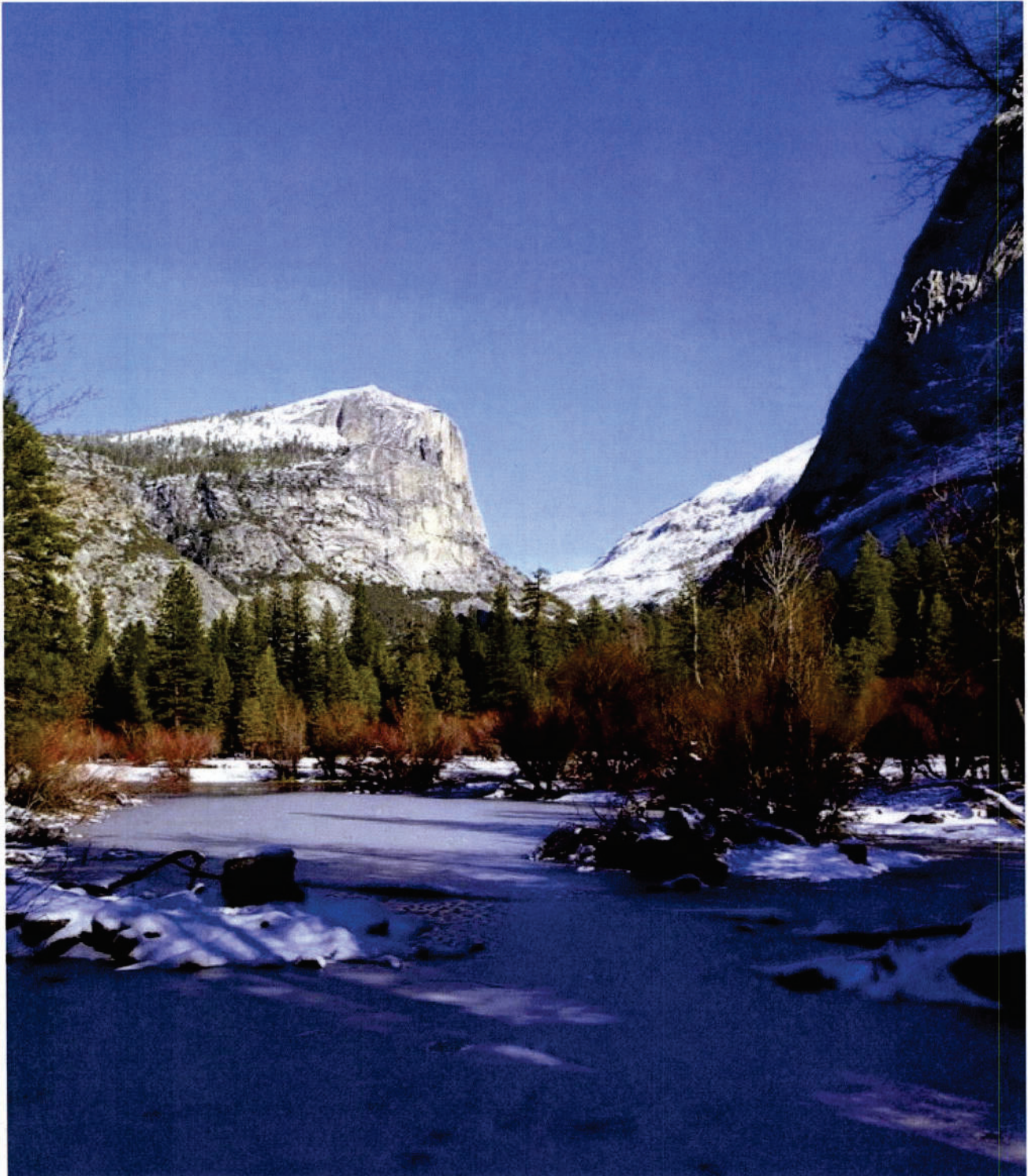


**2022 - 2023
TUOLUMNE COUNTY
GRAND JURY REPORT**



Tuolumne County 2022-2023 Civil Grand Jury

Laura L. Krieg
Supervising Judge



Cassandra Jenecke
District Attorney

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Court Executive Officer

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COUNTY OF TUOLUMNE GRAND JURY

12855 Justice Center Drive
Sonora CA, 95370



Honorable Judge Laura L. Krieg
Assistant Presiding Judge
Tuolumne Superior Court

June 26, 2023

Dear Judge Krieg:

The 2022-2023 Tuolumne County Grand Jury is pleased to submit our final report to you.

Launching a Grand Jury investigation requires a vote with a supermajority of jurors in favor. We spent a great deal of time choosing subjects that would be of interest to us, important to the community, and hopefully helpful to local government.

Like any Grand Jury, we dealt with illness, absences, extreme weather, even resignations. It was wonderful to see the work product go on, produced by those on hand at any given time. If anyone reading this has the slightest inclination to serve on a future jury, I encourage you to consider it. Applications are available on the Tuolumne County Superior Court website.

Most of us will have occasional interactions with county or city government. Maybe paying a bill or asking a question over the phone or over a counter. Perhaps a school meeting or a police interaction. We on the Jury had the chance to meet with County employees, school officials and employees, and law enforcement. These meetings were not brief interactions - they were lengthy discussions. Without exception, the Jury was impressed with the professionalism and cooperation we found at each office or school we visited.

I hesitate to close on a sour note but I must. Support from the Tuolumne County Administration Office has been disappointing. With all the buildings and office space controlled by the County, they could not find one office for the Jury. We operated out of backpacks and met in whatever room we could find on any particular week. We were provided with a suite of complicated computer office programs - and given no training. This must be resolved for the 2023-2024 Grand Jury.

Respectfully,

Robert Canavan

Robert Canavan
Grand Jury Foreman



The Tuolumne County 2022-2023 Civil Civil Grand Jury Report Consists of the Following Five Individual Reports:

- 1. Continuity Report dated March 1, 2023, Pages 1-36, 2020-2022 Grand Jury Findings and Recommendations/2022-2023 Grand Jury Review of Responses**
- 2. Tuolumne County Airports Report dated June 30, 2023, Pages 1-40, Motherlode Gems: Columbia and Pine Mountain Lake Airports**
- 3. Tuolumne County Elections Report dated June 30, 2023, Pages 1-23, State of Tuolumne County Elections**
- 4. Tuolumne County Jails and Prison Facilities Report dated June 30, 2023, Pages 1-15**
- 5. Tuolumne County School Safety Report dated June 30, 2023, Pages 1-39, Working Together to Improve the Safety of Our Students**

Each of the above Final Reports may be seen at:

<https://www.tuolumne.courts.ca.gov/general-information/grand-jury>

COUNTY OF TUOLUMNE
GRAND JURY
12855 Justice Center Drive
Sonora CA, 95370



Continuity Report, March 1, 2023:

**The bridge that connects the previous Grand Jury
to the current Grand Jury**

**2020-2022 Grand Jury Findings and
Recommendations**

2022-2023 Grand Jury Review of Responses



Tuolumne County Superior Courthouse

SUMMARY

The Tuolumne County Grand Jury (TCGJ) functions as a civil watchdog, investigating county government departments and agencies, joint powers authorities, special districts and city governments. Over the course of a one-year term of service, the TCGJ completes multiple investigations addressing all manner of topics across the county. Reports are written and published with findings and recommendations and include due dates for responses from the entities investigated. The California Penal Code defines the manner and time frame for responses. Because the term of each TCGJ is limited, tracking of the responses becomes the responsibility of the subsequent jury.

Due to the pandemic, the 2022-23 Tuolumne County Grand Jury's Continuity Report is a compilation of the 2020-2021 and 2021-22 Grand Jury reports.

On June 30, 2022, the 2020-2022 Tuolumne County Grand Jury issued its final report which included the following investigative reports:

- Tuolumne County Adult Protective Services (APS)
- Tuolumne County Dambacher Detention Center
- Tuolumne County Employee and Public Safety
- Tuolumne County Mother Lode Regional Juvenile Detention Facility
- Tuolumne Utilities District
- Sierra Conservation Center

The 2022-2023 Grand Jury received all responses from required elected officials and governing bodies within the required time frame with one exception. Most of the agencies accepted the Grand Jury's findings and took recommended corrective actions in a reasonable time frame. When an agency disagreed with the Grand Jury's recommendations, they usually provided explanations.

Disclaimer:

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

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GLOSSARY

APS	Adult Protective Services
CDCR	California Department of Corrections and Rehabilitation
CAO	County Administrative Officer
CIP	Capital Improvement Plan
DSA	Deputy Sheriffs Association
GREC	Gold Ridge Educational Center
HHS	Tuolumne County Department of Health and Human Services Agency
HVAC	Heating, Ventilation and Air-Conditioning
MLRJDF	Mother Lode Regional Juvenile Detention Facility
OSHA	Occupational Safety and Health Administration
PG&E	Pacific Gas & Electric Company
PLPRP	Phoenix Lake Preservation and Restoration Plan
SCC	Sierra Conservation Center
SMS	Safety Management System
SPWB	State Public Works Board
TCGJ	Tuolumne County Grand Jury
TCSOS	Tuolumne County Superintendent of Schools
TUD	Tuolumne Utilities District

BACKGROUND

The 2020-2022 Grand Jury requested responses from certain agencies and officials, and required responses from the following elected officials and governing bodies:

- Tuolumne County Board of Supervisors
- Tuolumne County Sheriff
- Tuolumne Utilities District Board of Directors

If the Grand Jury has issued a report about any public agency, California Penal Code § 933 requires the governing body to respond within ninety days to the presiding judge of the Superior Court. If a report contains findings or recommendations relating to a department or agency headed by an elected county official, that official must also respond within sixty days.

2020-2022 Response Statistics

A total of six reports were issued by the 2020-2022 TCGJ. These reports made a cumulative total of 32 recommendations. The 2022-2023 TCGJ reviewed all responses from the investigated agencies and found all elected officials and governing bodies responded on time. In many cases responses were also submitted, though not required, from appointed officials and agency directors.

METHODOLOGY

Findings and recommendations from the 2020-2022 Grand Jury’s reports are excerpted in italics in each section. All agency responses to the Grand Jury’s recommendations are then summarized in tables asking whether the response complied with one of the four options set forth in Penal Code, §933.05(b)(1)-(4), which requires the respondent to report one of the following actions:

The recommendation has been implemented , with a summary regarding the implemented action.
The recommendation has not yet been implemented , but will be implemented in the future, with a timeframe [sic] for implementation.
The recommendation requires further analysis , with an explanation and the scope and parameters of an analysis or study, and a timeframe [sic] for the matter to be prepared for discussion by the officer or head of the agency or department being investigated or reviewed not to exceed six months from the date of the publication of the Grand Jury report.
The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation.

A further explanation is provided below the table where clarification is warranted. In some cases, the language used by the respondent did not fall into one of the four statutory categories. These are marked with “The response language differs from the Penal Code requirements,” and a summary of the response is provided below the table.

1. Review of Responses to the Tuolumne County Adult Protective Services Report

Summary

Adult Protective Services (APS) is a branch of the Tuolumne County Department of Health and Human Services Agency (HHSA). It has been seven years since the Tuolumne County Grand Jury last provided a comprehensive review of the APS. This lapse prompted the 2020–2022 Grand Jury to conduct a new investigation to determine how APS is presently addressing the needs of the county’s older population, specifically in the area of elder abuse. APS functions to serve all dependents and elderly adults with a protective need in Tuolumne County. A dependent adult is any person 18 to 64 years of age who has physical or mental limitations which restrict his/her ability to carry out normal activities. An elder adult is any person 65 years of age and older. APS investigates situations where dependent and elder citizens are abused or exploited or where they cannot care for themselves with the aim of protecting and supporting them in their home environment whenever possible. Participation is voluntary in APS activities. Each client has the right to refuse services, if they so choose. Clients are not charged for services. The Grand Jury believes that the recommendations in this report will serve to not only raise awareness of the existence of APS, but also improve the administration of the services the agency provides. This will further protect elderly people from serious abuse and neglect.

Findings

F1. *“APS does not have enough resources or staff to properly assess, investigate, and address cases putting our vulnerable residents at risk for elder abuse.”*

F2. *“The salaries of the key roles or positions in APS are not competitive with counties surrounding Tuolumne County impacting staff recruitment and morale.”*

F3. *“There are limited training opportunities for both new and existing staff in the APS Department stunting staff advancement and impacting workflow.”*

F4. *“There is a lack of community awareness and knowledge regarding the role of APS. There is also a misunderstanding by the public and other county agencies about that role. It is often thought that APS is trying to remove seniors from their homes when in truth APS tries to connect seniors to the proper resources that will allow them to stay in their homes.”*

F5. *“The organizations and agencies that interact with older residents, and/or where one might expect to find information about APS, are almost completely lacking the knowledge of the County’s APS department. Opportunities for informing and/or connecting residents with vital services are lost.”*

F6. *“Mandated Reporters are not consistently aware of their responsibilities as such potentially causing an under-reporting of elder abuse cases.”*

F7. *“APS provides an admirable service to the senior and dependent residents of Tuolumne County. The HHSA staff is dedicated and committed to serving APS. Often when associates do leave APS, they stay within the department to continue to serve the community.”*

Recommendations and Responses

The Grand Jury requested responses from the:

- Tuolumne County Board of Supervisors to recommendations R1 through R6
- Tuolumne County Human Resources Director to recommendations R1 through R6
- Tuolumne County Administrative Officer to recommendations R1 through R6

The County Human Resources Director, Social Services Director and Agency Manager issued a joint response to recommendations R1 through R6. The Board of Supervisors approved the response in their meeting minutes July 5 but did not formally reply to the Grand Jury. The Grand Jury was notified via an email from the County Administrative Officer regarding the approval from Board Meeting minutes dated July 5. No signature page for the APS response was provided. Further, the submitted response was incomplete as text was missing and several responses were not in the proper format. The 2022-23 Grand Jury did not see a response from the Tuolumne County Administrative Officer; however, a response was not required.

