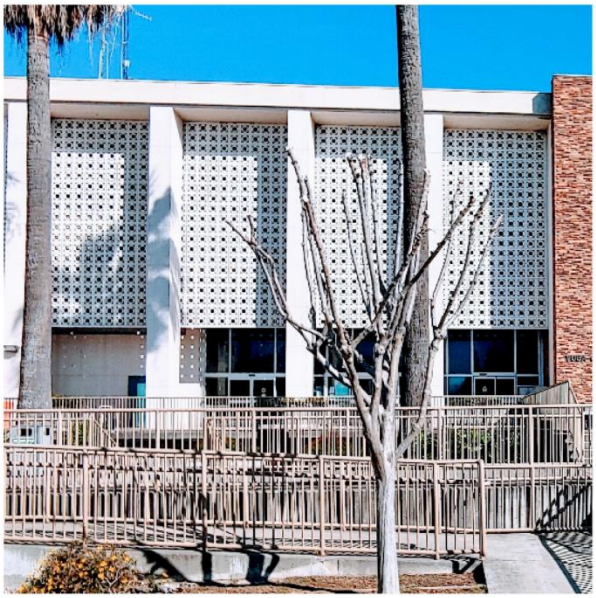
YUBA COUNTY GRAND JURY
2020-2021
FINAL REPORT



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Final Report

of the

2020-2021

Yuba County Grand Jury

Presiding Judge: Honorable Stephen W. Berrier,

Foreperson: Jennifer Bramer

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The Honorable Stephen W. Berrier
Supervising Judge of the Grand Jury
Yuba County Superior Court
215 Fifth Street
Marysville, CA 95901

Dear Judge Berrier:

It has been my honor to serve as Foreperson of the 2020-2021 Yuba County Grand Jury. On behalf of the entire Grand Jury, I respectfully submit its end-of-term report in accordance with Penal Code §933(a).

This year's dedicated Grand Jurors devoted countless hours toward learning and investigating the interworking's of Yuba County despite the global COVID -19 pandemic. Grand Jurors navigated technological advances necessary to complete their charge. Notwithstanding the restrictions imposed upon the Grand Jury, members were able to conduct research, interview individuals, tour facilities, and meet often.

Performing our citizens' role as active community members, our hope is that Yuba County will take notice of our oversight, analysis, recommendations and commendations. We further hope that the community will benefit from our efforts.

The Grand Jury would like to extend our appreciation and thanks for the professional assistance provided by the Clerk of the Board of Supervisors, Yuba County Counsel, and the entire Yuba County Superior Court staff. Many thanks to you, as well as my fellow Grand Jury colleagues for all your hard work and dedication this year.

Respectfully,

Jennifer E. Bramer
Yuba County Grand Jury Foreperson, 2020 -2021

YUBA COUNTY GRAND JURY
2020-2021

This year our jurors represented a wide area of Yuba County including Browns Valley, Marysville, Olivehurst, Plumas Lake, and Wheatland.

Jennifer Bramer – Foreperson

Jasmine Trice – Pro Tem

Tim Lee – Treasurer

Patricia Price – Secretary

Annette Brown

Samantha Holland

Jean Oliveira

Josh Evans

Katherine Marden

Martha Siqueiros

Eldon Hathaway

Abram Martin

Nancy West

We wish to acknowledge those jurors who served briefly on the 2020-2021 Grand Jury who were unable to complete their term. We thank you and appreciate the time you were able to serve.

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THE CITIZENS ROLE OF THE GRAND JURY

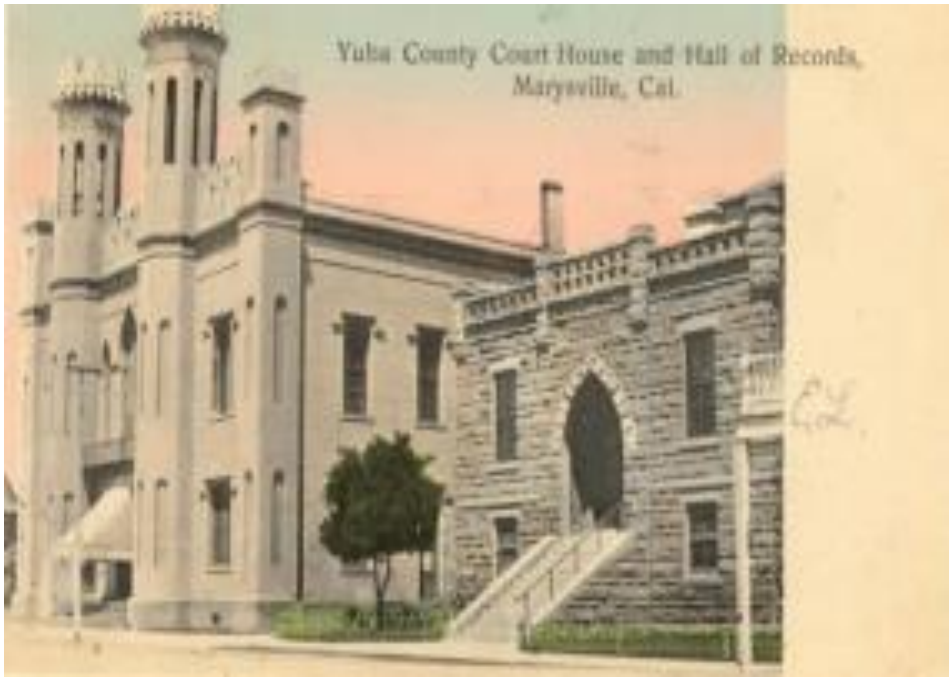
“The measure of a country's greatness is its ability to retain compassion in times of crisis.” Thurgood Marshall 1908 - 1993

In the 18th century, the greatest experiment in human governance began: a new nation founded on a system of citizen-led democracy. In a world dominated by monarchs and dictators, this radical idea of a citizen-run government was met with derision, skepticism and war. Citizen-led democracy, over 245 years, has proven to be the greatest form of government the world has ever known, creating opportunity for prosperity, peace and harmony for all who desire it. The model of the citizen-run government elevates the requirements of a nation’s inhabitants.

Freedom comes with responsibility and requires dedication of time and resources from every citizen. The Grand Jury serves as one of these responsibilities, crucial to the health and continuity of our society. The Grand Jury serves as a structure for citizens to voluntarily engage with their local government in a position of authority and acting in secret. The Grand Jury has autonomy to investigate any area of county or city government and the right to subpoena information if not satisfied with what is provided. Citizens can refer issues of government misconduct to the Grand Jury, who may proceed with an investigation if deemed appropriate.

The subjects of investigations or departmental reviews are determined solely by the Grand Jury and remain confidential unless and until a final report is released near the end of each one-year term. Thank you for doing part of your civic duty by reading it. Yuba County and all citizen led democracies will either thrive with an informed and engaged citizenry or collapse without it.

