



Superior Court of California County of Colusa

JEFFREY A. THOMPSON
PRESIDING JUDGE

532 Oak Street
Colusa, CA 95932

ELIZABETH UFKES OLIVERA
ASSISTANT PRESIDING JUDGE

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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 2022-2023 Final Report

DATE: July 17, 2023

Enclosed please find a copy of the 2022-2023 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.

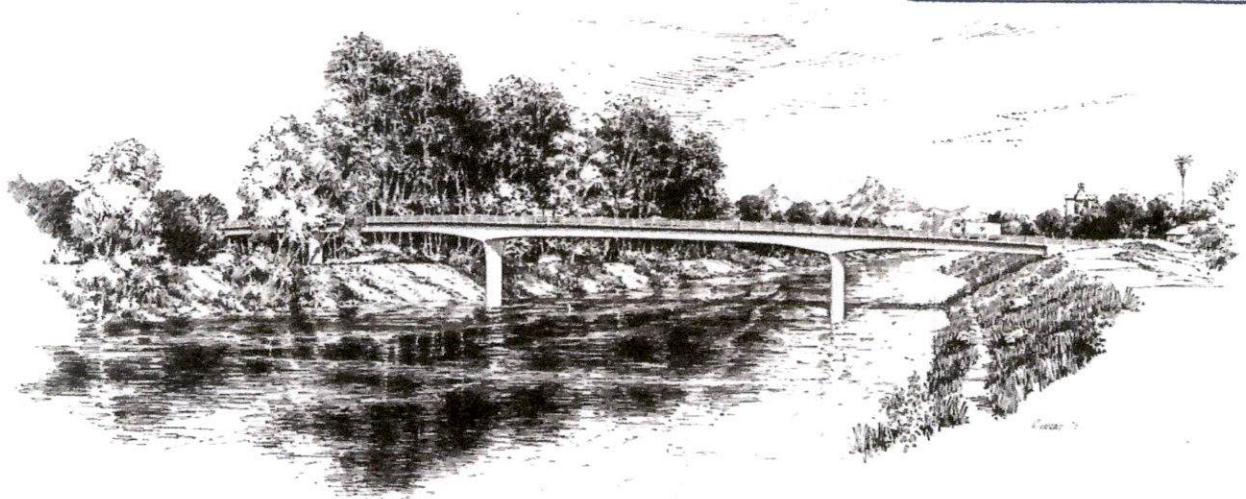
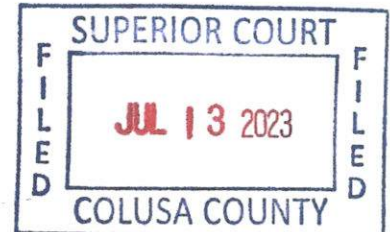
(c) No later than 90 days after the grand jury submits a final report on the operations of any public agency subject to its reviewing authority, the governing body of the public agency shall comment to the presiding judge of the superior court on the findings and recommendations pertaining to matters 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.)

COLUSA COUNTY GRAND JURY 2022-2023

ENDORSED



SACRAMENTO RIVER BRIDGE at COLUSA

FINAL REPORT

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FOREPERSON'S LETTER



COLUSA COUNTY CIVIL
GRAND JURY
P.O. BOX 715
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PHONE: (530) 458-0431

June 27, 2023

Honorable Jeffrey A. Thompson, Presiding
Judge Superior Court of California,
County of Colusa 532 Oak Street
Colusa, California 95932

Dear Judge Thompson:

As Foreperson of the 2022-2023 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 appreciate the opportunity to fulfil our civic duty and to learn about the vital function of the Grand Jury and its importance to the supervision and balance of our local government.

The start of our term was filled with administrative challenges of establishing meeting places and acquiring administrative support necessary to function. We hope that future Grand Juries will be able to bypass those challenges and spend their entire term productively.

I am profoundly grateful for the all the jury members who attended meetings, worked on committees, and served as officers for their commitment to the process and assisting me in finding out way through our term. I deeply appreciated the depth and breadth of knowledge, skills, and life experiences that each member brought to the Grand Jury proceedings.

I would like to thank all the public officials who cooperated in interviews and contributed their time, provided information, and shared their knowledge as requested by jury members. Also, we are indebted to the assistance of Senior Deputy County Counsel Jennifer Sutton, who was always available when needed.

I extend my best wishes to the next Grand Jury.

Sincerely,

A handwritten signature in cursive script that reads "Lorraine Egan Marsh".