R1. *“The management of HHSA, through the Tuolumne County Board of Supervisors, should advocate for increased funding from federal and state resources. The State of California recently announced a \$31 billion budget surplus. The time seems right to aggressively seek additional funding. Increased staffing should be a priority to address the previous staff cuts that were not replaced. The Grand Jury recommends that positions to be added should include at least one full-time social worker for APS. This should be completed by the end of the calendar year 2022.” (F1)*

RESPONDENT	RESPONSE
Tuolumne County Board of Supervisors and County Human Resources Director et al	The recommendation has not yet been implemented but will be implemented in the future.

R2. *“The Grand Jury recommends that the Tuolumne County Board of Supervisors consider an off cycle increase in the pay level of the respective social services staff. It is recommended that a class and compensation study be performed of the parity of salaries be completed and the salary adjustments made before the end of the calendar year 2022.”* (F2)

RESPONDENT	RESPONSE
Tuolumne County Board of Supervisors and County Human Resources Director et al	The recommendation has not yet been implemented but will be implemented in the future.

R3. *“The Grand Jury recommends that APS should provide formalized training for all new social services staff. This should include training on all policies and procedures. Continuing education should be provided for established employees. If on-line training is appropriate, time and resources should be provided to the employees during regular work hours.”* (F3)

RESPONDENT	RESPONSE
Tuolumne County Board of Supervisors and County Human Resources Director et al	The recommendation will not be implemented because it is not warranted.

APS Social Workers are required to participate in educational programs. They are offered during work hours for both Core training and ongoing training for professional growth,

R4. *“APS should take the lead to develop a formalized community approach to public awareness, prevention, and education of elder abuse. The Grand Jury recommends that within six months the HHSA create a temporary position or hire an independent contractor as a Community Awareness and Outreach Analyst to address the apparent lack of community awareness. This individual should analyze the need for outreach and training and create a program of written and social media outreach to inform the public and community at large about elder abuse and the services available to aid and protect seniors over 65 in need of help. The person hired should have a background in marketing, skills in communication, and social media marketing, and be able to set up an ongoing maintenance system to annually monitor the effectiveness of the efforts.”* (F4)

RESPONDENT	RESPONSE
Tuolumne County Board of Supervisors and County Human Resources Director et al	The response language differs from the Penal Code requirements.

R5. *“APS should actively contact the agencies where information about the role of APS would be of value. APS should request of these organizations that the APS brochure be prominently placed in the lobby, reception area, or bulletin board. APS should educate the management of these agencies about the mission of APS. The Community Awareness and Outreach Analyst should be directed to implement these recommendations.” (F5)*

RESPONDENT	RESPONSE
Tuolumne County Board of Supervisors and County Human Resources Director et al	The response language differs from the Penal Code requirements.

R6. *“The Grand Jury Recommends that APS should spearhead a campaign to educate Mandated Reporters regarding the methods to recognize and report suspicions of elder abuse. The Community Awareness and Outreach Analyst should be directed to implement this recommendation.” (F6)*

RESPONDENT	RESPONSE
Tuolumne County Board of Supervisors and County Human Resources Director et al	The response language differs from the Penal Code requirements.

Commendation

“The Grand Jury is delighted to report that it found the entire staff and leadership of APS give 100% of themselves to making a difference in the lives of the seniors in Tuolumne County. They should be applauded for their understanding, commitment, hard work, and sincere loving care they are giving to our community. The APS system for intake, referral, and case management is well understood by the employees in each of their individual roles to process and protect elders in need of help.”

2. Review of Responses to the Tuolumne County Dambacher Detention Center

Summary

California Penal Code §919(b) mandates that the Grand Jury in each county inspect the condition of all public prisons every year. California Penal Codes §919(a), 925 and 925(a) authorize the Grand Jury to investigate city and county jails and other detention facilities. The Dambacher Detention Center is named after Sheriff J.H. Dambacher, the county's longest serving sheriff. The construction of this facility was completed in October 2020; all inmates were moved in January 2021. The new jail facility is designed with safety, efficiency, and improvements that will provide a better overall working environment and facility. The Grand Jury found the new facility to be state of the art and impressive yet not excessive. For safety reasons, all interviews were conducted virtually. The live site tour was deferred until the COVID-19 cases in the county were at a level deemed safe.

Findings

F1. *“The new Dambacher Detention Center facility offers vastly improved safety and security for inmates, staff, and the public at large through a multitude of design improvements compared to the old jail.”*

F2. *“The new Dambacher Detention Center facilities and esthetics offer an improved environment for inmates and staff that could be expected to result in behavioral benefits in the inmate population as well as help with staff recruitment and retention.”*

F3. *“The new Dambacher Detention Center has expanded classroom facilities to support improved educational and training opportunities for inmates as compared to the old jail and the hiring of an educator demonstrates commitment to improving educational programs for inmates.”*

F4. *“Mechanical HVAC systems at Dambacher Detention Center have not been working properly or reliably, which endangers some inmates with heat sensitivities. The new system problems, which could be caused by design or installation errors, have persisted for an unreasonable amount of time.”*

F5. *“The hot water system has not been reliable, causing hardships to inmates who must take cold showers and cannot have hot beverages. The new system teething problems, which could be caused by design or installation errors, have persisted for an unreasonable amount of time.”*

F6. *“Education programs were largely suspended during the COVID-19 pandemic, and this has adversely affected inmates by failing to keep inmates occupied with productive activities that focus on positive behavior. These programs can impact public safety with reduced recidivism and increase prison safety with improved conduct; this opportunity is being missed.”*

F7. *“While Dambacher Detention Center has the technological infrastructure in place to be able to offer virtual education and programs it has not done so during COVID-19 when in-person programs have been limited. This lack of programs has adversely affected inmates by failing to keep inmates occupied with productive activities that focus on positive behavior. These programs can impact public safety with reduced recidivism and increase prison safety with improved conduct; this opportunity is being missed.”*

F8. *“The staffing shortage at Dambacher Detention Center causes mandated overtime which can lead to staff burnout, lower staff retention and adversely affects the County budget.”*

F9. *“The discrepancy in pay compared to other counties leads to higher staff turnover and recruitment challenges.”*

Recommendations and Responses

The Grand Jury requested responses from the:

- Tuolumne County Board of Supervisors to recommendations R1 through R4
- Tuolumne County Sheriff-Coroner to recommendations R1 through R4
- Tuolumne County Human Resources Director to recommendation R4

The Grand Jury received responses to recommendations R1 through R4 from the Tuolumne County Administrator and Human Resources Director. The 2022-23 Grand Jury did not see a response from the Tuolumne County Administrative Officer; however, a response was not required. The responses largely agreed with the recommendations.

R1. *“The Grand Jury recommends having facilities maintenance test HVAC air conditioning systems by June 1, 2022, and if the problems are not resolved and the system is not functioning correctly by July 1, 2022, then hire a third-party consultant to analyze and recommend a solution by August 1, 2022.” (F4)*

RESPONDENT	RESPONSE
Tuolumne County Board of Supervisors and Sheriff-Coroner	The recommendation has been implemented, with a summary regarding the implemented action.

The HVAC system is currently operating correctly. The system will be monitored with County maintenance’s assistance. Prompt action will be taken as required.

R2. *“The Grand Jury recommends that inmate complaints about the availability of hot water continue to be monitored. If complaints continue, then a third-party consultant should be hired to analyze and recommend a solution by August 1, 2022.”* (F5)

RESPONDENT	RESPONSE
Tuolumne County Board of Supervisors and Sheriff-Coroner	The recommendation has been implemented , with a summary regarding the implemented action.

Currently, the hot water system is working consistently. The system will be monitored with County maintenance’s assistance. Prompt action will be taken as required.

R3. *“The Grand Jury recommends that virtual education and programs be offered during COVID-19 restrictions and continue as additional programs when in-person education and programs are offered September 1, 2022.”* (F6, F7)

RESPONDENT	RESPONSE
Tuolumne County Board of Supervisors and Sheriff-Coroner	The recommendation has been implemented , with a summary regarding the implemented action.

In person programs have begun including GED programs, working with Columbia College for online college coursework and GED testing.

R4. *“The Grand Jury recommends that the Tuolumne County Board of Supervisors consider an off cycle increase in the pay level of the respective jail staff. It is recommended that a class and compensation study be performed of the parity of salaries be completed and the salary adjustments made before the end of the calendar year 2022.”* (F8, F9)

RESPONDENT	RESPONSE
Tuolumne County Board of Supervisors and Sheriff-Coroner	The recommendation has been implemented , with a summary regarding the implemented action.

The staffing shortages at the Jail have caused retention issues. The County was in the process of negotiations with the Deputy Sheriff’s Association (DSA) at the submittal of their response.

Commendation

“The Sheriff’s Office and Custody Division have done an exemplary job of overseeing design and construction of the new state of the art facility.” (F1-F3). “The Sheriff’s Office and Custody Division leadership, along with Tuolumne County Superintendent of Schools office, should be commended for their commitment to improving educational programs for inmates with the hiring of a full-time educator.” (F3)

3. Review of Responses to the Tuolumne County Employee and Public Safety Report

Summary

The Grand Jury initiated this investigation due to a citizen complaint regarding employee health and safety, which suggested a lack of leadership by Tuolumne County executives concerning compliance with state safety laws, regulations, and procedures. During the investigation, the Grand Jury found functional deficiencies in the County administration that contributed not just to deficiencies in safety documentation, but other aspects of employee safety and the safety of County residents at large. It was determined that the County does not have a document control system for safety documents, a Safety Management System, or functioning safety committee. The administration lacks a culture that recognizes the importance of safety and that prioritizes, requires, and rewards maintenance of procedures and safety information sharing.

During the investigation, it was also found that the Tuolumne County Administrative Officer (CAO) has not followed through with the commitment to release the updated County Personnel Rules and Regulations which was inconsistent with current human resource practices. Also, the Grand Jury observed a lack of adherence to or knowledge of the Code of Conduct and Resolution No. 23-15, that establishes rules and regulations of the Board of Supervisors (Board), leading the Grand Jury to recommend improvements.

The Grand Jury is a non-political body whose purpose is to improve the effectiveness of local government and while it does not review or critique policy, it does involve itself in the effects of policy. Based on our investigation, the Grand Jury is concerned about the lack of a united front from all County officials at the beginning of the pandemic, and discord among Supervisors concerning vaccines, testing, and COVID-19 treatments; and suggests this may have compromised our community's health. Our County has lost 183 citizens to the current pandemic. The Grand Jury hopes that the Tuolumne County Board of Supervisors and County Administration will have the discussion: Could we have done better?

It is the Grand Jury's hope that Tuolumne County will have a more robust Risk Management Program and functioning Safety Management System in place to provide the service and guidance the community will require before the next pandemic or when disaster strikes, as well as to promote day-to-day prevention of injury and illness. The Grand Jury extends its gratitude to the many people interviewed during this investigation. The respondents were forthright and respectful. Their dedication to the county and its citizens was apparent.

The responses are recorded in two sections: (1) Safety Planning and Documentation and (2) County Leadership Effectiveness and Support to Employee and Public Safety.

Safety Planning and Documentation:

Findings

F1.1. *“Tuolumne County does not maintain or update safety documents in a manner consistent with prioritizing employee safety, and the lack of a document control system makes it impossible for a Tuolumne County employee to know if a particular copy of a document is the current release or an obsolete version.”*

F1.2. *“The County’s failure to keep safety documents current have caused some County departments to contract with outside entities to obtain current documents adding to County expenditures.”*

F1.3. *“The Tuolumne County Administration Office does not effectively promote keeping safety documentation up to date with OSHA standards and best practices.”*

F1.4. *“Many shortcomings with safety document maintenance and management can be attributed to the County lacking a Safety Management System that would mandate updating, maintaining, and implementing safety documents.”*

F1.5. *“For many years Tuolumne County has not had a functioning and effective Safety Committee that enables County departments to react to new safety issues, to learn from near misses, or steer an improved safety culture within County departments.”*

F1.6. *“The Tuolumne CAO has not followed through with the commitment to update by March 2021 the Personnel Rules and Regulations adopted in 1997, leaving them out of date compared with current human resource best practices.”*

Recommendations and Responses

The Grand Jury requested responses from the:

- Tuolumne County Board of Supervisors to recommendations R1.1 to R1.4
- Tuolumne County Administrative Officer to recommendations R1.1 to R1.4
- Tuolumne County Human Resources Director/Risk Manager to recommendation R1.1 to R1.3

The Board of Supervisors issued a response to recommendations R1.1 through R1.4. The 2022-23 Grand Jury did not see a response from the Tuolumne County Administrative Officer or the Tuolumne County Human Resources Director/Risk Manager; however, a response was not required.

R1.1. *“The Tuolumne County Board of Supervisors should mandate the CAO adopt a policy and a document control system (commercial, freeware, or manual) to ensure that safety documents are maintained, updated, and tracked. This should include the date of approval and date of updates with approval signatures. This should be implemented by December 31, 2022.”* (F1.1, F1.2, F1.6)

RESPONDENT	RESPONSE
Tuolumne County Board of Supervisors	The recommendation requires further analysis.

R1.2. *“Tuolumne County Board of Supervisors should require the CAO to adopt a Safety Management System for the County that would oversee not just documentation, but all aspects of safety policy, risk management, safety assurance, and safety promotion. This should be put in place by December 31, 2022.”* (F1.3, F1.4)

RESPONDENT	RESPONSE
Tuolumne County Board of Supervisors	The recommendation requires further analysis.

The Administration will schedule a time to meet with the IT Director and HR Director to determine the next steps forward. A new system will not be in place by December 31, 2022.