“Never believe that a few caring people can’t change the world. For, indeed that’s all who ever have.” Margaret Mead 1901 - 1978



History of the Grand Jury

Created by 2019 - 2020 GJ

Edited by the 2020 – 2021 GJ

Mexican Rule

The first court to sit in Yuba County and in Marysville was called the "Criminal Court of the First Instance, Sacramento District." In order to understand what that meant, we need a brief history of what the court system was like prior to the California Constitution of 1850. The Mexican laws of 1837 established courts for the territory of California. The highest court had appellate jurisdiction and was similar to our Supreme Court today. It consisted of four judges and an Attorney General and was divided into two benches. The three senior judges comprised the first bench and the junior judge the second bench. The first bench was called the "Court of the Third Instance" and its decision in all cases was final. Appeals to this court came from the second bench called the "Court of the Second Instance." Below these courts was the "Court of the First Instance," which was a local court somewhat similar to our present-day Superior Court. The State was divided into districts and the County of Yuba was called the "Sacramento District." The first magistrate of the Sacramento District was John Sutter.

American Conquest of California

Between the American Conquest of California in 1846 and the ratification of the State Constitution in 1850, the existing court system had broken down. During the California gold rush, many new towns were established and had no court system. The booming town of Marysville was in such a situation in January of 1850.

On June 3, 1849, the California Military Governor, General Bennett Riley, issued a proclamation calling upon the people to elect "alcaldes" (judges). The alcaldes were to be elected under the Mexican laws to administer justice until the courts established by the Constitution of 1850. Therefore, on January 18, 1850, the people of Marysville elected Stephen J. Field and J.B. Wadleigh, the first elected judges in Yuba County.

It appears that J.B. Wadleigh had little to do and he served mostly like a vice president. Thus, he faded from history. While Steven Field was the first elected judge in Yuba County, he was not the first to hold court in the County. The first official session of the Court was held on February 7, 1850.

It is believed that the first unofficial court session was held in an old adobe building which was located on the banks of the Yuba River and was the headquarters of the proprietors of the area of Marysville. This took place on January 26, 1850. The judge who presided over the proceedings was one R. A. Wilson, who was the judge of the Criminal Court of the First Instance, Sacramento District.

On January 24, 1850, Mr. George Armstrong and several others were indicted by the first Grand Jury in Yuba County. While the Court was hearing the matter, Mr. Eli B. Lundy created a disturbance and thus, became the first person convicted and sentenced in Yuba County. Mr. Lundy was already a person who was under indictment for committing an assault and battery with the intent to kill.

The best way to describe the events of January 26, 1850 would be in Judge Wilson's own words. He wrote this as the minutes of the Court as he had no court clerk:

> *"The above-named Eli B. Lundy a person under indictment in the Court for committing an assault and battery with the intent to kill, entered the building at Marysville in which this courtroom was in session, and over the door of which building was painted in large letters "Court House" while the Court was in session and engaged in the proceeding case of Armstrong and came up with his hat on to the place where the prisoner Armstrong was sitting at the side of the Judge and at or about the same time a number of other persons armed with guns and other deadly weapons entered the said building. The said Lundy then and there took hold of the prisoner and said to him among other things come with me and attempted to lead the prisoner out of the presence of the Court; and the said Lundy continued to use disgustingly profane and abusive language to the person of the Judge until the said Lundy was put out of the room by the acting Sheriff.*
>
> *It is therefore considered and ordered by the Court now in session that the said Lundy receive on his bare back 15 lashes well laid upon and that he pay in addition a fine of $400.00 and in default of immediate payment that he receive an additional 20 lashes and that Robert B. Buchanan the acting Sheriff see this order carried into effect and that an acting clerk of this Court furnish him a copy of this order which shall be his authority."*

History gives no indication whether Mr. Lundy got the second 20 lashes or paid his fine. Mr. Armstrong's attorney, Mr. Rae, held the privilege of being the first appointed counsel in Yuba County. On the motion of Mr. Rae to quash the indictment, the Judge granted it and Mr. Armstrong was released. The case against Mr. Armstrong was for stealing cattle. Cattle ownership was unable to be proven since most were not branded at the time. This was the probable reason for dismissal.

This first Grand Jury also returned an indictment against several other individuals for cattle stealing. There is no mention as to what happened to their cases. Having done their duty, the first Grand Jury in Yuba County's history was discharged on January 26, 1850.

YUBA COUNTY GRAND JURY CONTINUITY REPORT 2020-2021

BACKGROUND

Civil Grand Juries in California exist to promote effective and efficient local governments. The Grand Jury (GJ) is empaneled by Yuba County Superior Court and consists of volunteers who reside within the county. All civil grand juries are empowered by the Civil Procedure Code (CPC) with broad investigative powers to provide oversight of county and city governments and districts to bring positive changes in the best interests of all.

GJ investigations may result in a published report to the residents of the county. The published reports contain facts and findings that lead to recommendations for improvement. Governing bodies are required to respond to these findings and/or recommendations in a specified format within time limits that are set by the CPC.

Succeeding Grand Juries should review all submitted responses to determine if they meet the requirements of the CPC. Furthermore, the GJ may investigate to insure the respondent complied with what they agreed to do. Continuity is established from one GJ to the next by this review.

DISCUSSION

The Yuba County GJ has not issued a continuity report since 2005. Continuity reports are a vital tool to aid in the investigation and tracking of past GJ reports.

The GJ interviewed and emailed respondents to learn the progress of the agreed upon recommendations. Our investigation has shown the recommendations have been implemented, in most cases. These official responses can be viewed online at: https://www.yuba.org/Yuba%20County/Grand%20Jury/Grand%20Jury%20Reports/GJR2019-2020%20Responses%206.pdf

The GJ reached out to the respondents for an update since their official response to the agreed recommendations. The summaries of those responses are set out in the following tables.

LINDA COUNTY WATER DISTRICT
2019-2020 Yuba County Grand Jury Report

Recommendation #1: The LCWD Board and Staff should begin, by August 1, 2020 to aggressively seek future grants and utilize the approved yearly incremental rate increases to improve the LCWD infrastructure.

Respondent	**Action** Required /Invited	**Response Summary**
Linda County Water District Official	Required	LCWD has received $6,000,000 in Grants and a $5,000,000 low interest loan from The State Dept. of Water Resources since Aug. 1, 2020.

Recommendation #2: Over the course of the next six months, the LCWD and Staff should make diligent efforts to increase public awareness through website updates, mailings and advertising; the purpose being that the water meets State standards and the funds from the State of California cannot be used to alter taste.

Respondent	**Action** Required /Invited	**Response Summary**
Linda County Water District Official	Required	The LCWD stated in October of 2020 that they will place an insert in the Water Quality Report when it is due in the Spring of 2021. The insert will make the public aware that the water meets state standards and that the funds from the State of California cannot be used to alter water taste.

Response Analysis
Recommendation #1: The GJ finds that the LCWD works diligently to find alternative funding sources. Recommendation #2: The LCWD is working to meet the recommendations of the Grand Jury's 2019-2020 report and should fulfill their commitment in the Spring of 2021 newsletter.