Lorraine Egan Marsh
Foreperson, 2022-2023 Colusa County Grand Jury

GRAND JURY MEMBERS

2022-2023

OFFICERS

Lorraine Marsh, Foreperson
Douglas Kinkle, Foreperson Pro Tem
Jerry Schantz, Parliamentarian & Audit/Finance Chairperson
Cynthia White, Secretary
Janet Escalanteramos, Correspondence Secretary
Micheal Hancock, Archivist/Librarian
Troy Oliver, Sergeant at Arms
Janet Escalanteramos, City Government Chairperson
Therese Harper, County Government Chairperson
Jesus Garcia, Criminal Justice Chairperson
Patti Tauscher, Special Districts Chairperson

MEMBERS

James Cook
Gregory Coronado
Rachel Lagrande
Darcy Maunders
John Stuck
Martin Vasquez
Ramiro Velazquez
Danielle Wilson

GRAND JURY'S OATH

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

The following oath shall be taken by each member of the grand jury: "I do solemnly swear (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 can 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)

INSPECTION OF COLUSA COUNTY JAIL

SUMMARY

On January 11, 2023 five Grand Jury members toured the Colusa County Jail. At that time there were sixty (60) inmates in total: three (3) were Federal inmates; three (3) were waiting to go to State Prison (CDCR); and fifty-four (54) were county inmates.

Safety issues for correctional officers and incarcerated persons were of the utmost interest during this inspection by the 2023 Grand Jury.

BACKGROUND

The Grand Jury is authorized to visit and inquire into the conditions of any detention facility used by the County, as outlined in Section 919 (a) and (b) of the California Penal Code. Inspecting the safety and security in jails are the Grand Jury's priorities along with ensuring that inmates are treated in a safe and humane manner. Jail administration is hoping to break ground on the new jail facility in summer of 2023.

METHODOLOGY

Information for this investigation was sourced from the following:

- Grand Jury Committee tour of the jail facility
- Two interviews with the County's jail administration
- Interviews with one male inmate and one female inmate
- Interviews with one male guard and one female guard
- Review of Jail inspections conducted by the California Board of State and 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 administration
- Colusa County website (www.countyofcolusa.org)
- American Correctional Association (<https://www.aca.org>)
- California Grand Jurors Association (<https://cgja.org>)
- Title XV operating standards
- Colusa County Grand Jury Procedures Manual

DISCUSSION

Pre-Inspection Interview

On December 6, 2022 members of the Grand Jury and jail administration met to acquaint the Grand Jury with the overall responsibilities of the jail.

Staff Interviews

Correctional officers usually attend the Basic Training Academy (Correctional Officer Core Course) which is 187 Hours. The Correctional Core Course is taken by every newly hired Correctional Officer that has never worked or received the training elsewhere. The academy they attend is generally the Yuba College Academy.

Every year officers are required to complete twenty-four (24) hours of training and to receive a medical certification. Additional in-house training includes fire drills, booking, and the use of handcuffs.

Guns are issued/provided to officers after they have gone to a Laws of Arrest and Firearms Course (64 hours) training. These guns are carried when transporting incarcerated persons, not inside the facility.

Some Correctional Officers carry Tasers. Jail staff are working on acquiring more Tasers and outfitting more of the officers with them.

Vests are provided for the transport driver. These vests are not stab proof and are only bullet proof. There are some extra vests at the department in case there is a need (e.g., a transport that is considered high risk/profile).

Incarcerated Persons Interviews

Both male and female interviewees reported that the staff of the Colusa County Jail was respectful and took care of the people incarcerated. Interviewees had never witnessed or heard of any inappropriate behavior between guards and inmates.

Inmates are required to clean the facility and appear to be doing a good job. Gloves and masks are offered for any job involving chemicals. Volunteers are chosen by an officer to do some outside maintenance, including clearing out the sewer drain.

There was a complaint about the food quality. One person reported spending \$400 per month to supplement the food provided.

Food Facilities

Food has been provided by Trinity Food Services for the previous 5 years. There is no community volunteer help. An inmate runs the kitchen. Two other inmates are assisting, learning and earning credits (for time off).

See Monthly Menu Attachment #1 and Nutritional Health Evaluation Attachment #2.

Recreation Facilities

Recreation Facilities are limited to an enclosed courtyard with a screen obscuring the sky. Although incarcerated persons must receive 3 hours of recreation time weekly, they are daily offered limited time in this space, with care given to not have members from rival gangs using the space at the same time.

Medical Services

The Jail is contracted with WellPath for onsite medical health care services. There is currently one nurse working from 8:00 a.m. to 4:00 p.m. Monday through Friday, and one nurse covering six hours on Saturdays and Sundays. Nursing staff have an on-call doctor available for consultation and medical directives. 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 or emergencies pose great risk (e.g., an overdose), 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. There is always behavioral health personnel available day or night to provide support for the incarcerated persons in the jail.

Education Program

Currently, a teacher comes to the facility once per week for 4 hours. She has up to 7 hours per week to offer the jail. Currently there are 4-5 students attending. One female incarcerated person received her High School Diploma on January 12, 2023.

Jail administration is looking at offering more classes now that COVID-19 restrictions are being eased. There is no current offering of online courses in the jail as the jail does not have wireless internet in the jail cell areas except in the attorney and booking areas.