R1.3. *“The Tuolumne County Human Resources Director/Risk Manager should ensure the newly reconvened Safety Committee meets its responsibilities as outlined in the new IIPP with participation by all departments. An assessment of implementation should be reported to the Board of Supervisors by December 31, 2022.”* (F1.5)

RESPONDENT	RESPONSE
Tuolumne County Board of Supervisors	The recommendation has not yet been implemented but will be implemented in the future.

R1.4. *“The Tuolumne CAO should follow through with the commitment to update the Personnel Rules and Regulations. This should be implemented by December 31, 2022.”*
 (F1.6)

RESPONDENT	RESPONSE
Tuolumne County Board of Supervisors	The recommendation has not yet been implemented but will be implemented in the future.

The recommendation will not be implemented by December 31, 2022. The changes to the Personnel Rules and Regulations will require the County to enter into labor negotiations with respective unions.

County Leadership Effectiveness and Support to Employee and Public Safety:

Findings

F2.1. *“The Grand Jury finds that the Board meeting rules and regulations adopted pursuant to Resolution No. 23-15 and the Code of Conduct are not consistently followed or well understood by Board members, contributing to inefficient and ineffective meetings.”*

F2.2. *“The Grand Jury finds that the County’s Code of Conduct and Code of Ethics are not specific enough to guide Board of Supervisors and staff behavior towards achieving excellence in governance and the omission of “Provide accurate and usable information” in the recently approved Code of Conduct is unexplained.”*

F2.3. *“The Grand Jury finds that the Board of Supervisors does not have an adequate, structured training requirement for the subjects of ethics, Code of Conduct, or meeting rules of order.”*

F2.4. *“The Grand Jury finds that Supervisors presented material during public Board Meetings without utilizing County professionals to vet the information, resulting in information being presented that was later refuted by the scientific community.”*

F2.5. *“The Grand Jury finds that the draft Tuolumne County Board of Supervisors Governance Manual dated February 2021 has not yet been finalized leaving the Administration without an effective governance document.”*

Recommendations and Responses

The Grand Jury requested responses from the:

- Tuolumne County Board of Supervisors to recommendations R.2.1-2.4
- Tuolumne County Administrative Officer to recommendations R.2.1-2.4

The Board of Supervisors issued a response to recommendations R2.1 through R2.4. The 2022-23 Grand Jury did not see a response from the Tuolumne County Administrative Officer; however, a response was not required.

R2.1. *“The Board of Supervisors should undergo induction as well as annual training on the Board Rules and Regulations and Board Code of Conduct and Code of Ethics. This should be implemented by December 31, 2022.”* (F2.1, F2.3)

RESPONDENT	RESPONSE
Tuolumne County Board of Supervisors	The recommendation has been implemented.

R2.2. *“The Board of Supervisors should review, revise, and expand the Code of Conduct and Code of Ethics by December 31, 2022, to include additional details with examples and specific guidance.”* (F2.2)

RESPONDENT	RESPONSE
Tuolumne County Board of Supervisors	The recommendation requires further analysis.

This will be explored in 2023.

R2.3. *“Supervisors should consult with qualified County staff prior to placing technical or health and safety items on the agenda, to provide accurate and usable information. The Board should revise its Rules and Regulations to include guidance on how this is accomplished and documented by December 31, 2022.” (F2.4)*

RESPONDENT	RESPONSE
Tuolumne County Board of Supervisors	The recommendation requires further analysis.

This recommendation was partially addressed by policy adopted by the Board on May 17, 2022, “Board Policy for Members to Place Items on the Agenda”. However, policy is not the purview of the Grand Jury.

R2.4. *“The Board of Supervisors should complete, obtain independent review, adopt and implement the draft Tuolumne County Board of Supervisors Governance Manual by December 31, 2022. This should include annual training to ensure supervisors and staff are cognizant of the full contents of the Governance Manual.” (F2.5)*

RESPONDENT	RESPONSE
Tuolumne County Board of Supervisors	The recommendation has not yet been implemented but will be implemented in the future.

The recommendation has been partially implemented. The Board of Supervisors attended a workshop in August to finalize the new Tuolumne County Governance Manual. The manual was approved on September 6.

4. Review of Responses to the Tuolumne County Mother Lode Regional Juvenile Detention Facility Report

Summary

The MLRJDF opened in 2017 after several decades of discussion and planning. Previously youths whose detention was ordered by the courts for delinquency or criminal behavior were detained in facilities far from the county. Long travel distances and fees were costly for the county, the courts, Probation and Children's Welfare Services staff, and especially for families. Having a local facility aids family reunification and the return of youths to their local schools and community.

The priority of the juvenile justice system is to rehabilitate rather than to punish. Juvenile crime has decreased in recent decades, but youth detention has an important role in the rehabilitation process for many youths. Most of the youth who are detained have suffered multiple traumas including abuse, neglect or exposure to violence that may have lifelong health consequences. Interventions that address the emotional, educational, behavioral needs of these youths can build resiliency, reduce recidivism and adult criminal behavior, and have been shown to be cost effective.

The Grand Jury found that MLRJDF provides an exceptional and positive environment for detained youths through trauma-informed services that encourage respect, responsibility, and safety. The on-site educational program through Gold Ridge Educational Center (GREC) and the Tuolumne County Superintendent of Schools (TCSOS) provides high quality teaching and leads to educational progress for youths, despite special education needs, personal trauma, and variable lengths of stay in detention. The COVID-19 pandemic limited enrichment programs that rely on community volunteers, but these programs are now returning.

Currently, MLRJDF has the physical facilities to accommodate thirty youths, but due to staffing limitations and COVID, a maximum of sixteen youths is currently accommodated. The Grand Jury recommends the development of a recruitment plan for additional entry level juvenile correction officers and commends the leadership and staff for creating a model program of which we should all be proud.

The Tuolumne County Sheriff's Department, Board of Supervisors, and County Administrator largely agreed with the recommendations.

Findings

F1. *“The Grand Jury found that MLRJDF provides an exceptional and positive environment for detained youths that has reduced recidivism and fostered rehabilitation through their trauma-informed services and a focus on respectful, responsible, and safe behavioral goals.”*

F2. *“Despite the constraints of the COVID-19 pandemic, a motivated and creative staff have adapted and maintained high quality educational programs and behavioral health treatment.”*

F3. *“The COVID-19 pandemic reduced programs offered by volunteers, including religious, gardening, recreational, and other activities that have negatively impacted enrichment programs.”*

F4. *“A gap in security is evidenced by the escape of one youth. A successful grant application for security upgrades is noted.”*

F5. *“Occupancy rates are being optimized and costs per youth per day are lower than some alternative placements, saving the county costs for detained youth.”*

F6. *“Increasing occupancy to full capacity will require recruitment and retention of additional Juvenile Correction Officers through competitive wage scales and opportunities for advancement.”*

Recommendations and Responses

The Grand Jury requested responses from:

- Tuolumne County Board of Supervisors to recommendations R1 through R4
- Tuolumne County Chief Probation Officer to recommendations R1 to R3
- Tuolumne County Superintendent MLRJDF to recommendations R1 to R3
- Tuolumne County Human Resources Director to recommendation R3

The Tuolumne County Board of Supervisors, Chief Probation Officer, Superintendent MLRJDF and County Administrator provided responses. The Grand Jury did not see a response from the Tuolumne County Human Resources Director; however, one is not required.

R1. *“The Tuolumne County Grand Jury recommends continued work with the Department of Public Health, parents or guardians of youths, staff, and prospective volunteers to develop and implement appropriate COVID-19 mitigation measures that will allow a return to enrichment activities that are currently curtailed by September 30, 2022.”* (F3)

RESPONDENT	RESPONSE
Tuolumne County Board of Supervisors, Chief Probation Officer, Superintendent MLRJDF and County Administrator	The recommendation has been implemented.

R2. *“The Tuolumne County Grand Jury urges implementation of security upgrades by December 31, 2022.”* (F4)

RESPONDENT	RESPONSE
Tuolumne County Board of Supervisors, Chief Probation Officer, Superintendent MLRJDF and County Administrator	The recommendation has been partially implemented but will be implemented in the future.

The Probation Department was awarded a grant to address several needed security improvements to the juvenile facility. Facility construction was funded using SB 81 grant funding and will require additional approval from both the California Department of Corrections and Rehabilitation (CDCR) and the State Public Works Board (SPWB) for structure modifications. With the CDCR prioritizing modifications, the expectation is the most critical issues posing a risk will be addressed by December 31, 2023.

R3. *“The Tuolumne County Grand Jury recommends that county Human Resources conduct a review of the salary structure, particularly for entry level staff, at MLRJDF by December 31, 2022.”* (F6)

RESPONDENT	RESPONSE
Tuolumne County Board of Supervisors, Chief Probation Officer, Superintendent MLRJDF and County Administrator	The recommendation requires further analysis.

The staffing shortages at the juvenile facility have caused retention issues. The County was in the process of negotiations with the Deputy Sheriff’s Association (DSA) at the submittal of their response. Department leadership continually assesses all aspects of employee pay, satisfaction, retention and wellness into account. Working with the Board of Supervisors, County Administration, County committees and Human Resources, Department leadership develops strategies to improve recruitment and retention of Juvenile Correction Officers.

R4. *“The Tuolumne County Grand Jury recommends that MLRJDF develop a multi-year plan for accommodation of additional youth and a corresponding staff recruitment plan for additional juvenile correction officers by December 31, 2022.”* (F6)

RESPONDENT	RESPONSE
Tuolumne County Board of Supervisors, Chief Probation Officer, Superintendent MLRJDF and County Administrator	The recommendation requires further analysis.

The County will need to complete research to determine if the region and/or County needs additional beds. The Board of Supervisors approved a new Senior Correction Officer position for Fiscal Year 2022-23. Two other positions were upgraded, providing for a balanced ratio of supervisors to staff.

Commendations

C1. The MLRJDF is to be commended for an exceptional, quality program. This is a model of best practices for juvenile justice and addresses the multiple traumas suffered by youths who are detained. Tuolumne County is commended for finally meeting the longstanding need to have these services in the county. (F1, F2)

C2. The coordination between the staff of MLRJDF/Probation Department, GREC, and TCSOS to provide an educational program adapted for a transient population of youth who are at high educational risk has allowed these youth to make educational progress at a time of high disruption in their lives. (F2)

C3. The Tuolumne County Grand Jury commends MLRJDF for its efficient operations and reduction in costs to Tuolumne County through securing funding from regional counties and the state. (F5)

5. Review of Responses to the Tuolumne Utilities District Report

Summary

The county's largest supplier of water, Tuolumne Utilities District (TUD), was formed in 1992 and has consolidated other water systems and inherited infrastructure, some of which dates to the Gold Rush. This process of consolidation and acquisition continues as TUD is negotiating the acquisition of historic water rights and infrastructure from Pacific Gas & Electric Company (PG&E) that would include reservoirs, power generating equipment, and the Tuolumne Main Canal.

The 2020–2022 Tuolumne County Grand Jury investigated TUD to better understand its plans and operations. TUD has been the subject of past Tuolumne County Grand Jury reports, most recently in 2020; however, multiple topics including: TUD's aging and historic infrastructure, personnel issues, the proposed PG&E acquisition, and the question of securing water rights to serve users in Tuolumne County have not been comprehensively addressed by grand juries in recent years. Some of the findings and recommendations from the 2019–2020 Grand Jury were disputed by TUD which, when added to the recognized importance of the agency's operations and the significance of its proposed projects and acquisition, prompted the current investigation.

Also drawing the Grand Jury's attention, TUD has often been in the news and has had frequent changes in general managers and members of the board of directors. The Grand Jury is thankful for the district's cooperation and impressed by the staff and leaders with whom it had the opportunity to discuss TUD's critical functions.

The Grand Jury's investigation covered a diverse cross-section of issues. The findings and recommendations are grouped into three sections (which share common threads). These sections are identified as follows:

- Finance, Management, and Operations
- Personnel and Leadership Changes
- Water Rights and Future Development

Finance, Management, and Operations

Findings

F1.1. *“Considering its inherited and aging infrastructure, TUD’s existing rate structure is not adequate to fund its capital improvement needs should significant grant funding not materialize. While the agency is doing a good job in maintaining affordable rates, living within its means, and seeking external funding, it relies heavily on sources beyond its control to fund its CIP. This creates a risk of further deferring important capital improvements.”*

F1.2. *“TUD’s budget is not providing adequate contingency reserve funding, as illustrated by the discrepancy between the estimated \$100,000 in damage from the December 2021 storm event compared to the \$19,486 set aside in the Fiscal Year 2022 budget for the water contingency fund. The ability of TUD customers to survive and thrive requires the agency to have a robust capacity to budget and to plan for the unforeseen without relying on emergency declarations, grants, or assistance from other agencies in the short response term.”*

F1.3. *“TUD has a clear and appropriate new connections process and has not impeded county development through denial of new connections.”*

Recommendations and Responses

The Grand Jury requested responses from:

- TUD Board of Directors to recommendations R1.1 through R1.3.
- TUD General Manager to recommendation R1.1.

The TUD Board of Directors provided responses. The 2022-2023 Grand Jury did not see a response from the TUD General Manager; however, one was not required.

R1.1. *“TUD should continue to seek grant funding for its capital improvement needs. Recognizing the recent passage of the Infrastructure Investment and Jobs Act, the next several years could be a watershed opportunity for funding upgrades to aging infrastructure in the utilities sector. TUD should ensure it is prepared to meet oncoming changes by: staying abreast of grant qualification thresholds (i.e., proportional rate percent of MHI); dedicating the best people and pool resources to prepare successful grant applications; and ensuring it has adequate resources for matching/contributing grant and loan funding requirements.”*

RESPONDENT	RESPONSE
TUD Board of Directors	The recommendation has not yet been implemented but will be implemented in the future.