HISTORIC MARYSVILLE CEMETERY
2019-2020 Yuba County Grand Jury Report

Recommendation #1: *No later than October 1, 2020 the City of Marysville should increase the availability of information about the Marysville City Cemetery to the Public through additional online presence and social media regarding, among other things, current budgeting, expenses, financial needs and volunteer opportunities.*

Respondent	**Action** Required /Invited	**Response Summary**
Marysville City Council	Required	The City Council agreed with the finding in September of 2020 and set the date of 10/1/20 to update the City's website to include the Historic Marysville Cemetery.

Recommendation #2: No later than October 1, 2020 the City of Marysville both directly and through FPYCH should provide one or more online donation mechanisms for the public to donate funds for the benefit of the Marysville City Cemetery through the City's website the FPYCH Facebook page, PayPal, GoFundMe and Facebook and/or Instagram.

Respondent	**Action** Required /Invited	**Response Summary**
Marysville City Council	Required	The City Council agreed with the finding in September of 2020 and stated that the City would work with the Cemetery Commission on the best way for the public to donate funds.

Response Analysis
Recommendation #1 and #2: Although the City of Marysville did not meet the October 1, 2020 deadline, the City did comply with the recommendations of the Grand Jury's 2019-2020 report. The recommendations were completed by December of 2020. The GJ finds that although Recommendation #1 was completed, access to information about the cemetery is buried and not easily accessible which was the reason for the recommendations from the 2019-2020 grand jury. Therefore, the cemetery portion is an ineffective site. Recommendation #2 was also completed offering check donations, "If you would like to help the Cemetery

Commission to maintain the preservation of this Historic landmark, monetary gifts can be sent by check or money order: Made payable to: City of Marysville 526 C Street, Marysville, CA 95901 Please include a memo that it is for the Cemetery" (City of Marysville Website). Will the City ever upgrade to electronic payments for Cemetery donations and will donors have confidence that their check is going to the right Cemetery?

SOCIAL MEDIA BLOCKING
2019-2020 Yuba County Grand Jury Report

Recommendation #1: By September 30, 2020 the Yuba County Board of Supervisors should direct the County Administrator and County Council to promptly draft policies or procedures for county officials and other county employees regarding social media use and social media blocking.

Respondent	**Action** Required /Invited	**Response Summary**
Board of Supervisors	Required	The Board of Supervisors agreed with the recommendation in July of 2020 and will conduct appropriate legal analysis and develop draft policies as soon as possible and hopefully prior to July 2021.
County Administrator	Invited	Verbal response in December of 2020: I have recently been emailed by a Board Member to begin the process regarding the social media use and social media blocking policies.

Recommendation #2: By September 30, 2020 the Board of Supervisors should direct Yuba County Council to promptly commence one or more training sessions for county officials regarding social media use and social media blocking.

Respondent	**Action** Required /Invited	**Response Summary**
Board of Supervisors	Required	The Board of Supervisors agreed with the recommendation in July of 2020 and will conduct appropriate legal analysis and draft policies as soon as possible. This will give parameters for providing training with a goal of

		completion prior to July 2021.
Board of Supervisors Legal Representative	Invited	Response received in March of 2021: County Council is developing social media training for the Board of Supervisors as a component of a Brown Act presentation.

Response Analysis
Recommendation #1: Although the Board of Supervisors did not meet the deadline of September 30, 2020, the County Administrator and County Counsil are working to comply as of March of 2021. Recommendation #2: Although the Board of Supervisors did not meet the deadline of September 30, 2020, they are working to comply as of March of 2021.

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YUBA COUNTY

JAIL REPORT

2020 – 2021

Photo taken by a Grand Jury Member

SUMMARY

The Yuba County Jail (YCJ) is under the supervision of the Yuba County Sheriff's Department. California Penal Code §925 mandates that a grand jury shall investigate and report on the operations, accounts, and records of the officers, departments, or functions of the county in which it is empaneled. Penal Code §919(b) specifically allows a grand jury to inspect jails within its county. Despite the constraints of the COVID-19 pandemic, the Yuba County Grand Jury (GJ) entered the jail on two occasions to interview staff and inmates as well as tour the facility. The GJ was interested to learn of the new policies originated from the current pandemic. By reducing population through parole and transfer, strict quarantine for incoming inmates, adherence to Centers for Disease Control and Prevention (CDC) and local Health Department guidelines, they endeavor to provide a safe environment. The GJ finds that while the day-to-day operations of the YCJ are arduous and challenging, the YCJ meets the needs of Yuba County through diligence, hard work and careful planning during the COVID-19 pandemic

. The YCJ staff meets the challenges and maintains the high standards that the community has come to expect.

BACKGROUND

The YCJ was constructed at its current location, 215 5th Street, Marysville, California in 1962 and was enlarged and modernized in the early 1990's. YCJ has the capacity for 428 inmates and the current population is approximately 235 inmates. This reduced number is due to the COVID-19 pandemic.

In 1979 a class action lawsuit resulted in a Consent Decree which altered the structure of YCJ policies, practices and procedures as well as some facility changes. In January 2019 an Amended Consent Decree was entered by the District Court. The Amended Consent Decree, agreed upon by Yuba County and legal representatives for the class consisting of all persons incarcerated within the YCJ, updates and revises various provisions of the 1979 Consent Decree. Strict adherence to the decree includes, but is not limited to, record keeping, inmate grievances, recreation, cell size, medical services, and overall inspections. As part of the Consent Decree, Yuba County Grand Jury is required, yearly, to inspect and report to the Court on conditions they find.

METHODOLOGY

Grand Jurors conducted research and reviewed complaints filed by inmates. The GJ also reviewed relevant records, policies and practices. The GJ toured the jail on November 10, 2020. Prior to the tour, GJ members sat down to discuss previous information from the 2019 GJ report, new COVID-19 practices and information pertaining to the housing of inmates, jail conditions and Consent Decree adherence to devise a checklist. The GJ discussed these topics with jail

officials and staff. The tour inspected the following jail areas: intake, holding and stepdown cells, medical facilities, kitchen, law-library, recreation areas and both male and female dormitory cells.

Inmate interviews were conducted on November 24, 2020. The GJ provided a list of five names of inmates to be interviewed to jail staff. Of those listed, one no longer resided in the jail and one declined to meet with GJ members. The interviews included ten questions derived from inmate complaints and Consent Decree compliance. Inmates were asked about meals, staff, access to lawyers and family as well as recreation, education and other activities.

DISCUSSION

At intake, incoming inmates are searched, property is collected and gang affiliation is identified. COVID-19 testing as well other physical and mental conditions are identified at that time. When needed, inmates are taken to a near-by hospital to be diagnosed and treated for physical and mental ailments. Inmate's belongings are bagged and sealed, cash is counted and deposited into their account. A handbook that details rules, regulations, policies, privileges as well as education, family and health information is offered. Occasionally, this handbook is rejected at booking. This rejection is noted in the inmate's file and they are able to request the handbook when ready to receive it.

The kitchen serves three hot meals a day. Bagged meals for inmates who are in court are provided. The menu consists of a variety of options, including vegan and vegetarian. Staff prepares homemade foods from scratch. The cooking area was well organized and clean.