Colusa County Probation Department has agreed to start a program at the jail called MRT (Moral Recognition Therapy) but is now called "Thinking for Good." It will be two classes per week with up to 5 students in each class with masks. One class will be offered to females and one for males.

The Probation Department has another program in development, "Inside Out Dad", but it is not ready to be brought into the jail at this time. There is a program offered for non-incarcerated justice involved individuals (on probation or paroled) called "24/7 Dad". This is an evidenced based fatherhood program whose goal is to reduce recidivism.

Also, there will be a reintroduction of an Alcoholics Anonymous (AA) program in the Jail led by a volunteer from the community. No start date was in place at the time of our inspection, however weekly meetings were begun in May.

Proposed New Jail Facility Status

According to jail staff the construction of the new Colusa County Jail is planned to begin by late summer 2023.

The latest cost estimate to build the new Jail is \$36.6 million, and is significantly higher than the \$25 million estimated last year. Recent inflation has contributed to this substantial cost increase. Anticipating an increase in building costs, the Jail Administration has been saving some monies from their operating budget for the last four (4) years.

The County Board of Supervisors has approved a conditional construction contract. Now the State Finance Department needs to approve same.

In addition to new holding cells, the new Jail will provide needed program space for education and skills training, recreation yards, and on-site rooms for dental, medical, and mental health services.

The new jail will require two (2) additional personnel, one of which has already been hired.

FINDINGS

F1. There is an inadequate supply of vests for officers' safety.

F2. Food quality is lacking appeal and variety. There is over packaging of food items.

F3. Educational opportunities are limited.

RECOMMENDATIONS

R1. There needs to be an increased availability of vests to any officer having direct contact with inmates.

R2. Input should be sought from similar facilities, i.e. juvenile detention center in Marysville, to upgrade the quality of food served. More training and involvement for inmates in food preparation and service might be helpful.

R3. There needs to be an increased availability of educational opportunities. Excellent resources are to be found from the library and County Office of Education sources. An increase of direct access to services from the local library that could include literacy, high school diploma and citizenship access.

R4. In addition to the literacy program that has begun in the jail by a Library volunteer, an increase of direct access to services from the Library could include citizenship

access as well as advertising in the Library newsletter for more volunteer led programs and activities

REQUIRED RESPONSES

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

From the following individuals and governing bodies:

- Colusa County Sheriff
 - Findings F1 through F3
 - Recommendations R1 through R4
- Colusa County Board of Supervisors
 - Recommendations R1 and R4

INVITED RESPONSES

The following responses are invited from the following individual:

- Lieutenant — Correctional Services, Colusa County Sheriff's Department
 - Findings F1 through F3
 - Recommendations R1 through R4

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.

DISCLAIMER

This report on the Inspection of the Colusa County Jail is issued by the full 2022-2023 Grand Jury with no recusals.

INSPECTION OF THE TRI-COUNTY JUVENILE REHABILITATION FACILITY AND MAXINE SINGER YOUTH GUIDANCE CENTER

SUMMARY

On February 2, 2023, five (5) members of the Colusa County Grand Jury conducted their annual inspection of the Tri-County Juvenile Rehabilitation Facility (Juvenile Hall) and the Maxine Singer Youth Guidance Center (Camp Singer). Both facilities are located on the same grounds at 1023 14th Street, Marysville, California. The Grand Jury was given a thorough introduction to the facilities, administration, staff, and youth. We found the facilities are well run and appreciated by staff and young offenders alike.

BACKGROUND

Section 919 (b) of the California Penal Code mandates that the Grand Jury inquire into the conditions of any public prison within the county. Since Colusa County sends their juvenile offenders to the Facilities located in Yuba County, the Grand Jury feels an obligation to ensure the safety and security of our County youth. Five (5) members of the Grand Jury completed an inspection of the Facilities on February 2, 2023.

METHODOLOGY

Information for this investigation was sourced from the following:

The Grand Jury's inspection of the Juvenile Hall and Camp Singer

Discussions with facility administration, staff, and two youths from Juvenile Hall

Review of past Colusa County Grand Jury reports

Research online of Positive Behavioral Intervention and Support and the Reaching Back To Our Youth programs

Tri-County Parent/Guardian Information Sheet

Colusa County Grand Jury Procedures Manual

OVERVIEW OF THE FACILITIES

These Facilities are shared and funded by three local counties: Colusa County, Sutter County, and Yuba County (Tri-Counties) housing youths between 14-19 years old.

The Juvenile Hall and Camp Singer each have a capacity of 60 youths. At the time of our inspection, the Juvenile Hall housed 12 males and no females, with no youth from Colusa County. Camp Singer housed 11 males and no females, none of whom were from Colusa County.