R1.2. *“Because the timing and availability of grant funding are beyond TUD’s control, the TUD Board of Directors should also consider undertaking a new rate study by January 2023 that addresses CIP funding, specifically: supporting infrastructure consolidation projects already in the CIP; ensuring revenue supports not just the marginal cost of supplying water but CIP and inflation; and identifying additional savings opportunities that could be applied to infrastructure modernization and improvement.”*

RESPONDENT	RESPONSE
TUD Board of Directors	The recommendation has not yet been implemented but will be implemented in the future.

R1.3. *“The TUD Board of Directors should consider undertaking a new rate study by January 2023 that re-evaluates the adequacy of TUD’s contingency reserve funding. This should include an analysis of the sufficiency of the two percent contingency target reserve and how reserve fund levels are tracked and reported.”*

RESPONDENT	RESPONSE
TUD Board of Directors	The recommendation requires further analysis.

TUD recognizes the need for a new rate study, and we will re-evaluate the adequacy of TUD’s contingency funding at that time. We would like this to be timed with PG&E negotiations for assets and water rights acquisitions; however, this may not be possible.

Commendation

“TUD staff should be commended for their efforts to facilitate new connections, despite the challenges of geography and infrastructure in its service area.”

Personnel and Leadership Changes

Findings

F2.1a. *“The frequent termination and turnover of TUD general managers over the last decade has carried both tangible and intangible costs, including costs associated with the payment of severance pay and benefits, impacts to employee morale, and a reduction in productivity associated with changes in leadership priorities.”*

F2.1b. *“Adoption of a board-approved policy that establishes the process for the selection, termination, evaluation, and compensation of the general manager would assist the TUD Board of Directors in pre-empting the higher than ideal turnover in this key position and the tangible and intangible costs described in F2.1a.”*

F2.2. *“TUD department managers and other agency employees may be uniquely suited to assist the TUD board in assessing qualifications of general manager applicants and evaluating the performance of the general manager or other senior TUD employees, but there is no TUD board- approved policy encouraging the involvement of subordinate employees in hiring and performance review appraisals of the general manager or other senior TUD staff.”*

F2.3. *“The competitiveness of TUD employee compensation is an important consideration in the district’s ability to recruit and retain the quality personnel upon which it is so dependent.”*

Recommendations and Responses

The Grand Jury requested responses from:

- TUD Board of Directors to recommendations R2.1 through R2.3.
- TUD General Manager to recommendation R2.3.

The TUD Board of Directors provided responses. The 2022-2023 Grand Jury did not see a response from the TUD General Manager; however, one was not required.

R2.1. *“Prior to the next performance review/compensation cycle, the TUD board should adopt a policy that establishes the process for hiring and firing, evaluating the performance of, and adjusting the compensation of the general manager.”*

RESPONDENT	RESPONSE
TUD Board of Directors	The recommendation will not be implemented because it is not warranted.

The criteria are established in the current general manager’s contract and were reached through negotiation between the Board and the general manager.

R2.2. *“The TUD board should consider including a role for TUD department managers and other agency employees (e.g., via a “360-degree” review process) in any policy adopted pursuant to R2.1. Similarly, TUD should consider involving subordinate employees in the hiring process and performance review appraisals for other members of the TUD staff such as department managers.”*

RESPONDENT	RESPONSE
TUD Board of Directors	The recommendation has not yet been implemented but will be implemented in the future.

The TUD Board agrees to involve TUD managers, staff and employees in the process of hiring, evaluating performance and adjusting the compensation of the general manager as appropriate.

R2.3. *“Particularly in light of recent trends in the labor market, TUD should, within the next year, consider: commissioning an updated evaluation of employee salary structures and benefits packages and adopting a policy for the regular evaluation of manager and other employee salary structures that: 1) uses a salary survey allowing for comparison with other comparable agencies in the region that provide water and wastewater services and are comparable in size to TUD; and 2) requires a new salary survey, at a minimum, every five years and posts the survey on TUD’s website, along with compensation information for TUD board members and employees.”*

RESPONDENT	RESPONSE
TUD Board of Directors	The recommendation has not yet been implemented but will be implemented in the future.

TUD plans to conduct another total compensation study preceding its next contract negotiations with the Laborer’s Union, which has been the District’s practice. Since 2017, TUD has conducted four comprehensive total compensation studies for market comparison.

Water Rights and Future Development

Findings

F3.1. *“There has been a lack of transparency about the status, progress, potential conclusion, and possible effects of the proposed acquisition of PG&E property and water rights on TUD and the ratepayers. Potential effects of this lack of transparency include public confusion and ultimately a risk to public support for the proposal.”*

F3.2. *“The PLPRP has been only partially implemented and has not addressed important opportunities for recreation or environmental benefits.”*

F3.3. *“TUD has an important opportunity to protect, preserve, and enhance the environment, and to enrich recreational opportunities in the county that are not adequately addressed in their strategic plan, its staffing, and funding.”*

Recommendations and Responses

The Grand Jury requested responses from:

- TUD Board of Directors to recommendations R3.1 through R3.4.
- TUD General Manager to recommendation R2.3 through R3.

The TUD Board of Directors provided responses. The 2022-2023 Grand Jury did not see a response from the TUD General Manager; however, one was not required.

R3.1. *“TUD should designate a “point person” to answer public inquiries regarding the PG&E acquisition. Without further delay, TUD should disclose to the public all non-confidential information regarding the current state of discussions regarding the PG&E acquisition.”*

RESPONDENT	RESPONSE
TUD Board of Directors	The recommendation has been implemented.

With the PG&E negotiations in mind, TUD has already taken steps to address this Recommendation by filling the community outreach with an external affairs specialist.

R3.2. *“TUD should provide a clear explanation of the benefits to the TUD ratepayer associated with the direct costs of the proposed acquisition, as well as ancillary costs such as the hiring of a professional negotiator and a public relations firm.”*

RESPONDENT	RESPONSE
TUD Board of Directors	The recommendation will not be implemented because it is not warranted.

The transactional costs associated with the acquisition are contained in the District’s Audited Financial Statements and Operating Budget under “legal expenses” and “consultants”. Some of the details related to legal expenses are protected under attorney-client privilege.

R3.3. *“By June 2023, TUD should actively develop a plan and pursue funding for full implementation of the PLPRP.”*

RESPONDENT	RESPONSE
TUD Board of Directors	The recommendation has not yet been implemented but will be implemented in the future.

The TUD Board hopes to develop a plan and pursue funding for full implementation of the PLPRP.

R3.4. *“The TUD board should amend its strategic plan to include stronger environmental and recreational goals and objectives by June 2023.”*

RESPONDENT	RESPONSE
TUD Board of Directors	The recommendation has not yet been implemented but will be implemented in the future.

The TUD Board agrees to consider amending its Strategic Plan to strengthen its environmental and recreational goals at an upcoming strategic planning session.

6. Review of Responses to the Sierra Conservation Center Report

Summary

California Penal Code §919(b) mandates that the Grand Jury shall inquire into the condition and management of the public prisons within the county. No report is required and can only be issued if it is based on a full investigation. The 2020-2022 Grand Jury interviewed leadership of the Sierra Conservation Center, reviewed health reports, toured the facility, and as a result did not find a full investigation necessary. The Grand Jury appreciates the cooperation of the staff, commends them for their dedication to their jobs, and was impressed with the programs offered to inmates.

**COUNTY OF TUOLUMNE
GRAND JURY**
12855 Justice Center Drive
Sonora CA, 95370



Tuolumne County Grand Jury Airports Report, June 30, 2023



Grass Landing Strip, Columbia Airport; Photo: Jury Member

**Motherlode Gems: Columbia and Pine Mountain Lake
Airports**

INTRODUCTION

Tuolumne County has two airports that are managed by the County Airports Department, which is in turn managed by the Public Works Department. Columbia Airport was established on January 4, 1940. Pine Mountain Lake Airport was established January 2, 1970.

The airports serve Tuolumne County in multiple ways, and have the potential to generate more revenue for the County. Columbia Airport offers one of two public grass runways in California, making it special for many pilots. Columbia Airport is home to the CAL FIRE Air Attack Base, which is the area's airborne firefighting unit, and PHI Air Medical's helicopter ambulance service. Pine Mountain Lake Airport offers a gateway to Yosemite. Though some may view flying and having a plane as recreation for the elite, we were reminded that many planes are similar in cost to RV's, boats and some SUV's.

The Grand Jury found that both airports have not been maintained to the expected standard. The report details our findings and recommendations that we hope will help the County maximize the benefits that both airports have to our community.

Confidentiality

Grand Jury members are sworn to secrecy regarding any matter brought before them. This assures all individuals that their testimony will be strictly confidential. Each Grand Juror must keep all evidence confidential. It is a misdemeanor to violate the confidentiality of any individual or evidence brought before the Grand Jury.

Recusal

The Grand Jury recognizes that a conflict of interest may arise during its investigations. In such instances the juror may ask to be recused from all aspects of an investigation. Those members do not investigate, attend interviews and deliberations, or assist in the making and acceptance of a final report that may result from an investigation. Therefore, whenever the perception of a conflict of interest existed on the part of a member of the 2022-2023 Tuolumne County Grand Jury, that member abstained from any investigation involving such a conflict and from voting on the acceptance or rejections of any related subject.

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.

SUMMARY

CHAPTER 1. Airport Operations

The Airports Department has lacked responsiveness from mid-level management. We found a consistent theme of poor management, poor customer service, and sub-par maintenance of the grounds and facilities. We recommend that management establish better relations with the airport community, and deal with complaints or suggestions in a timely manner.

CHAPTER 2. Columbia Airport Hangars and Facilities

There were two major issues brought up by Columbia Airport tenant interviewees regarding the airport buildings and hangar facilities: The repaving project of the taxilanes and the availability and overall condition of the hangars and other facilities. Based on interviews and physical inspections of the facilities, we found that the tenants' concerns were justified. We recommend that the County explore methods to increase the availability of hangars, improve the appearance of the airport in general, provide appropriate maintenance on the facilities, and repair the pavement issues.

CHAPTER 3. Pine Mountain Lake Airport

Pine Mountain Lake Airport (PMLA) is an asset owned by Tuolumne County. The County is currently seeking information to aid in evaluating future funding of PMLA.

Consideration should be given as to the link between PMLA and Yosemite Valley. Yosemite Valley attracts tourists who utilize Airport flight services to the Valley and may also frequent other local sites and venues.

PMLA receives some State funding, but the airport is built into a housing subdivision which makes it unlikely that it will ever receive Federal funding.

CHAPTER 4. Airports Financial Review

Our investigation of the airports and budget revealed that additional oversight may be needed. Our recommendations are for the County Administration to, at least temporarily, take a more active role in budget oversight and airport operations.

In reviewing the enterprise funds, at first glance it appeared that Pine Mountain Lake continually needed money from the county to stay afloat. After careful financial review of the airports' enterprise funds, it appears that PMLA has been revenue neutral, or close to revenue neutral, from 2017-2022, had resources not been assigned elsewhere. We have made recommendations on how to simplify this for clarity.

CHAPTER 5. Airports Advisory Committee

The Board of Supervisors (BOS) established an Airports Advisory Committee several years ago to “study problems of general and specific interests and make recommendations to the Board and allow for increased public participation on issues affecting Tuolumne County Airports operation and use.”¹ The BOS has recently been looking into the viability of the County’s two airports but did not make use of this Committee when beginning that evaluation despite the Committee having been created for such a purpose. Then without consultation of that Committee, the BOS elected to do away with the Committee completely in December, 2022. We recommend this Committee be reinstated with some slight modifications in order to provide the BOS with valuable airport user and public perspective on airport operations and viability.

¹ See "Board of Supervisors Airports Advisory Committee Procedural Rules" in Chapter 5 Bibliography

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GLOSSARY

AAC - Airport Advisory Committee

AIP - Airport Improvement Program

ARPA - American Rescue Plan Act

BOS - Board of Supervisors

CAO - County Administration Office

CRRSAA - Corona Response and Relief Supplemental Appropriation Act

FAA - Federal Aviation Administration

FBO- Fixed Base Operator

GCSD - Groveland Community Services District

PCL - Pilot Controlled Lighting

PMLA - Pine Mountain Lake Airport

NPIAS - National Plan of Integrated Airport Systems

RTTF - Residencial Through the Fence

SASP - State Aviation System Plan

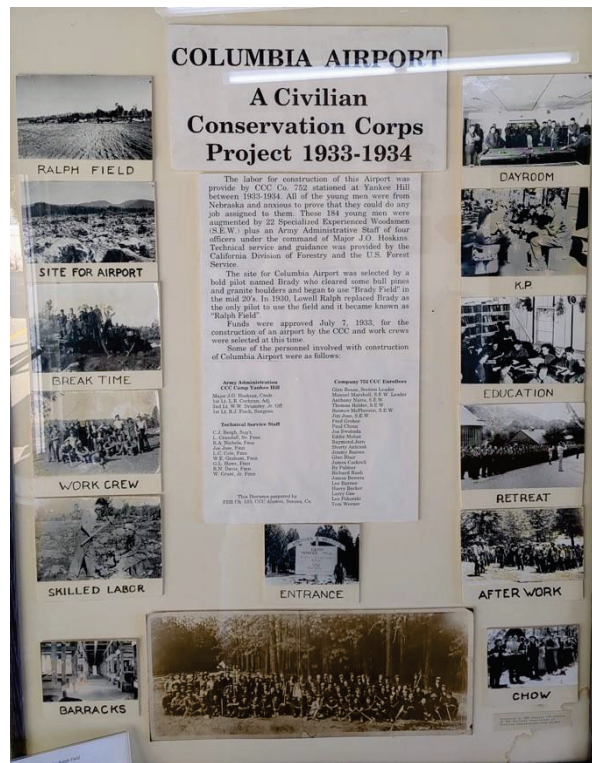
SOW - Scope of Work

CHAPTER 1: AIRPORT OPERATIONS

BACKGROUND

One person oversees the Airports Department with the title of Airport Manager. At the beginning of this investigation, the Jury held one interview with the Manager. The Manager subsequently went on a leave of absence and eventually resigned. As of this writing, the position is vacant, and the County is soliciting applicants. This disruption complicated the Jury's quest for information.