The recreation areas were well lit, supervised which included basketball and volleyball. There is also an area for bodyweight exercise. These areas have been updated and comply with the Amended Consent Decree.

Health services are provided by a national health provider. Although the dispensary is small, it is in good order. There are future plans to add a 15,000 sq. ft. wing to the jail that will house the dispensary and treatment rooms as well as beds for severely ill inmates. The construction is projected to break ground in the summer of 2021 with a two to three-year timeline. Cells will be provided for inmates suffering from serious mental illnesses who are awaiting a State facility.

In the Spring of 2020, jail staff and the health services contractor developed a COVID-19 procedure that followed CDC and the local health department guidelines. This procedure included, but was not limited to: inmate population reduction, testing procedures for both staff

and inmates, quarantine, social distancing, hand sanitation and face masks. Staff was ordered to stay home at the first sign of symptoms. Following current regulations, inmates are tested weekly, and staff are tested twice weekly. Visitations, education, group therapy and meetings have been suspended. Staff is using online meetings to address some of these deficits including legal proceedings.

Positive COVID-19 tests were at a minimum through November. A sharp increase was seen after Thanksgiving, at that point in-person family visitations were suspended. Numbers have continued to rise through early December when 117 positive results were counted. In January 2021 numbers dropped to 15. By January there were only two sick inmates. There have been no deaths and no inmate has required hospitalization.

The Grand Jury's overall impression is that the jail was a clean, well kept, well painted facility with no clutter or debris in the cells or walkways. The jail is adequately lit, ventilated, and the temperature is regulated. The staff have positive attitudes and are trained to secure and manage inmates. The laundry has developed an efficient process to ensure that inmates have clean clothing and bedding. The impression of the GJ is that the kitchen is well run providing nutritional food and the recreational facilities are adequate given limited space. Medical staff is efficient and professional, considering the contagious nature of COVID-19.

FINDINGS

F1. YCJ meets the needs of Yuba County through diligence, hard work and careful planning during the COVID-19 pandemic.

F2. The day-to-day operations of the YCJ are arduous and challenging. The YCJ staff meets the challenges and maintains the high standards the community has come to expect of them.

RECOMMENDATIONS

R1. None

R2. None

REQUIRED RESPONSES

Pursuant to Penal Code sections 933 and 933.05m the Grand Jury requests responses as follows:

From the following elected county officials within 60 days:

- Yuba County Sheriff as to Findings 1 and 2.

From the following governing bodies within 90 days:

- Yuba County Board of Supervisors as to Finding 1 and 2

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LINDA FIRE PROTECTION DISTRICT

Photo taken by Grand Jury Member

SUMMARY

The Linda Fire Protection District (LFPD) is a special district within Yuba County. Yuba County currently has 33 special districts within its borders. Each special district is created subject to a "principal act"; a set of individualized statues pertinent to the purpose of the district. One of the tasks of the Grand Jury (GJ) is to act as a "watchdog" over the special districts within the County in an attempt to ensure they are functional and operating within parameters that are in the best interest of the citizens they serve.

The GJ was aware of a recent renovation at Station 1 and inspected its completion. The GJ finds the renovation to be an improvement to the interior and exterior of the building. Furthermore, the GJ finds that the LFPD staff are a dedicated, hardworking team that go above and beyond for the community in which they serve. Also, during the investigation, the GJ became aware that administrative staff are not required to maintain basic CPR and First Aid certification. It is the recommendation of the GJ that administrative staff be required to maintain basic CPR and First Aid certification.

BACKGROUND

LFPD was established in 1948 and recognized by the State of California on February 14, 1958. LFPD covers 52 square miles with three fire stations. Fire Station 1 is located on Scales Avenue in Marysville. Fire Station 2 is located on Broadway in the community of Arboga and only staffed by volunteers at this time. Fire Station 3 is located on Feather River Boulevard in the community of Plumas Lake. The LFPD operates with 17 paid firefighters, including a fire chief, assistant chief, and 22 volunteers. The District's responsibilities include Emergency Medical Services (EMS), fire protection, hazardous materials response, water rescue, weed abatement, mutual aid and disaster management.

California Governor's Office of Emergency Services (OES) provides an OES strike team fire engine that can be called to duty at any time to fight fires in California. This vehicle is distinguished by its lime green color and required to be staffed by LFPD when requested for use.

LFPD is governed by a three-member board of directors which include a chairman, vice-chairman and secretary. The board members serve rotating four year terms and are responsible for hiring a chief to oversee the day-to-day operations. The board has monthly meetings and one can visit the LFPD website to view upcoming agendas.

LFPD receives their primary funding from property taxes, Proposition 172, public safety sales tax, and CSA revenue from Plumas Lake and East Linda. They are also eligible to receive grant funding as a fire district. LFPD's annual budget for all three stations is $3.4 million.

METHODOLOGY

Yuba County GJ reviewed Counties and Special Districts and decided with fire dangers becoming more prevalent in the State and County that it would be beneficial to the community to investigate LFPD. With the COVID-19 pandemic transpiring, the GJ was interested in learning how this pandemic has affected the fire district. Grand Jurors conducted research to learn more about the LFPD. This research was conducted online from newspaper articles and the LFPD website. Grand Jurors interviewed multiple staff members in January and February of 2021. Grand Jurors met and developed interview questions to better understand the history of LFPD, day-to-day operations, budgetary processes, prevention and staffing. All interviews were conducted with Zoom due to COVID-19 recommended safety guidelines. The GJ conducted a scheduled tour of Station 1 on Thursday, February 4, 2021. This station is located at 1286 Scales Ave, Marysville, CA 95901. LFPD staff led the tour which included the front offices, living area, kitchen, gym, sleeping quarters, bathroom, and engine bay.

LFPD Station 1 located at 1286 Scales Ave. Marysville- prior to July 2020 modernization project. Picture sourced from www.firedepartment.net

Photo taken by grand juror on February 4, 2021

DISCUSSION

During the background and research portion of the investigation the GJ learned that the district had recently acquired a new fire chief due to the retirement of the past chief. Grand Jurors also learned Fire Station 1 completed recent renovations to the existing building which cost approximately 1.3 million dollars.

During the interview process, The GJ learned that the LFPD has an Intern Program with Butte and Yuba College. The LFPD welcomes new recruits to volunteer and train with the department. Volunteers must be age 18 or older and live in the district while they are earning their certification. These volunteers are able to earn income for each call they work. Starting wage for volunteers is $8.50 per call and increases with each certificate earned. Individuals are able to be part of the Reserve Duty Responder (RDR) program working 36 hours per month for a stipend. The RDR program was created to allow volunteers that may choose to work outside of LFPD to remain affiliated.

LFPD administrative staff work in the fire station Monday through Friday and there is often no firefighter on the premises. Currently administrative staff are not required to maintain basic CPR and First Aid certification.

LFPD recently added a D shift to improve staffing as the call volume increased from 4,260 calls in 2019 to 4,823 calls in 2020. The response time to calls is approximately six minutes. While on a call, LFPD is dispatched to another call for service 50% of the time. This response time is well under the National Fire Protection Association requirement of an average eight minutes' travel time to 90% of incidents.