Staffing of the Facilities

The primary roles of Facility staff are to mentor, guide and support youth while maintaining enforcement of safety and security. Facility staff are trained on Title 15 regulations as well as mental health, crisis intervention, suicide prevention, use of force, youth trauma, and policy and procedures. Facility Supervisors must receive 40 hours of training and Juvenile Correction Officers receive 24 hours of training annually.

Currently, there are 18 Juvenile Correction officers (JCOs) employed at the Juvenile Hall and 14 JCOs employed at Camp Singer, for a total of 32 Facility staff. The JCOs work 12-hour shifts to provide continuous supervision. During the day when the youth are awake, the staff ratio is one JCO to ten youth. When the youth are asleep, the staff ratio is one JCO to 30 youth.

Medical Services

Medical staff are available for the youth at both facilities and is provided by Wellpath, a third-party contractor. Medical services include psychological, pharmaceutical, and physical. Minor medical needs are addressed on site. If a youth requires hospital treatment, staff will transport youth to Rideout Memorial Hospital in Marysville. In serious cases, the youth will be transported to the hospital by ambulance.

Seven days a week a registered nurse is on-site during the day; and a Yuba County Jail Licenses Vocational Nurse (LVN) is on-site at night. A Wellpath doctor is available five days a week and on-call outside normal working hours. The doctor will speak with on-site health care staff every week to discuss any issues.

Dental is provided as required, including cleanings.

Mental Health/counseling services are provided to youth by the medical provider, Wellpath, and Sutter Yuba Behavioral Health. Colusa County Behavioral Health provides on-call services six days a week for Colusa County youth.

Family Tree Center

After being initially processed, youths meet with an on-site advocate, a member of the therapeutic treatment team of the Family Tree Center. The advocate assesses the needs of each youth (i.e. dental, medical, mental health). They communicate to the youth that they are always willing to receive any requests or inquiries the youth may have. If a youth stays past 30 consecutive days, Family Tree will work with the youth's probation officer to meet the youth offenders' criminogenic needs. This is a multidisciplinary approach that promotes the positives and strengths each youth possesses by pinpointing the triggers (both positive and negative) the youth may have. The goal is to find the best plan and future for each youth.

Parental support is an integral part of this multidisciplinary approach. Family Tree helps parents understand the complexities of the juvenile justice system and brings them up to speed on the "new" child that is being shaped in Juvenile Hall. Family Tree conducts group parental meetings every two weeks.

Each youth is allowed visitation during the week by appointment that is scheduled a week in advance. Parents are encouraged to visit a minimum of two hours a week. Each youth is allowed two people per visitation period unless they have earned privileges allowing up to five family members. Visiting is conducted in the Juvenile Hall's Central Day Room.

Community partners that support Family Tree include the Hall to Home Program (through the Yuba County Office of Education); local Alcoholics Anonymous (AA) Program (weekly meetings); spiritual church service (weekly meeting); and Reaching Back To Our Youth (R.B.T.O.Y.) who are out of Sacramento. R.B.T.O.Y. is a mentoring organization that provide one-on-one mentorship to at-risk youth.

The Behavior Assessment Program that the Juvenile Hall uses is called PBIS (Positive Behavioral Interventions & Supports). It is used facility wide and the staff has found it to be very effective. With this program the expectations and guidelines are clearly spelled out. Daily each youth is assessed and given a status. Youth are encouraged to achieve higher status to earn more privileges (i.e. later bed time, more phone usage, and more family visitation). Earned credits also can be used at the "PBIS closet" (their commissary).

Family Tree is staffed by one Marriage Family Therapist; two Associate Marriage Family Therapists; one Associate Clinical Social Worker (from Colusa County); and one Service Dog. The ACSW from Colusa County provides individual and family counseling

(depending on the need) for youths that come from Colusa County. In addition ACWS staff participates in all multidisciplinary meetings and is an integral team member in identifying trends and processes that would be more helpful or need to change. In other words, all staff work as a team and are “for” all of the youth under their care.

Lastly, the genuine compassion and care of the Family Tree Therapeutic Treatment Team was noticed and recognized by the Grand Jury Inspection Team. In addition, they make themselves very accessible to the youth residing there, to other staff and to visitors.

Meals and Nutrition

There is one dining hall servicing both Facilities. The kitchen is adjacent to the dining hall which has a total seating capacity of 64. Youth receive five meals per day (breakfast, lunch, dinner and two snacks). All three main meals are served hot. All meals are made from scratch by kitchen staff.

Meals are served cafeteria style but served separately for Juvenile Hall and Camp Singer youth. Monthly menus are posted (sample menu attached). Youth have approximately 20 minutes to eat after last tray is served.

If special diet is required by youth, kitchen staff works with medical staff, Facility staff, and youth regarding any special diets and food allergies. Staff in attendance at meals encourage youth to eat, however, if youth refuse to eat, medical and behavioral health staff provide assistance.