Columbia Airport features a lighted 4,650-foot paved runway and a 2,600-foot irrigated turf runway. Take-offs and landings average approximately 126 per day with usage nearly equal for both local and transient aircraft. Columbia Airport receives financial support under the Federal Airport Improvement Program (AIP) through the Federal Aviation Administration (FAA).



Pilot's lounge poster describing the history of the field; Photo: Jury Member

Columbia Airport is home to the CAL FIRE Air Attack Base,, PHI Air Medical's helicopter ambulance service, as well as some Fix Base Operators (FBOs) such as Courtney Aviation and Springfield Flying Service.

Hangars are available for rent from the County by individual aircraft owners. Fuel and maintenance facilities are available. Some privately owned hangars exist, and tie-downs are available for transient aircraft and local aircraft owners who do not have access to the available hangars. Columbia Airport maintains a campground adjacent to the turf runway that is available for rent by pilots and organizations to hold fly-ins for their members and guests. You can pitch your tent in one of twenty campsites that include picnic tables and barbecues, or you can camp right under the wing of your airplane. There are seven airports in California that have a nearby campground, but Columbia Airport is one of only four that have the campground inside the airport and one of only three that have potable water, hot showers, fire rings, and other typical campground amenities. Another feature is a short path from the airport into the historic town of Columbia.

Pine Mountain Lake Airport (PMLA), in the town of Groveland, has one 3,624-foot, lighted runway. PMLA is not financially supported by the FAA.

Fuel and transient parking are available. There are eleven hangars, both private and county owned. Some homeowners adjacent to the field have access to the airport for their aircraft.

METHODOLOGY

- We conducted in-person interviews with four county employees.
- We conducted in-person interviews with five private citizen airport users.
- We toured both airports, guided by the Airports Manager, to gain a firsthand understanding of the layouts.
- We made other on-premises inspections to verify information gathered during interviews.
- Various documents either received from interviewees or discovered on the Internet were examined and used (*see Bibliography*).

DISCUSSION

Columbia Airport has lacked responsiveness from mid-level management. During our investigation, we found a consistent theme of poor facilities management and poor customer service. For example, an appeal to fix the entrance gate for the Air Attack Base was ignored. Eventually, after about four months, the issue was brought to the attention of the Public Works Department directly. Only then was the issue resolved.

General airport maintenance is reported as being subpar at both airports. Oversight and monitoring of the taxi lane paving project done in 2021 was seen as having been lacking. A tenant who monitored the project told us he complained of potential problems. The resulting difficulties can be seen below.²

Deer have been an ongoing safety issue at Columbia Airport and dealing with the problem has been delayed until recently. The Columbia Airport is completely fenced in and secured, which deters deer from leaving once they are in. The CAL FIRE Air Attack Base would frequently send its own people out to ensure the runway was clear of deer during operations. As of finalizing this report, we understand that the Department of Agriculture was contracted to remove the deer from the Airport and that it has been completed.

² See chapter two in this report, "COLUMBIA AIRPORT HANGARS AND FACILITIES".

FINDINGS, RECOMMENDATIONS, AND COMMENDATIONS

Findings

F1.1 The airports have been poorly managed.

F1.2 The airports' facilities need upgrading and added maintenance.

F1.3 Deer having access to the runways creates a serious safety issue.

Recommendations

R1.1 Customer service and responsiveness need to be improved and monitored by County Management. (F1.1)

R1.2 A concerted effort should be made to improve the look of the airports, with available resources, and make them more inviting to both local and transient users. (F1.2)

R1.3 The removal of deer from Columbia Airport should be made a high priority to avoid a tragic accident. (F1.3)

Commendations

As we complete this report, it is our understanding that a contract for deer removal was signed with another agency and that the job has been completed. This being the case, we commend the staff for resolving a long-standing safety issue.

REQUESTED RESPONSES

Required Responses

Pursuant to Penal Code section 933(c), responses are required from the following governing body within 90 days:

- Board of Supervisors: Findings F1.1-F1.3 and Recommendations R1.1-R1.3

Invited Responses

Although not required under Penal Code section 933(c), the following responses are invited within 60 days.

- Tuolumne County Public Works Director: Findings F1.1-F1.3 and Recommendations R1.1-R1.3
- Tuolumne County Airports Department Manager: Findings F1.1-F1.3 and Recommendations R1.1-R1.3
- Tuolumne County Administrator: Finding F1.3 and Recommendation R1.3

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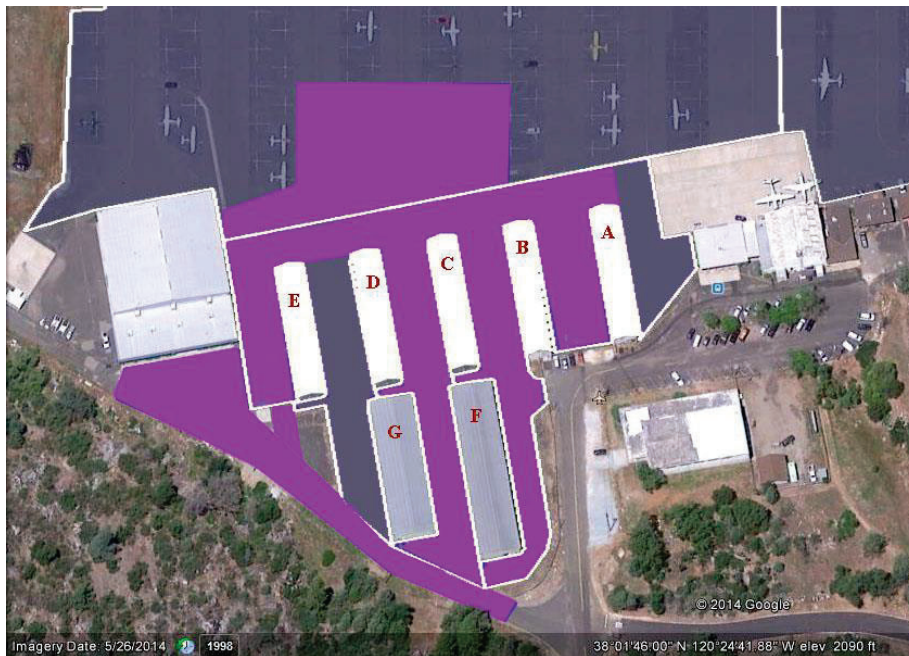
CHAPTER 2: COLUMBIA AIRPORT HANGARS AND FACILITIES

BACKGROUND

Columbia Airport Paving Project

On May 1, 2018, Tuolumne County approved a call for bids for Project 1609, "Taxilane Reconstruction and Rehabilitation". The bid was awarded to George Reed Inc. on July 3, 2018. Of the total project cost, the Federal Aviation Administration funded \$3,540,868, the State of California funded \$50,000, and Tuolumne County funded \$343,430 based on a mandated percentage of cost. George Reed was paid \$3,484,474 while planning and design consultants, Kimley Horn and Associates, were paid \$380,134.47. Additionally, Tuolumne County staff costs were \$69,689. The project was completed in November 2019.

Project 1609 rebuilt a portion of the taxilanes at Columbia Airport. These taxilanes surround Hangars A, B, C, D, F, and G, but exclude the south side taxilanes of Hangars D and G and the north side of Hangar A. The paving on the apron in front of the west side of Hangars B, C, and D was rehabilitated as part of this project.



Paved apron and road; Photo: County Photo (modified)

During interviews tenant interviewees unanimously expressed some level of dissatisfaction with the results of the paving project.

Building/Hangar Condition

A common theme among all tenant interviewees was the poor overall condition of Columbia Airport's infrastructure. They complained that the airport was so rundown that it was affecting the number of pilots that were visiting the area and impacting the usage of the facilities due to sticking or sagging hangar doors, leaks, substandard wiring, and flooding issues.

METHODOLOGY

- We conducted in-person interviews with six county employees.
- We conducted one email interview with one county employee.
- We conducted in-person interviews with five private citizen airport users.
- We toured both airports, guided by the Airports Manager, to gain a firsthand understanding of the layouts.
- We made other on-premises inspections to verify information gathered during interviews.
- Various documents either received from interviewees or discovered on the Internet were examined and used.

DISCUSSION

Columbia Airport Paving Project

Based on a letter from the Tuolumne County Director of Public Works, and the former Airports Department Manager, to the Tuolumne County Board of Supervisors, the new pavement (Pavement Condition Index 100) is a huge improvement from the original pavement (Pavement Condition Index 8).

For reference, Tuolumne County scores a newly constructed road as 100 on the PCI scale and a totally failed road would be a 0. There are four major categories – 0-25 is considered Very Poor, 25-49 is considered Poor, 50-69 is considered Fair, and 70-100 is Good. The average of all roads in Tuolumne County is 28.

The problem lies with the transition area from the hangar floor to the new pavement. Interviewees indicated that in some cases there is a lip that must be "jumped" to move the airplane in or out of the hangar. As most airplanes at Columbia are manually moved in and out of hangars, this can be a serious problem.



Hangar Floor Transition Area Problem; Photo: Jury Member

Furthermore, this lip can cause water to pool in and around the front of the hangars.



Pooling water problem in one of the Columbia Airport Hangars; Photo: Jury Member

In one case, the tenant indicated that his plane would not fit in the hangar because the pavement had been raised so high his tail hit the door frame. This tenant further stated that the raised pavement prevented his office door from opening. After the County ground the pavement down so his door would open, water pooled in front of his office door and would seep into his office. Worse yet, in the winter the water would sometimes freeze, causing a “slip and fall” hazard.

Airport management attempted to mitigate these problems by re-paving a few areas at an unknown cost and installing gutters on his hangars to divert some of the rainwater away from his hangars at a cost of \$9,120. According to the tenant interviewee, the gutter effort was largely ineffective; he would rate it a 3 on a scale of 1-10 with 10 being Total Mitigation. It was successful in stopping some of the rainwater pouring off the roof from splashing into the hangars, but water still entered the hangars because the hanger floor was lower than the asphalt. The re-paving effort was much more successful. In the 2 hangars where the asphalt was lowered to the same level as the hanger floor and replaced with concrete aprons water no longer pooled inside those hangars.



Pavement and Gutters Installed; Photo: Jury Member

It should be noted that these transition problems seem to be with the older hangars. In many of these hangars, the floor is cracked, sunken and/or raised. In fact, in two of these older hangars, the floor and/or structure is in such poor condition that it is unusable as a hangar and is being used for storage by the airport staff.



Hangar Used to Store Equipment and Firewood; Photo: Jury Member

One of the tenant interviewees reported that the reason for the poor transition is that the County was supposed to be responsible for leveling the floor from one foot inside the hangar to the eaves. They were told that the County did not have funding for this work so George Reed did the best they could at matching the existing level of the hangar floors. We were unable to confirm this with the County.

Building/Hangar Condition

When asked what issues at the Airport warranted repair or attention, interviewees cited the following:

- Leaks in roofs,
- Faulty doors and latches,
- Rusty or damaged sheet metal,
- Flooding issues,
- Cracked and heaved pavement in hangars,
- Flaking/missing/mismatched paint,
- Poor and/or no signage, and
- The lack of or damaged gutters

Words such as "eyesore," "looks dilapidated," "poor signage," "missing paint," "leaky roofs," "broken hangar doors," and "rusty" were commonly used during interviews to describe the appearance of Columbia Airport's facilities.



Rusted Roof, Sliding Door Hangars and Access Door; Photo: Jury Member



Street Entrance into Terminal Parking Lot; Photo: Jury Member



Visiting Pilots Viewpoint; Photo: Jury Member

On a potentially serious safety note, one tenant noted the electrical wiring may be substandard as he reported issues with circuit breakers blowing. This statement is unverified, as the tenant repaired the electrical problem on his own. However, we observed on other occasions while visiting hangars that the wiring/outlets appear to be inadequate, with generally one outlet per hangar.

The terminal/pilot's lounge is kept neat, clean, and well stocked, but it is dated. It is not open to the public 24 hours and there is also no access for pilots after hours; however, there is a bathroom located at the end of Hangar A that is always open to pilots. This presents a problem for the pilot who exit the lounge to walk into Columbia. If they don't get the main gate passcode while the lounge is open, then they may return after hours and find the terminal and pilots' lounge locked. Without the gate passcode, they are unable to get back to their airplane. There is no signage to alert them of this fact.

A couple of interviewees commented that Columbia used to be a "destination airport", with lots of transient traffic. AirNav.com usage statistics go back as far as 1999. In 1999 there were 176 aircraft based at Columbia Airport, and a daily average of 225 operations (takeoff or landings). 110 of those operations were by transient aircraft. In 2023, there are 103 aircraft based at Columbia and the daily average number of operations is 125, with 60 of those being transient aircraft. It was pointed out that there is real potential to serve the entire west coast. Final certification for a pilot's license requires a 150 nautical mile trip so Columbia already has some Bay Area traffic. There is an easy walking trail into Columbia State Park, with many choices for meals. Also, there is a grass landing strip - which is very rare and valued by pilots. Columbia is also one of the very, very few airports with an on-site, fly-in, campground.