LFPD recently joined the local committee Zone Haven, in conjunction with Yuba County Sheriff's Department and Yuba County Office of Emergency Services, to develop in-depth evacuation plans for future emergencies. This committee was created to improve the response for future disaster preparedness.

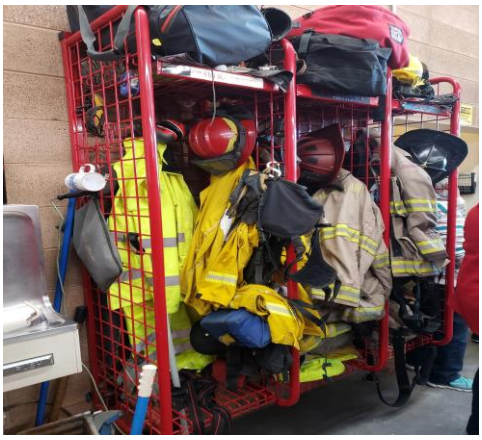
Members of the GJ toured Station 1 and were greeted by LFPD staff. Station 1 was originally built as a volunteer fire station in 1961. The 1.3-million-dollar modernization of the facility included the staff bathrooms, apron, drainage, as well as the electrical, ventilation, and alerting systems.

Due to COVID-19, the two office administrative staff work rotating shifts in an effort to mitigate contact in their compact work area. The shared living area was well kept with reclining chairs, a television on one end, and a large conference table at the other. Various firehouse art was hung throughout the living area. The kitchen was clean with counter space along the perimeter of the room. The sleeping quarters is one open room that accommodates five twin beds. The adjoining bathroom was renovated to meet ADA requirements.

In a separate building behind the firehouse is a gym with various equipment, two bathrooms and two showers. The cost of the equipment was covered by a grant previously awarded to LFPD. At the time it was determined that a larger building would be needed to support such gym

equipment. The district purchased building materials and partnered with the local Youth Build program to construct the gym. This addition helps firefighters stay in good physical condition during down time and off hours.

The engine bay has three doors where six various fire apparatuses are parked. The engine bay is organized with stations to retrieve gear and necessary items prior to leaving for calls. There is also a special laundry machine for removing toxic chemicals from the clothing after calls.



LFPD turnout gear located in the engine bay

FINDINGS

F1. The GJ finds the Fire Station 1 renovation to be an improvement to the interior and exterior of the building, providing a more efficient work environment.

F2. LFPD staff are a dedicated, hardworking team that go above and beyond for the community in which they serve.

F3. In the absence of firefighters, LFPD administrative staff should have basic CPR and First Aid Certification to ensure public safety.

RECOMMENDATIONS

R1. None

R2. None

R3. The GJ recommends that all administrative staff maintain basic CPR and First Aid Certification.

REQUIRED RESPONSES

Pursuant to Penal Code sections 933 and 933.05, the grand jury requests responses as follows:

From the following county officials within 60 days:

- Linda Fire Protection District Chief as to Finding and Recommendation 3.

From the following governing bodies within 90 days:

- Linda Fire District Commissioners as to Finding and Recommendation 3.

INVITED RESPONSES

The grand jury invites the following governing bodies to respond within 90 days:

- Yuba County Board of Supervisors as to Finding and Recommendation 3.

Reports issued by the Grand Jury do not identify individuals interviewed. Penal Code section 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.

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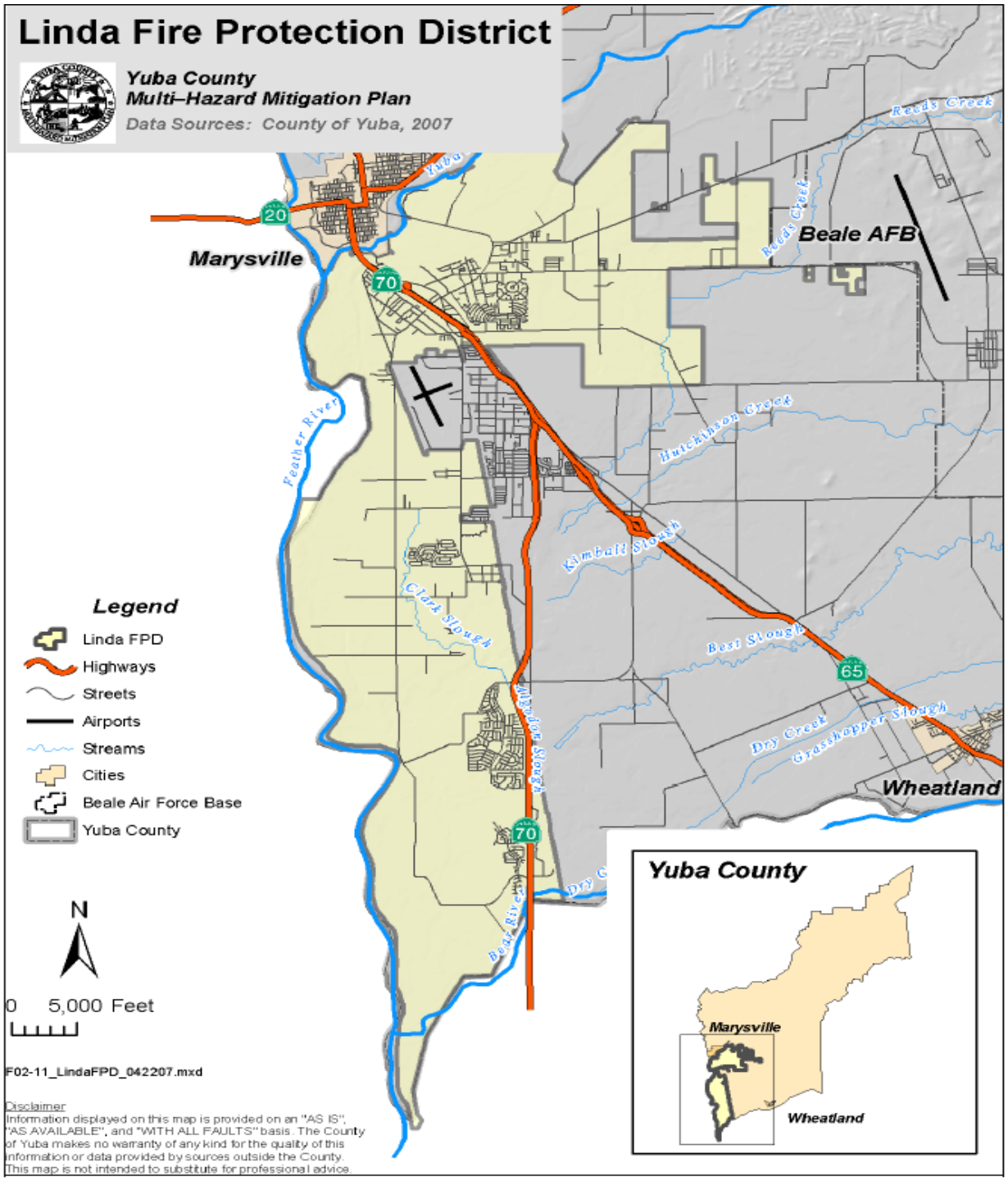
APPENDIX