Use of Force

During the last 12 months (January 2022 – January 2023) Juvenile Hall had 14 incidents and Camp Singer had four (4) incidents involving use of force.

The effectiveness of PBIS is seen in the reduction of use of force incidents.

All use of force incidents, including available video surveillance, are reviewed by supervisors, managers, and department administration. Defensive tactics instructors may also be consulted for an opinion regarding appropriate use of force. Staff uses verbal de-escalation, weaponless defense and OC spray (Pepper Spray) in use of force incidents. However, OC spray (Pepper Spray) is not used in Camp Singer.

Juvenile Hall Inspection

Housing Units

The Facility consists of 45 concrete beds off the floor, but the linear layout of the beds is not Title XXIV compliant. The new Facility being built will solve this issue.

There is no separation of youth because of gang affiliations. Youth are acknowledged and treated as individuals. Youth are paired in cells (when necessary) based on age and compatibility.

Orientation of Youth

When processed into Juvenile Hall, youth receive a comprehensive orientation handbook and are given an opportunity to review the handbook and ask questions. Rules and grievance procedures are posted and understood by the youth. They are also provided with information throughout their residency.

School

While in Juvenile Hall, youths are required to attend school. The Facility has two portable classrooms that can be used. There is one full-time teacher for Juvenile Hall students. Youth are in class for three hours in the morning. If any student has individual needs, they are assisted after lunch. Youth who are separated from the main population are encouraged to continue with education that can be provided virtually.

Yuba County Office of Education provides instruction to youth at their education level. Students earn credits and can graduate with a high school diploma. The program is WASC accredited which means they are providing grade level education that is standards based.

Juvenile Hall Youth Conversations

The five member Grand Jury team entered the classroom of both Juvenile Hall and Camp Singer while class was in session. The Juvenile Hall class was working on a project of building, painting and operating remote control cars. This less formal classroom setting allowed Grand Jury members to have informal conversations with multiple students. One student who was recently admitted to their program, in response to the interviewer's questions, shared that he was being treated well, the environment was free of bullying, he very much liked the food, and he had no complaints. This

student was very open about his own story and very open to the interviewer's encouragement to take advantage of any opportunities offered to him.

A second informal interview was with a young man who was reaching the end of his time at Juvenile Hall. He had been there for a few months and was soon moving back home to his mother's house. He stated that he had no complaints. He was treated fine. He did not have a car for the project the class was working on because there were not enough but that was fine with him since he was leaving anyway. When further questioned, he stated his time in Juvenile Hall was okay and he could not think of anything he would want to change.

Programs

Juvenile Hall strives to provide evidence based programs supplemented by volunteer and staff programs (sample program schedule attached). Programs include: Positive Behavioral Intervention and Support (PBIS), Art, Self Esteem, Life Skills, Substance Abuse, Mental Health, Gang Awareness, Religious, Moral Reconciliation Therapy (MRT), Bereavement, Hygiene, and Restorative Justice.

New Juvenile Hall Update

The Tri-Counties currently have an approximately \$20M, 32-bed Juvenile Hall facility under construction directly across the street from the existing facility. Planning for the new Juvenile Hall began in 2013 with groundbreaking in 2021. The new building will be Title 15 compliant and will not follow a linear design. It will be a safer, more secure, treatment-focused, and homelike environment for youth, staff, visitors, and volunteers.

Camp Singer Inspection

Camp Singer is a 365-day court commitment program for youths aged 14 - 19 who have been convicted of crimes. Camp Singer's goal is to promote youth development and achievements and reduce maladaptive behaviors. Youth are exposed to new opportunities and experiences through field trips, off campus activities (i.e. hiking, fishing, and sports), as well as performing community service.

Housing Units

Camp Singer contains one main housing building with two identical open-concept dormitory wings that can house 30 beds each, for a total of 60 beds. Each side contains

its own restroom facilities, phones and common room spaces to relax or take art classes.

School

Camp Singer youth have two classrooms on site. One classroom is for instruction and the other classroom has been converted into a library and music room.

Camp Singer also offers a class in construction building. Youths have built a greenhouse for the local charter school and a greenhouse for Camp Singer, as well as multiple raised planting beds for the campus. Grand Jury saw multiple Adirondack chairs finished and in production to be sold to fund future projects.

Programs

Camp Singer provides the same programs as Juvenile Hall (sample program schedule attached). In addition, Camp Singer provides vocational and college courses, as well as employment opportunities.

Multiple certificates can be earned by youths while at Camp Singer. A welding program provides youth the opportunity to earn a basic welding certification. By volunteering in the kitchen, youths can earn a food prep certificate. Training is also offered to earn a CPR certificate.

