. The educational programs include High School Diploma and GED programs, literacy programs, as well as other "life skills" training programs that can benefit the inmate when they transition out of the jail. The jail staff noted that outside organizations (i.e. religious, substance abuse, etc.) have provided educational programs in the jail in the past but since the COVID-19 pandemic those services have been limited due to the outside agencies limited ability to staff the programs.

The Jail's classroom or library does not currently have computer access to support the educational program, however the new jail may include infrastructure to allow for tablet access for inmates to support the Jail's educational programs.

The Jail Staff notes that the COVID-19 pandemic hampered a lot of the Jail's educational programming and that it has taken awhile to get the program back up and running. They also noted that the Sheriff's Office tries to make their graduations a family event and celebration for the inmates who successfully complete a High School Diploma or GED program.

Medical Services

Onsite medical services are provided by Wellpath through a contract with Colusa County. There is currently one (1) full-time Registered Nurse (RN) who provides primary medical services for the inmates and a part time Licensed Vocational Nurse (LVN). Nursing staff have an on-call doctor available for consultation and medical directives (there is no doctor on-site). If inmates need additional treatment the Jail cannot provide onsite, they are transported to the local hospital located in the County. If the medical conditions require a higher level of care than available locally, they can be taken to nearby emergency medical centers. Psychological services are provided by the Colusa County Behavioral Health Services on an as-needed basis.

The current medical facilities in the Jail are very small and are a significant challenge for the medical staff to provide services to the inmates. The new jail will include medical facilities that are better suited to providing these medical services.

New Jail Project Update

The start of construction of the new Colusa County Jail is still currently pending. As of the date of the grand jury's jail inspection, the design for the new jail is 90% completed and the plans have been submitted to the State Fire Marshal for final approval. Once final approval is obtained, the design can be finalized and construction on the new jail can start. Construction is projected to start in late Spring of 2024 and it is expected to take between 15-18 months to complete.

The new jail will be located behind the current jail and is being designed to house a maximum of 96 inmates. It is anticipated that once the new jail is constructed, the current jail would not be used for housing inmates but utilized for other jail related operational uses.

The latest cost estimate for the project is approximately \$35 million, which is significantly higher than the original estimate. This increase is due to project delays, current market conditions for building supplies, and current inflation.

Jail administration noted that they have bi-weekly design team meetings to stay on top of the project's design, discuss options to reduce costs, and work to address state agency comments on the design and construction.

FINDINGS

- F1. The Grand Jury finds that Colusa County Jail administration and staff are operating the facility in an efficient and professional manner.
- F2. The Grand Jury finds that while the Jail is currently functional, the outdated facilities and aged infrastructure does not meet modern correctional facility standards due to its design and layout, which poses a potential safety risk to inmates and staff.
- F3. The Grand Jury finds that the Jail is in compliance with its annual inspections and maintains an appropriate safety plan for all Jail staff and inmates.
- F4. The Grand Jury finds that the current educational program could benefit from additional educational offerings and technology for the inmates.

RECOMMENDATIONS

- R1. The Grand Jury recommends that the County of Colusa continue to move forward as quickly as possible the existing plan to construct a new, modern jail that incorporates up-to-date facilities, technology, inmate housing, and safety features.
- R2. The Grand Jury recommends that the Jail invest more resources into its educational programing, including expanding the use of computer technology, to provide a more substantive level of educational options for inmates.
- R3. The Grand Jury recommends that the Jail Staff conduct regular reviews of the contracted meal service program to identify potential improvements, including soliciting feedback from inmates.

REQUEST FOR RESPONSES

The following responses are required pursuant to Penal Code §933 and §933.05:

From the following individuals and governing bodies:

Colusa County Sheriff:

- o Findings F1, F2, F3, F4

- o Recommendations R1, R2, R3

Colusa County Board of Supervisors:

- o Finding F1, F2, F3, F4
- o Recommendations R1, R2, R3

INVITED RESPONSES

The following responses are invited from the following individual:

Lieutenant - Correctional Services, Colusa County Sheriff's Department:

- o Findings F1, F2, F3, F4
- o Recommendations R1, R2, R3

DISCLAIMER

Reports issued by the Grand Jury do not identify individuals interviewed. Penal Code §929 requires that reports of the Grand Jury not contain the name of any person or facts leading to the identity of any person who provides information to the Grand Jury.

This report on the Colusa County Jail is issued by the full 2023-2024 Grand Jury with the exception of one (1) juror who recused themselves of this investigation. The one (1) Grand Juror was excluded from all parts of the investigation, including interviews, deliberations and the authoring and acceptance of this report.