A major concern of tenant interviewees and airport management was the lack of available hangar space. The current Columbia Airport New Hangar Wait List on the Tuolumne County website has thirty-three names while the Old Hangar Wait List has fourteen names. The list was last updated prior to this writing on April 13, 2023. Each of these potential tenants has deposited \$300 with the airport that remains with the airport pending hangar assignment, which demonstrates to us each individual's commitment to renting a hangar. Tenant interviewees and airport management had a few suggestions for adding additional hangars, such as increasing the length of time that a builder can rent or use the hangar before hangar ownership reverts to the County. Currently, privately built hangars revert to the County after either 20 or 30 years, which one interviewee opined was not long enough for the builder to capture his return on investment. Another suggestion was for the County to obtain financing for a low-interest loan to build more hangars; feeling that the rent from the hangars would be more than enough to service the loans and provide maintenance. A third suggestion was to complete the hangars on the pads that were poured years ago on the west side of the runway, using a water tank to alleviate the fire department's concerns about lack of water in the event of a fire. The last option suggested was to build hangars on unused or little used areas of the parking aprons that already have sufficient water supplies.

FINDINGS AND RECOMMENDATIONS

Findings

- F2.1** At a cost of almost \$4 million, Project 1906 excavated, rebuilt, and repaved the Airport's ramp, apron, and taxiway areas. Little or no transition work was done, resulting in major operational and safety issues with many hangars.
- F2.2** Tenant interviewees unanimously agreed that there are cosmetic, structural, and maintenance issues that need to be addressed.
- F2.3** Availability of hangar space at Columbia Airport does not adequately meet present demand, which decreases the Airport's ability to potentially increase revenue and serve the population.

Recommendations

- R2.1** The transition strip between the new and old pavement should be corrected. (F2.1)
- R2.2** Cosmetic and structural problems should be corrected. (F2.2)
- R2.3** Tuolumne County should explore options to increase the availability of hangars. (F2.3)

REQUESTED RESPONSES

Required Responses

Pursuant to Penal Code section 933(c), responses are required from the following governing body within 90 days:

- Board of Supervisors: Findings F2.1-F2.3 and Recommendations R1-R3

Invited Responses

Although not required under Penal Code section 933(c), the following responses are invited within 60 or days.

- Tuolumne County Administrative Officer: Findings F2.1-F2.3 and Recommendations R2.1-R2.3
- Public Works Director: Findings F2.1-F2.3 and Recommendations R2.1-R2.3

CHAPTER 3: PINE MOUNTAIN LAKE AIRPORT



Aerial View of Pine Mountain Lake Airport Photo: Tuolumne County Website

BACKGROUND

Pine Mountain Lake Airport is in the south-central portion of Tuolumne County, three miles northeast of Groveland. Pine Mountain Lake Airport was originally founded as a private airport in 1969 and 1970 in conjunction with the development of the entire Pine Mountain Lake housing subdivision. The Grant Deed for the airport was accepted by Tuolumne County on February 27, 1973. (See Appendix, Items 1-3)

PMLA is currently a public airport that is mainly used for general aviation. The Pine Mountain Lake Airport is a public facility serving the needs of residents, businesses, aviation organizations, transient pilots, airport users, and tenants. Adjacent to the airport is a private lot that is utilized by Yosemite Flight Tours.

The County is responsible for the operation, maintenance, and management of the Airport. The operation and management of the airports is the responsibility of the Tuolumne County Airports Department. Hands-on operations are carried out by the Airports administration and staff.

PMLA services the less populated and remote southern portion of the county, while Columbia Airport services most of the population in and around the northern areas. PMLA produces limited income due to the nature of the Airport's location and size: it is land-locked with little included or surrounding land availability for income producing structures.

PMLA is served by a single asphalt runway. The runway is 3,624 feet (about 1.1 km) long, 50-feet wide, and is reported to be in good condition by the FAA and AirNav.com. The full-length parallel taxiway serves airport traffic on the south side of the runway. Pine Mountain Lake residents whose lots are located along the north side taxiway maintain that taxiway although it is on airport property. One hundred and three property owners surrounding the Airport have deeded access to the airfield. The deeded access was acquired at the time the housing development was built in the 1960s. Airport operations (takeoffs and landings) number approximately forty-one per day with nearly equal numbers of local to transient aircraft.

The Airport provides approximately forty-seven outdoor tie-downs: thirty-five rentals and twelve transients. There are eleven hangars. In 2009, Tuolumne County Supervisors approved a 40-year lease agreement with Gold Country Hangers to build a facility that consisted of ten hangars on a single row with a larger hanger at the end. The County will assume ownership of the hangars at the end of the lease.

A small pilots' lounge located at the entrance to the Airport has restrooms and some seating. There is a fuel island that has one self-serve storage tank that is privately owned. Fuel is available for purchase 24-hours and is provided by Mother Lode Aviation, a volunteer agency. PG&E supplies electricity and propane is delivered by truck. Water and sewer service is provided by the Groveland Community Services District (GCSD).

METHODOLOGY

- We reviewed the 2006 Pine Mountain Lake Masterplan (prepared by Coffman Associates, Inc. and Stantec).
- We interviewed County Staff.
- We interviewed Airport staff, Airport tenants, and Airport users.
- We researched a variety of web articles and publications relevant to our report.
- Jury members took an excursion to PMLA and toured the facility with the Airport's Manager.

DISCUSSION

The Pine Mountain Lake Airport (PMLA) has been in the spotlight of the Tuolumne County Board of Supervisors (BOS) since 2022. From interviews and discussions with those we interviewed, opinions differ as to the worth of the airport to the citizens of our County. Initially, the BOS voted not to fund PMLA for fiscal year 2022 - 2023, then shortly thereafter concluded that more information was needed prior to cutting funding. The BOS funded a study to determine the value of PMLA to Tuolumne County. A group of airport consultants already under contract to Tuolumne County, Coffman Associates, Inc, were contracted to complete the study. The County-sanctioned study is expected to answer questions that will help determine the future status of County funding for PMLA.

Tourism is a prime source of income for Tuolumne County. Yosemite Valley is a large part of that tourist trade. PMLA has strong ties to Yosemite Valley as well as the surrounding communities. The airport serves as a tourist destination for flights over Yosemite. According to statistics outlined by Tuolumne County's Annual Report, 2021/2022, vehicle traffic entering Yosemite from Tuolumne Hwy 120 west is 359,465, and from Mono Way East is 42,336.

PMLA is not registered in the FAA's National Plan of Integrated Airport Systems (NPIAS). Without this classification, the Airport is ineligible for the Federal Airport Improvement Program (AIP) funding. However, the Airport did receive funds under the American Rescue Plan Act (ARPA) and the Coronavirus Response and Relief Supplemental Appropriation Act (CRRSAA). PMLA is not eligible for FAA registration primarily because it has "Residential Through the Fence Operations (RTTF)." RTTF is defined by the FAA as: access granted to a federally obligated, public airfield from private, residential property or property zoned for residential use.

In other words: no individuals, public or private, or companies at the Airport, shall be granted access to the airport by their aircraft, customers' aircraft, or private vehicles from locales adjacent to the airport. Since the Airport is surrounded by private properties that are directly connected to the airport via the taxiway loop, and there are no fences to prevent direct access to the airfield from these properties, PMLA is not certified, or registered, in the NPIAS and does not qualify for Federal funding.

While PMLA does not receive federal funding, it is included as a general aviation airport in the California State Aviation System Plan (SASP). The SASP establishes the specific funding needs for PMLA. The State grants PMLA \$10,000 annually. As we understand it, were the Columbia and PMLA airports to combine into one Enterprise Fund, PMLA would lose this funding.³

³ See Chapter 4 for more detail.

Having toured the PMLA airport, and having done interviews with airport users, we learned that the taxiway has cracks and weeds that are an ongoing problem. Airport technicians do spray the weeds occasionally. The Pilot Controlled Lighting System (PCL) is original to the airport, which makes it over fifty years old. Those interviewed about this suggest the system needs an overhaul.

FINDINGS AND RECOMMENDATIONS

Findings

F3.1 The airport is presently in good condition; although, the taxiway needs crack repair.

F3.2 The Pilot Controlled Lighting System is original to the Airport, over fifty years old, and has not been upgraded.

Recommendations

R3.1 The taxiway should be repaired. (F3.1)

R3.2 The Pilot Controlled Lighting system should be assessed for improvement. (F3.2)

REQUESTED RESPONSES

Required Responses

Pursuant to Penal Code Section 933(c), responses are required from the following governing body within 90 days:

- Board of Supervisors: Findings F3.1-F3.2 and Recommendations R3.1-R3.2

Invited Responses

Although not required under Penal Code Section 933(c), the following responses are invited within 60 days.

- Tuolumne County Administrative Officer: Findings F3.1-F3.2 and Recommendations R3.1-R3.2

APPENDIX

Tuolumne County



FILED FEB 27 1973
 CARLO M. DE FERRARI, CLERK
 By *Carlo M. De Ferrari*
 DEPUTY CLERK

No. 272-72

RESOLUTION

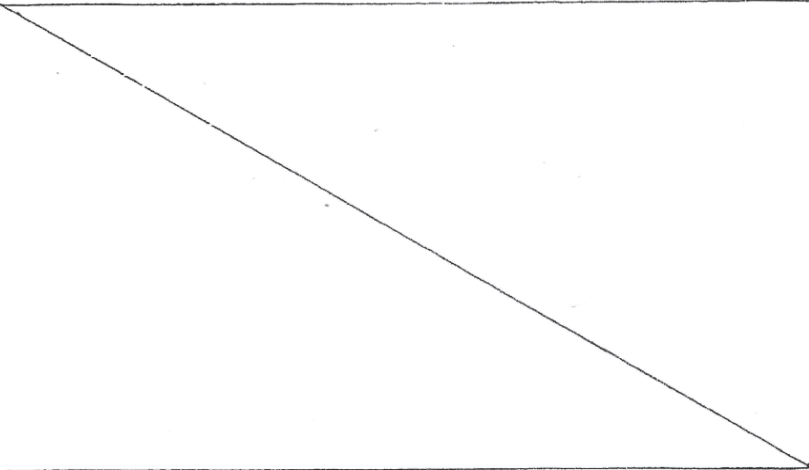
OF THE BOARD OF SUPERVISORS OF THE COUNTY OF TUOLUMNE

WHEREAS, INTER-COUNTY TITLE CO., TUOLUMNE-MARIPOSA DIVISION, a California Corporation, has Granted to the County of Tuolumne, a political subdivision of the State of California, that certain real property commonly known as the "Groveland Airport" or as the "Pine Mountain Lake Airport", located near Groveland, California, said real property being more particularly described in the Grant Deed of said INTER-COUNTY TITLE CO., TUOLUMNE-MARIPOSA DIVISION, a California Corporation.

AND WHEREAS, it is in the public interest that this Board of Supervisors accept said Grant Deed on behalf of the County of Tuolumne.

NOW, THEREFORE, BE IT RESOLVED that said Grant Deed be, and the same is hereby, accepted by this Board of Supervisors on behalf of the County of Tuolumne.

BE IT FURTHER RESOLVED that the Clerk of this Board be, and he is hereby, authorized and directed to record said Grant Deed in the Office of the Recorder for the County of Tuolumne, together with a certified copy of this resolution attached thereto.



THE FOREGOING RESOLUTION PASSED AND ADOPTED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF TUOLUMNE, CALIFORNIA, ON THIS 27th DAY OF February, 1973.

Ayes: Supervisor	<i>Delbert J. Rittell</i>	Noes: Supervisor	
1st District		1st District	<i>John</i>
Supervisor	<i>John Storey</i>	Supervisor	
2nd Dist.		Supervisor	
Supervisor	<i>Bill H. Mann</i>	Supervisor	
3rd Dist.		Supervisor	
Supervisor	<i>Ralph K. Thiel</i>	Supervisor	
4th Dist.		Supervisor	
Supervisor	<i>John J. Stewart</i>	Supervisor	
5th Dist.		Supervisor	