FINDINGS

- F1. The Grand Jury finds that all areas inspected at the Facility were clean and orderly.
- F2. The Grand Jury finds that the kitchen operations provide youth a wide variety of well-balanced food options.
- F3. The Grand Jury finds the school classrooms were relevant, creative, and engaging.
- F4. The Grand Jury finds the outdoor recreation area at the Juvenile Hall deteriorated and repairs are needed.
- F5. The Grand Jury finds all staff they encountered had the best interests of the youth in their care at heart

F6. The Grand Jury finds that the vocational certificates offered (i.e., welding) are beneficial and positive.

RECOMMENDATIONS

R1. The Grand Jury recommends that Facility staff continue in the positive nature that we found them, including working with families of the youth.

R2. The Grand Jury recommends that the Facility expands vocational education programs, taking advantage of the local community college assets.

REQUEST FOR RESPONSES

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

Responses are requested from the following individual:

- Superintendent, Tri-County Youth Rehabilitation Campus
 - Findings F1 through F6
 - Recommendations R1 through R2

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.

DISCLAIMER

This report on the Inspection of the Tri-County Juvenile Rehabilitation Facility and Maxine Singer Youth Guidance Center is issued by the full 2022-2023 Grand Jury with no recusals.

SPECIAL EDUCATION INVESTIGATION REPORT

SUMMARY

Complaints were brought to the Grand Jury regarding multiple issues with the Special Education Department of Colusa County's Office of Education (CCOE). Colusa County Office of Education staff met with the Grand Jury plenary group on December 13, 2022. Staff gave an overview of the Special Education Department's workings and answered questions. Additional questions remained, resulting in an interview with Special Education Staff. Four Grand Jury members met with staff on March 20, 2023.

BACKGROUND

The questions and concerns brought to the Grand Jury necessitated an investigation. There is a lack of staffing of educational personnel who are in direct contact with students. This may result in a lack of services to individual students. Is anyone tracking this lack of services? How is this being addressed?

The frequent response given to the complainant for the understaffed situation was lack of funds. How is the county spending the money allotted to Special Education? Is it an issue of not enough money or an issue of needing to reallocate funds to hire more educators and para educators who provide direct services to the students?

An Individualized Education Plan is also known as an IEP. This is a plan developed to ensure that a child with an identified disability who is attending an elementary or secondary educational institution receives specialized instruction and related services. (State of California Educational Code) In regard to IEPs, the concern voiced to the Grand Jury is that IEPs are formally drafted and then not adhered to or tracked. More, students needing services may not be identified. How do we know that students needing services are being identified and served? Who is providing the accountability and oversight that they are being tracked?

Bullying of the students with special needs is another ongoing problem. It is reported that hurtful comments are made by teachers, coaches and other students. There seems to be a culture of tolerance of this treatment.

Caseloads for a teacher are often maxed out. There has been an increase in the number of students enrolled in Special Education. What measures are being taken to address this problem?

Parents are often unaware of their rights and how the Special Education system works. What is in place for parents to have this information, to track their child's progress and to know that they are getting the services outlined in the IEP?

When a parent has a complaint or a suspicion that the IEP is not being followed, how can they be heard? How are complaints handled? Is there a record of formal and informal complaints?

METHODOLOGY

Information for this investigation was sourced from the following:

- Review of Colusa County Office of Education website - Special Education Department
- Review of the California Department of Education (CDE) website
- Interview with CCOE staff, this took place on December 13, 2022 at the plenary meeting of the Grand Jury.
- Interview with Special Education Staff. Four Grand Jurors met with staff in the conference room of the Educational Village in Williams. It was a private, confidential setting. Interview questions were formulated prior to our meeting and designed to address the concerns brought to our attention.
- Review of California State Educational code on bullying

DISCUSSION

We met with two Administrators in the Special Education Program. CCOE staff presented an overview of The Special Education Program for the Grand Jury and fielded questions. Five Grand Jurors had formulated interview questions stemming from the complaints that were made. Four of the jurors met with Special Education Staff, and posed their questions. Other questions arose as the interview went on.

Lack of Staffing

The lack of staffing exists. Aids can be hired for specific needs. Para educators can volunteer to get trained for special needs of a student when that situation arises.

Monies Allocated

CCOE staff stated that money could never be the excuse for the lack of services.

Maxed Out Caseloads for Teachers

The Special Education Local Plan Area (SELPA) Council determines the number of special education teachers at each school. The SELPA Council is made up of all District Superintendents, the Director and the Program Specialists.

The current caseload is 28 students with mild to moderate disabilities per teacher. A waiver can be written to increase the number of students to 32 but an additional para educator must be added

With moderate to severe students, the caseload should not be above 15 but there is no contractual limit.

Special Ed students are allowed to transfer to a school where the case load may be already maxed out. Their IEP will go with them.

Parent Involvement and IEP's

Parents can request an assessment and reassessment of their child at any time. Assessments can also be done by any licensed professional (i.e. medical practitioner, psychologist). The School Psychologist and the Student Study Team, who meet weekly, can determine if a child receives Special Education services through testing. If applicable, an IEP is then devised and the parent must be a part of this process.