Linda Fire Protection District
Yuba County
Multi–Hazard Mitigation Plan
Data Sources: County of Yuba, 2007
Marysville
Beale AFB
Wheatland
Reeds Creek
Hutchinson Creek
Kimball Slough
Clark Slough
Best Slough
Dry Creek
Grasshopper Slough
Feather River
Beale River
20
70
65
Legend
Linda FPD
Highways
Streets
Airports
Streams
Cities
Beale Air Force Base
Yuba County
N
0 5,000 Feet
F02-11_LindaFPD_042207.mxd
Disclaimer
Information displayed on this map is provided on an "AS IS", "AS AVAILABLE", and "WITH ALL FAULTS" basis. The County of Yuba makes no warranty of any kind for the quality of this information or data provided by sources outside the County. This map is not intended to substitute for professional advice.
Yuba County
Marysville
Wheatland

YUBA COUNTY K9 UNIT

Photo taken by Grand Jury Member

SUMMARY

The Yuba County K-9 Unit provides desirable career opportunities for officers in law enforcement. Specialized training and education are important when working with these dogs. The dog becomes a partner to the officer, offering security and aid in locating suspects and/or contraband.

Yuba County is unique with its multitude of environments from forest, foothills, farming, river bottoms and urban areas. Having K-9 units improves the ability to cover such diverse areas. The responsibilities of the K-9 deputy do not end with their shift. The family is included as they welcome these partners into their home to provide training, veterinary care and socialization. Not only are these intelligent and valued partners in the field but they are also gentle and beloved members of the family at home.

The use of drug dogs has dramatically reduced the inflow of illegal drugs into the jail. The Grand Jury (GJ) finds that patrol and drug dogs in Yuba County provide an essential service to the citizens as well as deputies. The K-9s are an important deterrent to potentially violent situations. They are a valuable resource which provides a positive bridge between the community and the Sheriff's Department. The GJ also finds that the financial impact of the dogs to the county is minimal when compared to the service they provide. Lastly, there is a lack of information regarding the history of the K-9 Unit on the Yuba County Sheriff's Department website. The Sheriff's Department and the community could benefit by adding information to their existing Canine Program Division Overview.

BACKGROUND

Yuba County Grand Jury (YCGJ) is charged to investigate every City and County Agency on a regular basis. The Grand Jury's last investigation of the Yuba County Sheriff's Department (YCSD) K-9 Unit was in 2009. The Grand Jury (GJ) had an interest in the YCSD K-9 Unit due to concern for public safety. The K-9 unit is one tool that Law Enforcement has at its disposal.

Dogs have been used by law enforcement agencies for over 100 years. The search for Jack the Ripper in 1888 England used bloodhounds to accompany police on patrol. In the midst of World War II the United States Army began the War Dog Program, or "K-9 Corps", under the training of the Quartermaster Corps (QMC) (History.com Editors, 2020). Through years of careful breeding and training, K-9 units around the world have enhanced their ability to arrest violent and uncooperative suspects while aiding their law enforcement partner.

The first patrol dog in Yuba County was a Belgian Malinois that was funded by his handler in 1964, establishing the K-9 Unit. This dog, "Jet", and his deputy/handler served the County from 1964 -1974. The K-9 Unit was established to support officers on patrol with a variety of

functions including drug and building searches, crowd control, public demonstrations, protection, as well as suspect apprehension. The K-9 Unit allows for a higher level of safety for officers.

The Yuba County Deputy Sheriff's (YCDS) K-9 Association was formed shortly after 1964. This nonprofit organization provides care, equipment and replacement dogs to the YCSD K-9 Unit. On occasion they hold events and sell merchandise to raise funds for this program.

METHODOLOGY

Members of the GJ toured the K-9 training facility on February 10th and April 7th, 2021 and observed a demonstration of the dogs performing a variety of tasks. The GJ gathered information from the handlers and trainers. Interviews were also conducted via zoom with multiple officers from the K-9 unit over a two-week period. GJ members later reviewed training and incident logs for further information. GJ members reviewed websites and internet media as well.

DISCUSSION

YCSD K-9 Unit currently consists of four patrol dogs and one drug dog. Patrol dogs are used for security of the handler, apprehension of (or to search for) suspects and to locate evidence. The drug dog works mainly in the jail, checking incoming mail, and searching for contraband.

The dogs are transported in a vehicle that provides adequate climate control. The K-9 vehicle is equipped with a door release button that is controlled remotely by the handler when needed. The threat of deploying the dog will diffuse most situations. Some dogs have had multiple handlers during their lifetime. Yuba County patrol and drug dogs live with their handlers and their families. Work mode is indicated to the dog by being placed in their gear and the use of specialized commands.

Due to the need for extensive training and an adaptive temperament, police dogs can be costly. Yuba County pays for food, veterinary bills and other needs. The 2020 expenditures for all five dogs included food in the amount of $2,429.28 and veterinary bills in the amount of $3.690.31. A YCSD has been certified by an outside agency to train dogs and their handlers. This saves the county $1500.00 a month, the cost of an outside trainer. The current County budget for these expenses is adequate.

YCDS K-9 Association, a nonprofit organization, funds the acquisition of the dogs that are then employed by the Sheriff's office. The Association maintains ownership of these dogs during their working career. The YCDS K-9 Association is able to provide dogs through fundraising and donations.

The current patrol dog of choice for Yuba County is the Belgian Malinois. Each new dog is paired, by personality, with their handler. Patrol dogs are intact males who must show an

aggressive nature, when commanded. They must also be energetic, intelligent and trainable. They begin service from as young as one-year old and are retired at about seven years of age.

The Sheriff's Department drug dog is a three-year old female chocolate lab. She is able to detect most commonly used street drugs. An inmate's incoming mail may have dissolved narcotics contained on, or inside, the envelope. The drug dog scans incoming mail. This action has reduced contraband entering the jail dramatically. The dog performs daily cell searches referred to as a 'shakedown'. Drug detection requires focus and frequent breaks are given to the dog. Location detection can become difficult when out of reach or overhead. The dog has had extensive training and performs her tasks effectively. Her duties include quarterly demonstrations of her abilities and community outreach.

In case of drug inhalation by the dog during a search, the handler's carry Naloxone, also known as Narcan. This medication, known as an "opioid antagonist", is used to counter the effects of opioid overdose (National Institute on Drug Abuse, 2021).

All dogs and handlers have intensive training from day one. The focus of training is searching for concealed persons or items. Although bite and attack training does take place, handlers feel it is most important to defuse an aggressive situation. This training is reinforced weekly in a variety of scenarios. The K-9 Unit works cohesively and deputy's practice scenarios that include officer/handler incapacitated situations which may require another officer to take command of the dog. Certified K-9 handlers are able to house coworker's dogs when needed or requested, such as personal leave or vacation. Peace Officer Standards and Training (POST) certification is given to the dog and handler as a team.