John J. Stewart
 CHAIRMAN OF THE BOARD OF SUPERVISORS
 COUNTY OF TUOLUMNE, STATE OF CALIFORNIA

ATTEST: CARLO M. DE FERRARI, CLERK
 By *Carlo M. De Ferrari*
 DEPUTY CLERK

THE FOREGOING DOCUMENT IS A CORRECT COPY OF THE ORIGINAL ON FILE IN THIS OFFICE. INDEXED

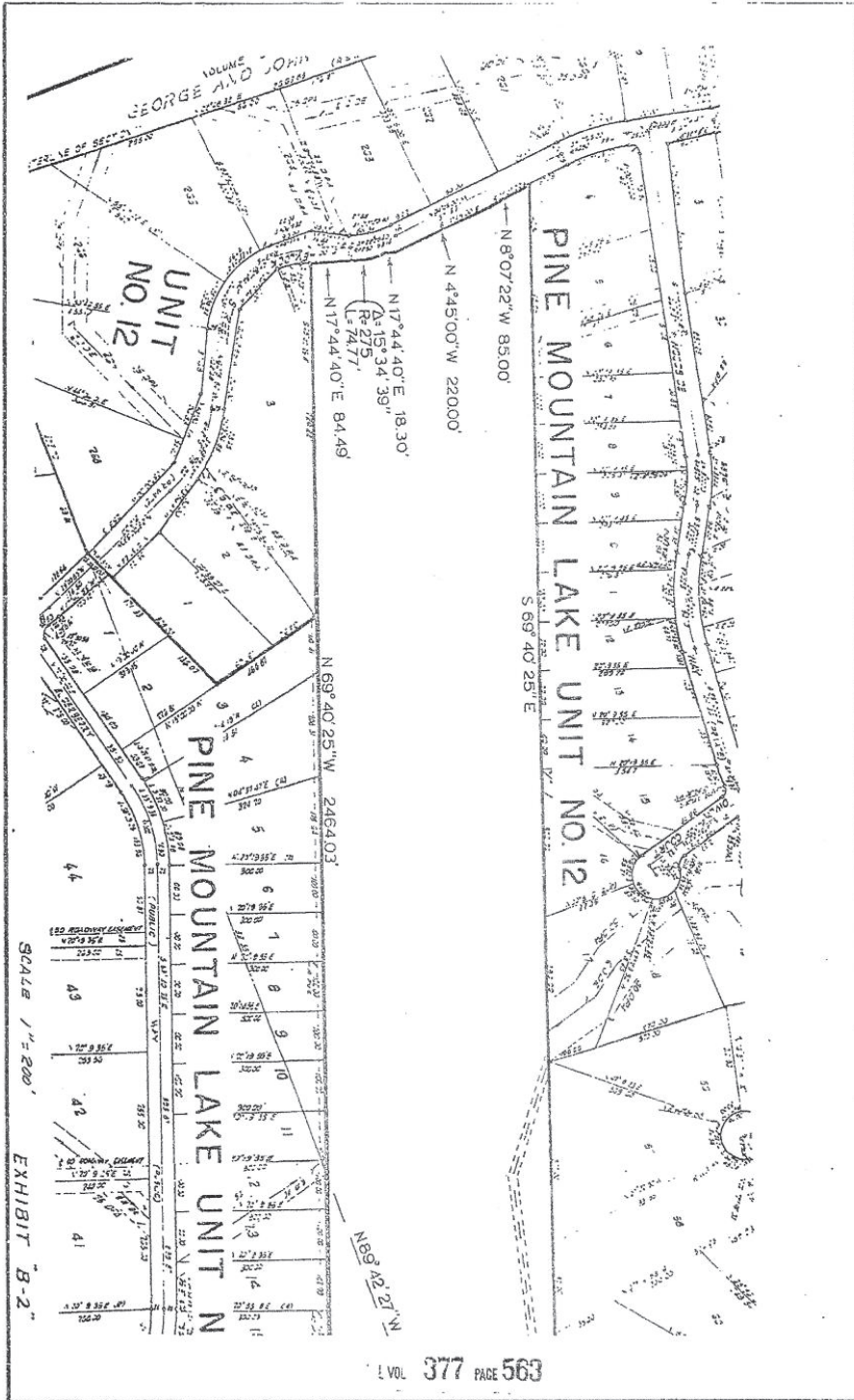
ATTEST: FEB 28 1973
 Carlo M. De Ferrari, County Clerk and ex-officio clerk of the Board of Supervisors of the County of Tuolumne.
By Fred A. Smith, Deputy



RESOLUTION NO. 272-72

VOL 377 PAGE 564

Item 1. Board of Supervisors Resolution to Accept the Grant Deed for PMLA



Item 2. Pine Mountain Lake Airport and surrounding properties.

Ensements for aircraft taxiways fifty (50.00) feet in width at such locations as the Grantor and Grantee herein may, in the future, determine, together with the right to construct said taxiways. Said easements to be appurtenant to Lots 3 through 17 and Lot 18, Pine Mountain Lake Unit No. 11 and Lots 3 through 17 and Lots 56 through 66, Pine Mountain Lake Unit No. 12, as said lots are shown on the recorded maps of said subdivision.

EXCEPTING FROM the above described Parcel No. 1 all that certain real property situate in Section 13, Township 1 South, Range 16 East, Mount Diablo Meridian, Tuolumne County, California, described as follows:

Beginning at a point from which the Northeast corner of Lot 18, as said lot is shown and so designated on the Plat of Pine Mountain Lake Unit No. 11, said Plat being filed in the Tuolumne County Recorder's Office in Volume 6 of Subdivisions at Page 22, bears North 85° 51' 34" West 307.52 feet; thence, from said POINT OF BEGINNING North 64° 48' 42" East 95.30 feet; thence, South 61° 08' 28" East 72.21 feet; thence, South 05° 06' 10" West 80.34 feet; thence, South 00° 34' 57" East 10.00 feet; thence, South 89° 25' 03" West 169.60 feet; thence, North 00° 34' 57" West 29.76 feet; thence, North 27° 12' 04" East 63.12 feet to the point of beginning, containing 0.393 acres, more or less.

PARCEL NO. 2

Easements for ingress, egress, airport parking and accessories and Public Utility purposes as reserved in that certain deed from Inter-County Title Co., Tuolumne-Mariposa Division to Degnan, Donohoe, Inc., recorded October 17, 1972, in Book 368, page 479, Official Records of Tuolumne County.

This grant is made subject to the express condition that the property shall be maintained and used exclusively as an airport and associated uses. On breach of this condition the Grantor and its successors or assigns shall have the right to re-enter and take possession of the land and to hold, own and possess the same in the same manner and to the same extent as if this grant had never been made.

The above described property is shown on Exhibit "B" attached hereto.

Item 3. Deed details stipulating that the Pine Mountain Lake is deeded to Tuolumne County from Boise Cascade, as long as the property is "maintained and used exclusively as an airport."

CHAPTER 4: AIRPORTS FINANCIAL REVIEW

BACKGROUND

Airport personnel reported to the County Administrator's Office until 2020 when administration of the Airports Department switched to the Director of Public Works. Airport staff report to the Airports Manager. Airport Department staff currently consists of three full-time employees and one part-time employee.

METHODOLOGY

- We reviewed work requests. The way the county tracks work requests and work completed for the airport staff is using a system called MaintainX.
- We interviewed County Staff
- We interviewed Airport customers and users.
- We reviewed all revenue and expenses for the airports and randomly audited expenses over \$1000 between the years 2017-2022.
- We toured Columbia Airport and Pine Mountain Lake Facilities.

DISCUSSION

The Airport Department’s annual budget is prepared by the Airports Manager and is reviewed and signed off by the Public Works Director and the County Administrators Office with ultimate approval lying with the Board of Supervisors.

Financial checks and balances are within the business units. The Airport Department financials are included in three county accounts. They are:

- 4430 Columbia Airport
- 4440 Pine Mountain Lake Airport
- 3310 Airport Construction Plant Acquisition

FAA Funding

Columbia Airport applies for grants from the FAA, whereas PMLA is not certified by the FAA, and it is therefore not eligible for Federal grant funding. PMLA receives \$10,000 from SASP every year as a separate entity.

Funds for PMLA and Columbia Airport are kept in separate enterprise funds (see above), so they are financially measured separately but are managed and supported by the same County staff members. Since at least 2017, PMLA’s budget cost center has been charged twenty percent of the value of Columbia Airport’s labor costs, which represents eight hours per week (one day) of the Airport Department staff time.

Exhibit 1. Grant funding: Summary of all grants received by Columbia airport. No new grants have been received since 2017.

Grants	Total Project	Federal Portion-FAA	State Portion-DOT	Non AIP Expenditure (county)	Local Match
Master Plan Update	\$ 437,778	\$ 345,335	\$ 17,267	\$ 54,072	\$ 21,104
Taxiway Phase 1	\$ 201,283	\$ 181,155	\$ 9,058	\$ -	\$ 11,070
Taxiway C Rehab	\$ 1,972,223	\$ 1,775,001	\$ 88,750	\$ -	\$ 108,472
Taxilane Rehab	\$ 566,713	\$ 510,042	\$ 25,502	\$ -	\$ 31,169
Taxilane Reconstruction	\$ 3,934,298	\$ 3,540,868	\$ 50,000	\$ -	\$ 343,430
Total	\$ 7,112,295	\$ 6,352,401	\$ 190,577	\$ 54,072	\$ 515,245

As a requirement for FAA funding, any non-airport use of land on airport grounds needs to pay rent. For example, the Agricultural and Sheriff Department pay for space used on Columbia airport grounds. Public Works is not paying for the storage of Tuolumne County Road Operations Department facility on the airport grounds. This could jeopardize Federal funding if there is no documented approval.⁴ It is our understanding that the FAA has been asked about this issue but at this time we are not aware of any response or resolution.



Tuolumne County Road Operations on Columbia Airport Grounds; Photo: Jury Member

⁴ https://www.faa.gov/sites/faa.gov/files/airports/new_england/airport_compliance/assurances-airport-sponsors-2022-05.pdf

Property Taxes

Aircraft owners are assessed Personal Property Tax. This tax goes into the County's General Fund and is not added as revenue to the airport budget. This distorts the discussion about whether Pine Mountain Lake needs transfers from the General Fund and whether Pine Mountain Lake is revenue neutral.

Exhibit 2 below shows the property tax collected from planes that use either airport and how the property tax revenue is divided between schools (mandated) and the County General Fund. It is the Grand Jury's understanding that the property tax revenue not mandated to be assigned to schools may be assigned to the airports instead of the General Fund.

Exhibit 2. Property taxes collected from planes by year and assigned to the General Fund (Status Quo)⁵

	2017	2018	2019	2020	2021	2022	Total
Columbia Airport							
County	46,304.11	43,217.27	41,074.08	35,188.42	37,321.33	33,670.78	236,775.99
Columbia Elem	23,137.36	21,594.84	20,523.11	17,580.27	18,647.20	16,821.81	118,304.59
Sonora Elem	14.72	13.81	13.94	13.94	13.46	13.58	83.45
Sonora High	23,152.08	21,608.65	20,537.05	17,594.21	18,660.66	16,835.39	118,388.04
Total	92,608.27	86,434.57	82,148.18	70,376.84	74,642.65	67,341.56	473,552.07
Groveland Airport							
County	12,808.87	13,278.28	19,381.94	18,332.59	16,370.16	16,844.75	97,016.59
BOF/Groveland Unified	12,808.89	13,278.29	19,381.95	18,332.59	16,370.16	16,844.75	97,016.63
Total	25,617.76	26,556.57	38,763.89	36,665.18	32,740.32	33,689.50	194,033.22
Grand Total	118,226.03	112,991.14	120,912.07	107,042.02	107,382.97	101,031.06	667,585.29

The county's portion is recorded in the general fund unsecured taxes.

If the property tax collected from the planes that use the Airports is assigned to the Airport budgets, the Airports can be revenue neutral which is reflected in the Budget Scenarios that follow.

⁵ Provided by the Tuolumne County Clerk and Auditor-Controller

Budget Scenarios

With the help of the County Clerk and Auditor-Controller, we ran the following scenarios to distill how much it costs to run each airport and the revenue they take in. We removed these items: General Fund Transfers, Depreciation and Contributed Capital (Grant funding) to distill the expenses and revenues.

Status Quo: Historical Financial Actuals for Columbia and Pine Mountain Lake

Pure- per Budget Vs Actuals no modifications or adjustments

	2017	2018	2019	2020	2021	2022
Operating Income (loss)						
Columbia	\$ 2,100,097.00	\$(115,202.03)	\$ 325,248.57	\$ 4,176,958.30	\$(342,117.16)	\$(439,247.33)
PML	\$ (17,434.33)	\$ (7,757.73)	\$ (9,675.65)	\$ (14,807.07)	\$ (19,557.33)	\$ (13,363.66)

Budget Scenario 1. Historical Financial Actuals for Columbia Airport and PMLA Including Property Tax from Planes and the charge of 20% of Columbia Airport's Labor.

Scenario 1 helps frame the discussion around whether Columbia Airport or Pine Mountain Lake are revenue neutral, and what the County supported expenses are for PMLA.

Current- no depreciation, contributed capital, genral fund contribution plus property tax (20% staffing contribution)						
	2017	2018	2019	2020	2021	2022
Operating Income (loss)						
Columbia- pure	\$ 2,100,097.00	\$(115,202.03)	\$ 325,248.57	\$ 4,176,958.30	\$(342,117.16)	\$(439,247.33)
Property tax	\$ 46,304.11	\$ 43,217.27	\$ 41,074.08	\$ 35,188.42	\$ 37,321.33	\$ 33,670.78
Depreciation	\$ 137,371.76	\$ 222,231.25	\$ 227,995.68	\$ 299,184.13	\$ 410,191.76	\$ 455,609.83
Contributed Capital	\$ (2,173,506.66)	\$ -	\$ (545,166.61)	\$ (4,359,623.19)	\$ (22,994.00)	\$ -
General Fund	\$ -	\$ -	\$ -	\$ -	\$ -	\$ (50,000.00)
Transfer out Airport Construction	\$ 9,044.00	\$ -	\$ 100,441.00	\$ -	\$ -	\$ -
Adjusted Operating Income (loss)	\$ 119,310.21	\$ 150,246.49	\$ 149,592.72	\$ 151,707.66	\$ 82,401.93	\$ 33.28
PML- Pure	\$ (17,434.33)	\$ (7,757.73)	\$ (9,675.65)	\$ (14,807.07)	\$ (19,557.33)	\$ (13,363.66)
Property tax	\$ 12,808.87	\$ 13,278.28	\$ 19,381.94	\$ 18,332.59	\$ 16,370.16	\$ 16,844.75
Depreciation	\$ 15,663.12	\$ 15,663.12	\$ 15,663.12	\$ 15,663.12	\$ 15,663.12	\$ 15,663.12
General Fund	\$ (38,822.00)	\$ (47,949.00)	\$ (14,429.00)	\$ (40,939.41)	\$ (30,896.00)	\$ (45,868.00)
Adjusted Operating Income (loss)	\$ (27,784.34)	\$ (26,765.33)	\$ 10,940.41	\$ (21,750.77)	\$ (18,420.05)	\$ (26,723.79)

Budget Scenario 2. Combined Enterprise Funds: Columbia + PMLA

In this scenario, we have combined PMLA and Columbia Airport Enterprise Funds which means PMLA loses \$10,000 in CA State Funding. We have included the charge of 20% of Columbia Airport's Labor as has been done in the past.

Another scenario, at the bottom, shows if PMLA had been charged 10% of Columbia's Payroll, which we feel may be more reflective of the last 6 years.