Each student is assigned a Case Manager who becomes the point person. Parents can contact the Case Manager with questions and issues.

The data and progress of the student is entered into the Special Education Information System (SEIS). Each discipline (i.e. speech, hearing, reading, etc.) reports here. The Case Manager sends this information home to the parent.

Student Progress report is sent home to the parent at the Trimester.

If the parent has a concern, they can request that an IEP be reviewed. There must be a meeting within 30 days of this request.

If lodging a formal complaint bears unsatisfactory results, a parent should make a written request to engage the Dispute Resolution Process, which is the step prior to mediation.

Parents may not be aware and county staff may not know that an IEP is appropriate for physical illness (i.e. diabetes, Crohn's Disease, etc.)

Complaints

A complainant can contact a Program Specialist in writing with their concern. It is not commonly known that complaints must be presented in writing (emails are acceptable) in order for them to be considered.

The State of California has a provision for a parent to file a Uniform Complaint. This is a formal complaint in writing through the California Department of Education's (CDE) Uniform Complaint Procedure (UCP).

It appears that there is a lack of follow-up or accountability from the County Superintendent of Schools regarding whether IEPs are being implemented.

There is no indication that the timing between a parent asking for an IEP meeting and actually having the meeting is recorded. There is no record that parents are informed that communications need to be in writing. There is no process for determining that the requirements of an IEP are actually being implemented.

INTERVIEW SUMMARY

It is unclear if IEPs are being implemented. Staff stated that there is a baseline trust in each professional; a trust that each is performing their professional duty. The complaints to the Grand Jury indicate that this isn't always the case. Grand Jurors asked how staff would be informed of gaps in service at each site in the county.

FINDINGS

F1. There is a lack of communication to parents:

- Regarding their rights and responsibilities
- Their need to put a complaint in writing
- Their right to call an IEP meeting
- Lack of knowledge of the programs and services available
- Lack of knowledge that they can ask for an assessment

F2. Funding may not be an issue but a lack of staffing and case overload continues.

F3. There is a lack of accountability and quality control regarding:

- Whether IEPs are being followed
- That timing between a parents request for a meeting and getting the meeting is recorded
- No process to determine that the requirements of an IEP are being implemented

F4. There is a lack of awareness that physical illnesses constitute grounds for an IEP.

F5. There are policies regarding bullying at each campus that are not being followed.

RECOMMENDATIONS

R1. The school districts need to increase the visibility of the IEP program.

At the beginning of each school year parents should be informed of

- What an IEP is
- What services are available through the Special Education Program
- They can request an assessment of their child
- All communications with the district need to be in writing
- Parents can call for an IEP when needed

R2. Hire more educators who are in direct contact with students to address case overload and understaffing.

R3. All Directors, Superintendents and Program Specialists should visit sites and talk to parents as well as teachers and administrators.

R4. The Superintendent should ask for metrics that track requests for IEPs and scheduled meetings.

R5. Communicate specifically to parents that children with physical illnesses have the right to an IEP.

R6. Provide training to teachers, staff and coaches regarding bullying.

R7. CCOE should place a prominent link to official complaint procedure on their website in both English and Spanish and any other language needed.

R8. CCOE should ensure each school district places a prominent link to the formal complaint procedure on their website in both English and Spanish and any other language needed.

REQUIRED RESPONSES

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

Responses are required from the following individual:

- Superintendent, Colusa County Office of Education
 - Findings F1 through F5
 - Recommendations R1 through R6

INVITED RESPONSES

The following responses are invited from the following individual:

- Special Education Director, Colusa County Office of Education
 - Findings F1 through F4
 - Recommendations R1 through R5

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.

DISCLAIMER

This report on the Special Education Investigation is issued by the full 2022-2023 Grand Jury with no recusals for this investigation.

COLUSA COUNTY AIRPORT INVESTIGATION REPORT

SUMMARY

Complaints were brought to the Grand Jury regarding hangar availability and issues that improper storage may be taking place in hangars. A meeting was held with the airport staff and three jury members at the Colusa County Public Works office on March 30, 2023.

BACKGROUND

The questions and concerns regarding the airport hangar leases and improper storage in some hangars were brought to the attention of the Grand Jury which necessitated an investigation and determination of deficiencies and issues relating to the Colusa County Airport.

METHODOLOGY

Information for this investigation was sourced from the following:

- Review of Colusa County Website – Airport Advisory Committee Agendas & Minutes
- Review of Airport Compliance Requirements – Federal Aviation Administration Website
- Review of Federal Register / Vol. 81, No. 115 / Rules and Regulations
- Review of Frequently Asked Questions & Answers of FAA Policy on Use of Hangars at Obligated Airports
- Interview with airport staff on March 30, 2023

DISCUSSION

A meeting was held with airport staff to discuss the list of questions the Grand Jury had developed and submitted prior to it.