Training and incident logs are maintained for each dog and are retained for the working life of the dog. They are used to evaluate progress of the dog and handler, and are an accountability resource. Every time a dog is deployed in the field the incident log is used to tabulate the experiences of the dog.

There is at least one dog handler on duty 24/7. The four current patrol dogs meet the needs for Yuba County at this time. Due to time and distance challenges while traveling to the foothills and mountain areas, there may be a need for a resident dog and handler stationed in that area in the future.

YUBA COUNTY K-9s

NAME	AGE	Sex	BREED	TRAINING
Chase	4 years old	Male	Belgian Malinois	Patrol
Alex	18 months old	Male	Belgian Malinois	Patrol
Lomax	4 years old	Male	Belgian Malinois	Retired from Patrol during this investigation
Rocko	4 years old	Male	Dutch Shepherd	Patrol
Mikey	2 years old	Male	Belgian Malinois	Patrol
Cora	3 years old	Female	Labrador Retriever	Drug

FINDINGS

F1. Patrol and drug dogs in Yuba County provide an essential service to the citizens as well as deputies. The K-9s are an important deterrent to potentially violent situations. They are a valuable resource which provides a positive bridge between the community and the Sheriff's Department.

F2. The financial impact of the dogs to the county is minimal when compared to the service they provide.

F3. There is a lack of information regarding the history of the K-9 Unit on the Yuba County Sheriff's Department website. The Sheriff's Department and the community could benefit by adding information to their existing Canine Program Division Overview.

RECOMMENDATIONS

R1. None.

R2. None.

R3. The GJ recommends that the website be expanded to include more information.

COMMENDATION

The GJ commends the Yuba County K-9 Unit on its effective and efficient management, training and deployment. The handlers/deputies and K-9s are very enthusiastic, knowledgeable, and dedicated to the community in which they serve.

REQUIRED RESPONSES

Pursuant to Penal Code sections 933 and 933.05m the Grand Jury requests responses as follows:

From the following elected county officials within 60 days:

- Yuba County Sheriff as to Findings 1, 2, and 3.

From the following governing bodies within 90 days:

- Yuba County Board of Supervisors as to Finding 1, 2, and 3.

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National Institute on Drug Abuse (2021). Opioid Overdose Reversal with Naloxone (Narcan, Evzio). https://www.drugabuse.gov/drug-topics/opioids/opioid-overdose-reversal-naloxone-narcan-evzio

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YUBA COUNTY GRIDS
2010-2021

Cities Committee	10	11	12	13	14	15	16	17	18	19	20	21
City Council								X	X			
City of Marysville			X						X			X
City of Wheatland									X			X
Marysville Business Improvement District												X
Marysville City Cemetery										X	X	X
Marysville City Clerk's Office												
Marysville City Council Meeting Minutes		X										
Marysville Fire Department					X			X	X			
Marysville Public Works					X							
Marysville Redevelopment Agency												
Marysville Website	X											X
Ellis Lake					X							

County and Special Districts Committee	10	11	12	13	14	15	16	17	18	19	20	21
Administrative Services												
Administrative Services - IT												
Agriculture												
Airport Enterprise Zone												
Assessor												
Auditor / Controller												
Board of Supervisors												
BoS - Ordinances												
BoS - Yuba County - Office Hours												
Brophy Water District												
Browns Valley Irrigation District												
Building - Permit Fee				X	X							
Camp Far West Irrigation District												
Camptonville Community Services District												
Cemetery District - Browns Valley												
Cemetery District - Brownsville					X							
Cemetery District - Camptonville					X							
Cemetery District - Keystone					X							
Cemetery District - Marysville	X				X							

County and Special Districts Committee (cont.)	10	11	12	13	14	15	16	17	18	19	20	21
Cemetery District - Peoria					X							
Cemetery District - Smartsville					X							
Cemetery District - Strawberry Valley					X							
Cemetery District - Upham					X							
Cemetery District - Wheatland					X							
Clerk/Recorder/Elections												
Clerk of the Board												
Code Enforcement												
Community Development												
Cordua Irrigation District												
County Administrator										X		
County Counsel						X						
District 10 - Hallwood Community Services District												
Dobbins-Oregon House Fire Protection District												
Economic Development												
Foothill Fire Protection					X							
General Services - Buildings and Grounds												
Levee District 817												
Library												

County and Special Districts Committee (cont.)	10	11	12	13	14	15	16	17	18	19	20	21
Linda County Water District										X		
Linda Fire District								X				
Local Agency Formation Commission (LAFCO)												
Loma Rica-Browns Valley Community Services District												
Marysville Levee District												
Mosquito and Vector Control District						X						
Nevada Irrigation District												
North Central Counties Consortium (NCCC)												
North Yuba Water District										X		
Office of Emergency Services			X			X		X				
Olivehurst Public Utility District (OPUD)									X			
Olivehurst PUD - Fire												
Olivehurst PUD - Water									X			
Personnel Risk Management												
Plumas/Brophy Fire Protection District												
Print Shop												
Public Administrator												
Public Works Road Department					X							
Ramirez Water District												

County and Special Districts Committee (cont.)	10	11	12	13	14	15	16	17	18	19	20	21
Reclamation District 10												
Reclamation District 784												
Reclamation District 817												
Reclamation District 2103												
River Highlands Community Service												
Smartsville Fire Department												
South Yuba Water District												
Three Rivers Levee Improvement Authority		X										
Treasurer/Tax Collector												
Weights and Measures												
Wheatland Water District												
Yuba County Airport	X				X	X						
Yuba County Resource Conservation District												
Yuba County Water Agency												

Health and Human Services	10	11	12	13	14	15	16	17	18	19	20	21
Adult Services												
CAL Works												
Child Protective Services					X							
Environmental Health												
Environmental Health - Personnel												
Environmental Health - Onsite Sewage												
Environmental Health - YSDI												
First Five Yuba Commission	X											
Fraud Investigations												
Health and Human Services										X		X
H&H Services Home Safety Visits			X									
Health Department												X
14Forward									X			
Mental Health Services												
Peach Tree Clinic												
Public Guardian												
Yuba Sutter Veterans Services								X				

Law Enforcement	10	11	12	13	14	15	16	17	18	19	20	21
Animal Care Services		X							X			
District Attorney												
DA - Family Support Division												
DA - Public Administrator												
Grand Jury - Report System												
Juvenile Hall	X	X	X	X	X	X	X	X	X	X		
Juvenile Traffic Court												
Marysville Police Department		X							X			X
Probation												
Public Defender												
Sheriff								X	X			
Sheriff - K9 Unit												X
Victim Witness									X	X	X	
Wheatland Police Department					X							
Yuba County Jail	X	X	X	X	X	X	X	X	X	X	X	X

Schools	10	11	12	13	14	15	16	17	18	19	20	21
Abraham Lincoln (Home) School												
Alternative Education Program												
Anna Mc Kenney Intermediate												
Arboga Elementary School					X							
Bear River Intermediate									X			
Browns Valley Elementary						X						
Campton Union School District												
Cedar Lane Elementary School					X							
Charter School												
Citizen Bonds Oversight Com	X											
Cordua Elementary												
Core Charter												
Dobbins Elementary School												
Edgewater Elementary												
Edward P. Duplex Continuation High School												
Ella Elementary												
Food Services - School Meals Program												
Foothill Intermediate School				X	X							
Harry P.B. Carden												
Johnson Park Elementary												