Regulatory Obligations

The Colusa County Airport receives federal funding through the FAA Airport Improvement Program (AIP), and is obligated to comply with Title 14 Code of Federal Regulations. The airport is subject to inspection by the Caltrans Division of Aeronautics. The latest inspection, the state permit compliance inspection and Federal Aviation Administration (FAA) Airport Master Record (Form 5010-11) Colusa County Airport (FAA Site No. 01431.1*A) was completed in October 2022.

Funding

- Federal Funding is received through the FAA Airport Improvement Program (AIP)
- Additional funding sources includes fees from: Aviation Property Taxes, Rents, Tie-downs, Fuel Sales, Parking, and Interest funds.
- The County Airport does not generate enough revenue to be self-supporting.
- The County Airport staff does not review surrounding airport leasing fees to ensure that the Colusa County Airport is setting rental fees at fair market value.

Hangar Leases / Waiting List

- The County maintains documentation relating to hangar lease history and the current status of the hangars.
- Staff stated all existing hangars at the airport are currently occupied by an aircraft.
- The airport has a waiting list for hangars, but staff does not currently have a process in place to update the hangar waiting list.
- The County Airport staff does not check to ensure that the airport hangars are used as intended and that no unauthorized storage/use is occurring. Airport management currently relies on trusting patrons to adhere to lease agreement.
- The County Airport staff does not verify that the aircraft occupying the hangar matches the aircraft on the lease.
- The County Airport staff annually confirms the required insurance coverage is maintained on the leased hangars and airport facilities.
- There are two commercial airport hangar leases. One lease is current and the other lease is expired and in negotiation for a new lease agreement.
- The Grand Jury was unable to obtain how fees were calculated.

Hazardous Materials / Aircraft Accident Plan

The County Airport currently has and maintains an onsite hazardous material and aircraft accident safety plan. It is reviewed and updated as needed.

Staffing

The County Airport has an allocated staff position in the budget that is unfilled.

FINDINGS

- F1. The Airport Administration was moved to the Public Works Department in October of 2020.
- F2. The County Airport does not currently generate enough revenue to be self-supporting. There is a loss of revenue due to lack of oversight and adjustments to the rental fees. There is no evidence of competitive analysis of rates being done. It is acknowledged that even if rental fees were brought up to current market value they may not fill the gap in funding needs, but it could be helpful.

- F3. There is a lack of communication with applicants on the hangar waiting list. Waiting list is not regularly reviewed or updated for accuracy.
- F4. There is a lack of inspections of hangars to ensure compliance with regulations and lease agreements:
- There is no on-site staffing to monitor the daily activities at the airport.
 - There are no periodic, annual or routine inspections of hangars performed by County staff.
 - Inspections do not occur regularly to determine that the aircraft leased to the specific hangars is the same aircraft occupying the hangar.
 - Inspections do not occur regularly to determine if the person on the lease is the actual person currently using the hangar.
- F5. One commercial tenant's lease is expired, but they are still occupying and using the hangar, and are continuing to pay the monthly rental fees under the previous lease agreement.
- F6. Lack of staffing:
- There is an unfilled allocated partial full time position in the Airport budget, but it has not been filled due to lack of funding. The duties of the position have not been fully defined. Staff indicated that there is a possibility that the position may be filled within the next few months.

RECOMMENDATIONS

- R1. Investigate how neighboring counties successfully manage and fund their facilities.
- R2. Perform periodic research of surrounding county airport management models to ensure that fees for Rents, Tie-downs and Parking are adjusted to current market value and compensate for inflation.
- R3. Develop a process to update and adhere the hangar waiting list.
- R4. Develop an annual inspection schedule for all hangars to ensure that the hangars are being used in compliance with the lease agreements and lessees are in compliance with current airport regulations.
- R5. Develop an annual inspection schedule to verify that the aircraft in the hangars matches the aircraft on the lease and to verify that the lessee is the same person named on the lease.
- R6. We recommend that the inspections outlined in R4 and R5 be conducted annually.
- R7. Complete the negotiation for the expired commercial hangar lease.

R8. Fill the allocated partial full time position: To provide personnel to oversee the routine Airport operations, to perform necessary maintenance, and to conduct compliance inspections.

REQUEST FOR RESPONSES

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

Responses are requested from the following individual:

- Director, Colusa County Airport
 - Findings F1 through F6
 - Recommendations R1 through R8

INVITED RESPONSES

The following responses are invited from the following individuals:

- Colusa County Airport Advisory Committee
 - Findings F1 through F4
 - Recommendations R1 through R5

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.

DISCLAIMER

This report on the investigation of the Colusa County Airport is issued by the full 2022-2023 Grand Jury with two (2) recusals for this investigation.