Schools (cont.)	10	11	12	13	14	15	16	17	18	19	20	21
Kynoch Elementary												
Linda Elementary												
Lindhurst High							X		X			
Loma Rica Elementary School												
Lone Tree Elementary												
Mary Covillaud Elementary School					X							
Marysville Charter Academy for the Arts												
Marysville Community Day School												
Marysville High												
Marysville Independent Study												
Marysville Joint Unified Board				X		X						
Office of Education												
Olivehurst Elementary School												
Plumas Elementary School												
Preparatory Charter School												
Regional Career Center JPTA												
School Safety - Yuba County Schools												
South Lindhurst High School									X			
Thomas E. Mathews												
Virginia School									X			

Schools (cont.)	10	11	12	13	14	15	16	17	18	19	20	21
Wheatland Charter Academy												
Wheatland Elementary School					X							
Wheatland High										X		
Wheatland School District												
Wheatland School District Building												
Yuba College												
Yuba County Career												
Yuba County of Education												
Yuba Feather Elementary												
Yuba Gardens Int.												

Special Reports	10	11	12	13	14	15	16	17	18	19	20	21
Continuity												X
Sewage Appeals Board												
Social Media										X		
Youth Project - Runaway Youth												
Yuba County - 1997 Flood												
Yuba Park												
Yuba River Access												

YUBA COUNTY

GRAND JURY

COMPLAINT

FORM

COMPLAINT PROCESS

- Present your complaint as soon as possible. The Grand Jury's term of service begins July 1st and ends June 30th of the following year.

- Identify your specific concern and describe the circumstances as clearly and concisely as possible.

- Document your complaint with copies of pertinent information and evidence in your possession.

- Mail or deliver your complaint in a sealed envelope to:

  Yuba County Grand Jury
  215 5th Street, Suite 213
  Marysville, Ca 95901

Among the responsibilities of the Grand Jury is the investigation of the public's complaints to assure that all branches of city and county government are being administered efficiently, honestly and in the best interest of its citizens.

Complaints submitted to the Grand Jury will be treated confidentially whenever possible. However, it may be impossible to conduct an investigation without revealing your name and complaint.

The results of the complaints investigated by the Grand Jury are published in its final report in which the residents of the county are made aware of its investigations, findings and recommendations and the entities reported on are required by statute to respond.

GENERAL INFORMATION

A major function of the Yuba County Grand Jury is to examine local county and city government, special districts, school districts, and any joint powers agency located in the county to ensure their duties are being carried out lawfully.

The Grand Jury:

- May review and evaluate procedures used by these entities to determine whether more efficient and economical methods may be employed;

- May inspect and audit the books, records and financial expenditures as noted above to ensure that public funds are properly accounted for and legally spent;

- May investigate any charges of willful misconduct in office by public officials;

- Shall inquire into the condition and management of the public prisons within the county.

Anyone may ask the Grand Jury to conduct an investigation of an issue within its jurisdiction. Whether it chooses to investigate such a complaint is entirely in its discretion and may be affected by workload, resource limitations or legal restrictions. It is important to note that the Grand Jury may not investigate a matter that is currently being litigated in the court system.

By law, the proceedings of the Grand Jury are confidential. The findings and recommendations and issues it chooses to address are published in its final report.

GRAND JURY COMPLAINT FORM

GRAND JURY USE ONLY:

Date Received: _____

Number: _____

Subject: _____

_____

_____

_____

PERSON OR AGENCY ABOUT WHICH COMPLAINT IS MADE

NAME: _____

ADDRESS: _____

_____

TELEPHONE NUMBER: _____

NATURE OF COMPLAINT (Describe events in the order they occurred as clearly and concisely as possible. Use extra sheets if necessary and attach copies of any correspondence you feel is pertinent. Documentation becomes the property of the Grand Jury and will not be returned. ***Please note: The Yuba County Grand Jury has no jurisdiction over state or federal agencies, the courts, judicial officers, private companies or most organizations.)***

_____

_____

_____

_____

_____

_____

_____

WHAT PERSONS OR AGENCIES HAVE YOU CONTACTED ABOUT YOUR COMPLAINT?

Person or Agency	Address	Date of Contact	Results

WHO SHOULD THE GRAND JURY CONTACT ABOUT THIS MATTER?

Person or Agency	Address	Telephone No.

Your Name: _____

Address: _____

Telephone No: _____

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

_____ Complainant's Signature

_____ Date

SUPERIOR COURT OF CALIFORNIA
COUNTY OF YUBA

GRAND JURY APPLICATION

(Please print legibly in black or blue ink)

To: Office of the Jury Commissioner, jury@yuba.courts.ca.gov

NAME: _____ AGE: _____ BIRTHDATE/PLACE: _____

ADDRESS: _____ HOME PHONE: _____

DRIVERS LICENSE NUMBER: _____ SOCIAL SECURITY NUMBER: _____

DURATION OF RESIDENCE IN YUBA COUNTY: _____MARITAL STATUS:_____ SEX:_____

EMPLOYER: _____ OCCUPATION: _____ WORK PHONE:_____

☐ RETIRED (If retired please indicate your former employer and occupation above.)

Personal Information is confidential and will not be disclosed unless otherwise required by law.

1. **Have you ever served as a member of the Grand Jury?** ☐ **Yes** ☐ **No**
   If yes, where and when? _____
2. **Are you a United States Citizen?** ☐ **Yes** ☐ **No**
3. **Have you been convicted of malfeasance in office or of any felony?** ☐ **Yes** ☐ **No**
4. **Have you ever been an employee of Yuba County?** ☐ **Yes** ☐ **No**
5. **Do you have any relatives employed by Yuba County? If so,** ☐ **Yes** ☐ **No**
   Name: _____ **Dept.** _____ **Relationship:** _____
6. **Spouses employer** _____ **Occupation** _____ ☐ **N/A**
7. **Have you ever been in the military service? If yes, Branch** _____ ☐ **Yes** ☐ **No**
   Nature of Employment_____Period served_____ Highest rank or grade held_____
8. **Highest school grade completed** _____ **Degrees held**_____ **School/University attended** _____ **Years of attendance**_____
9. **If appointed to the Grand Jury, will you make a conscientious effort to attend and participate in all of those sessions of the jury as a whole and of the committees of which you are a member?**
   ☐ **Yes** ☐ **No**
10. **If appointed to the Grand Jury, will you conscientiously adhere to all applicable rules on confidentiality and security?** ☐ **Yes** ☐ **No**
11. **Are you interested in serving as a Grand Juror?** ☐ **Yes** ☐ **No**
12. **Will you be available for jury service for approximately four hours per week?** ☐ **Yes** ☐ **No**

Other comments:_____

I affirm that the information provided in this questionnaire is true and correct to the best of my knowledge.

Signed on _____(*date*) in _____(*city*), California

_____
Signature