Combined- Loss of State Revenue PML						
	2017	2018	2019	2020	2021	2022
PURE						
Columbia	\$ 2,100,097.00	\$(115,202.03)	\$ 325,248.57	\$ 4,176,958.30	\$(342,117.16)	\$(439,247.33)
PML	\$ (17,434.33)	\$ (7,757.73)	\$ (9,675.65)	\$ (14,807.07)	\$ (19,557.33)	\$ (13,363.66)
State Revenue	\$ (10,000.00)	\$ (10,000.00)	\$ (10,000.00)	\$ (10,000.00)	\$ (10,000.00)	\$ (10,000.00)
Adjusted Operating Income (loss)	\$ 2,072,662.67	\$(132,959.76)	\$ 305,572.92	\$ 4,152,151.23	\$(371,674.49)	\$(462,610.99)
Current- no depreciation, contributed capital, genral fund contribution plus property tax (20% staffing contribution)						
Columbia	\$ 119,310.21	\$ 150,246.49	\$ 149,592.72	\$ 151,707.66	\$ 82,401.93	\$ 33.28
PML	\$ (27,784.34)	\$ (26,765.33)	\$ 10,940.41	\$ (21,750.77)	\$ (18,420.05)	\$ (26,723.79)
State Revenue	\$ (10,000.00)	\$ (10,000.00)	\$ (10,000.00)	\$ (10,000.00)	\$ (10,000.00)	\$ (10,000.00)
Adjusted Operating Income (loss)	\$ 81,525.87	\$ 113,481.16	\$ 150,533.13	\$ 119,956.89	\$ 53,981.88	\$ (36,690.51)
Current- no depreciation, contributed capital, genral fund contribution plus property tax (10% staffing contribution)						
Columbia	\$ 85,340.49	\$ 114,792.97	\$ 125,296.22	\$ 114,651.96	\$ 44,192.79	\$ (42,238.70)
PML	\$ 6,185.38	\$ 8,688.19	\$ 35,236.91	\$ 15,304.93	\$ 19,789.09	\$ 15,548.19
State Revenue	\$ (10,000.00)	\$ (10,000.00)	\$ (10,000.00)	\$ (10,000.00)	\$ (10,000.00)	\$ (10,000.00)
Adjusted Operating Income (loss)	\$ 81,525.87	\$ 113,481.16	\$ 150,533.13	\$ 119,956.89	\$ 53,981.88	\$ (36,690.51)

FINDINGS, RECOMMENDATIONS, AND COMMENDATIONS

Findings

- F4.1** County oversight of airport budget and administration has been sub-optimal.
- F4.2** The log of airport employee work assignments is only used to capture some work orders.
- F4.3** Because not all work orders are logged, it is not possible to verify whether assigning 20% of Columbia Airport's labor to PMLA is an accurate representation of PMLA's true operating cost.
- F4.4** Public Works does not currently have a lease or pay rent for their Fleet Services property located on Columbia Airport property, whereas other departments do.
- F4.5** Property taxes collected on planes are not assigned to either airport; the funds go to the County General Fund.
- F4.6** PMLA would have been revenue neutral, or close to revenue neutral, from 2017 to 2022 had property tax revenue from planes been assigned to the Airports, or if the Airports had been combined into a singular enterprise fund.

Recommendations

- R4.1** To increase airport revenue generation, it may help if the County Administration takes a more active role in budget oversight and in airport operations management. (F4.1, F4.2, F4.3)
- R4.2** The County should consider combining the Columbia Airports and Pine Mountain Lake enterprise funds for administrative ease and to represent how the airports are managed by one staff. (F4.1, F4.2, F4.3, F4.5, F4.6) ⁶
- R4.3** If the enterprise funds stay separate (R4.2), the County should reassess whether charging 20% of Columbia's labor expense is accurate. (F4.1, F4.2, F4.3)
- R4.4** In the absence of information from the FAA to the contrary, the Public Works department should pay rent for the facility on airport grounds to ensure the security of Federal funding past and future. (F4.4, F4.5, F4.6)
- R4.5** The County should consider attributing 50% of property taxes collected on aircraft to the airport at which they reside; or include this source of revenue when considering if the airports are revenue generating or neutral. The remainder should go to schools as required by code, as it is currently. (F4.3, F4.4, F4.5, F4.6)

Commendations

- C4.1** The Administrative Technician has been a very positive influence on airport operations, resolving some long-standing issues quickly under her tenure.
- C4.2** The Airport Technicians are dedicated and skilled employees who care about the County airports and improving them.
- C4.3** The Public Works Director has a positive vision for the airports and what can be improved.
- C4.4** The County Clerk/Auditor-Controller's input and detailed knowledge of the airport history and expenses was incredibly valuable in completing our work and recommendations.

⁶ Please see the Appendix for financial scenarios that includes the fact that PMLA would lose \$10,000 in State funding if this recommendation were followed.

REQUESTED RESPONSES

Required Responses

Pursuant to Penal Code section 933(c), responses are required from the following governing body within 90 days from the report release.

- Board of Supervisors: Findings F4.6-F4.7 and Recommendations R4.2-R4.5;
- County Clerk/Auditor-Controller: Findings F4.6-F4.7 and Recommendations R4.2-R4.5;
- Assessor Recorder: Findings F4.6-F4.7 and Recommendations R4.3-R4.5
- Treasurer-Tax Collector: Findings F4.6-F4.7 and Recommendations R4.2-R4.5

Invited Responses

Although not required under Penal Code section 933(c), the following responses are invited within 90 days from the report release.

- Tuolumne County Administrative Officer: Findings F4.1-F4.7 and Recommendations R4.1-R4.5
- Tuolumne County Public Works Director: Findings F4.1-F4.7 and Recommendations R4.1-R4.5

BIBLIOGRAPHY

FAA

https://www.faa.gov/sites/faa.gov/files/airports/new_england/airport_compliance/assurances-airport-sponsors-2022-05.pdf

National Academy of Sciences

<https://www.kaplankirsch.com/portalresource/LDR40ACRP>

CHAPTER 5: AIRPORTS ADVISORY COMMITTEE

BACKGROUND

The Board of Supervisors Airports Advisory Committee (AAC) was established by the BOS on or before January 23, 2008. A document entitled, "Board of Supervisors Airports Advisory Committee Procedural Rules," dated January 23, 2008, states that, "The Airports Advisory Committee shall meet...in Columbia or...in Groveland on a regular basis....".

No AAC meetings took place after July 2018. That meeting appears to have been held to disseminate information regarding the Columbia Master Plan. There is no record of attendance. The previous meeting had been in December 2017. There is no evidence that public participation existed or was sought. When asked why AAC meetings have lapsed, the Airports Manager stated that it was because there was so little interest from the public, and that it was difficult to fill vacant positions on the committee. Some airport users the Grand Jury interviewed have stated that a functioning AAC can be valuable in the BOS's decision making process.

The AAC was to be composed of airport users, interested residents, and BOS members. The rules document stated that, "The Board of Supervisors Airports Advisory Committee was formed to study problems of general and specific interests and make recommendations to the Board and allow for increased public participation on issues affecting Tuolumne County Airports operation and use." (Emphasis added.)

At the BOS meeting on December 6, 2022, the Supervisors were given a presentation by the County Administrator's Office (CAO) that recommended the removal of the AAC along with other committees. The explanation given was that no meeting had occurred since July 5, 2018. The Board approved the CAO's recommendations.

On October 1, 2022, the Union Democrat reported October 1, 2022, that the County was "seeking bids from aviation consulting firms to do a feasibility and viability study of both airports." We were then advised by the Airports Manager that the request for qualifications (RFQ) had been cancelled on or about October 20, 2022. In lieu of that, the County asked Coffman Associates, who were referred to as "consultants of record," to evaluate and recommend the future status of the Airports. We were provided with the Statement of Work (SOW) requested of Coffman and found it similar to what was reported in the Union Democrat article.

The Grand Jury was subsequently informed by a Board member that the contract between the County and Coffman of November 1, 2022 was not moving forward because the price quoted by Coffman was over what had been budgeted. Then on February 21, 2023 the BOS approved the additional funds and the CAO instructed Coffman to proceed with the study. There is currently no timeline for the completion of the study.

METHODOLOGY

- We conducted in-person interviews with four county employees.
- We conducted in-person interviews with five private citizen airport users.
- We questioned two county employees via shared email.
- Various documents either received from interviewees or discovered on the Internet were examined and used (see *Bibliography*).

DISCUSSION

The county administration would benefit from the input that the AAC was designed to provide. There is probably value in having the Airports Feasibility and Viability Study done by Coffman Associates, but we also think input from a group such as the AAC would "...allow for increased public participation...." as stated in the AAC Procedural Rules document. This would be a valuable added asset to the Board in making decisions about the future of the county's airports. As it currently stands, there are few ways airport users or the general public can express their opinions regarding the County's airports.

The rules which governed the AAC required that two members of the BOS be in attendance. We question whether it is necessary for a Board member to attend these meetings since the purpose, as stated above, is to make recommendations to the Board. In addition, the once-a-month AAC meeting schedule seems too rigid. Meeting less frequently and only when needed might have spurred more participation. Encouraging participation by the user public with targeted announcements could help the BOS get information from the airport community that they may be currently lacking.

We suggest the re-establishment of the committee and a rewrite of the AAC rules document to encourage better participation by the airport user community and public.

FINDINGS AND RECOMMENDATIONS

Findings

- F5.1** The Board of Supervisors is not receiving valuable and sufficient input, that the AAC can provide, to be able to make decisions about the airports.
- F5.2** The rules governing the AAC were outdated, overly rigid and, thus, did not encourage participation.

Recommendations

- R5.1** The AAC should be re-established.
- R5.2** The rules governing the AAC should be rewritten in the following way to encourage more participation:
- A Board member is not required to attend.
 - Frequency of meetings should be set by necessity and need, not necessarily monthly.
 - Meeting announcements should be targeted and distributed in such a way as to encourage both public and aircraft owner/user participation.

REQUESTED RESPONSES

Required Responses

Pursuant to Penal Code section 933(c), responses are required from the following governing body within 90 days from the report release.

- Tuolumne County Board of Supervisors: Findings F5.1-F5.2 and Recommendations R5.2-R5.2

Invited Responses

Although not required under Penal Code section 933(c), the following responses are invited within 90 days from the report release.

- Tuolumne County Administration Officer: Findings F5.1-F5.2 and Recommendations R5.1-R5.2
- Tuolumne County Airports Department Manager: Findings F5.1-F5.2 and Recommendations R5.1-R5.2

BIBLIOGRAPHY

- County Website at <https://www.tuolumnecounty.ca.gov/862/Airports-Advisory-Committee>
- Presentation by CAO to BOS dated December 2, 2022 recommending committee removal – found in the county’s Document Center
- “Board of Supervisors Airports Advisory Committee Procedural Rules” adopted by the committee on January 23, 2008 - found in the county’s Document Center

**COUNTY OF TUOLUMNE
GRAND JURY**
12855 Justice Center Drive
Sonora CA, 95370



Tuolumne County Elections Report

June 30, 2023

State of Tuolumne County Elections



ELECTIONS

SUMMARY

In the past few years, confidence in the voting system has decreased. The 2000 election of George W. Bush and again in the 2020 election of Joseph Biden made national news as election results were challenged. Given current concerns, the Grand Jury felt the time was appropriate to review the changes that have taken place. Since this year's Grand Jury had an election occurring during their term, the Grand Jury was able to observe and investigate the election process in Tuolumne County. Our goal was to check that the election process was accurate, secure and available to all residents.

Several changes have taken place in recent years in legislation for the voting process as a whole. The State of California instituted VoteCal to meet the requirements of the Federal Help America Vote Act (HAVA). COVID-19 also changed the landscape of voting from primarily in-person to mail-in. The days of voting primarily in-person before COVID may never return. Not surprisingly, the changes have also undermined public trust in the new process, especially in voting integrity and security.

The Grand Jury performed extensive research consisting of interviews, site visitations, reviews of process, procedures, regulations and technical documentation. Following the extensive review, the Tuolumne County Grand Jury (TCGJ) concluded the Tuolumne County Election Department (TCED) does a truly commendable job in all aspects within its control of running an election including voter registration and validation, volunteer training, Vote Center site set up, regulatory requirements, security and data dissemination. One aspect of the process potentially outside of department control is the possible vulnerability to a connection with external hardware such as a USB drive. While physical access is highly restricted, the possibility exists however remote or unlikely. A thumb drive is used to update the voting tabulation machine and download data.

Disclaimer:

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

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GLOSSARY

ADA	Americans with Disabilities Act
CDCR	California Department of Corrections & Rehabilitation
CDPH	California Department of Public Health
COTS	Commercial off-the-shelf (products)
DOJ	US Department of Justice
DMV	California Department of Motor Vehicles
DVS	Dominion Voting Systems
EAP	Election Action Plan
EDD	California Employment Development Department
EMS	Election Management System
HAVA	Help America Vote Act
ICC	ImageCast Central
ICX	ImageCast X (ballot marking device)
SB450	Senate Bill 450 - California Voter Choice Act
TCED	Tuolumne County Elections Department
TCGJ	Tuolumne County Grand Jury
USB	Universal Serial Bus
VCA	Voter Choice Act
VIG	Voter Information Guide (Tuolumne County)

BACKGROUND

The Tuolumne County Grand Jury (TCGJ) decided to investigate the Tuolumne County election process. The Tuolumne County Elections Department (TCED) manages elections with a small full-time staff and thirty-two volunteers (six in the Election Center and twenty-six in the Vote Centers). With overall lower public confidence in the election system and its trustworthiness, the TCGJ believed a comprehensive review would help to ascertain the state of elections within the County. The TCGJ also believed that the resultant review could help to identify potential limitations and issues as well as strengths. The TCGJ and County residents would garner a better understanding of elections in the county and the TCED through this investigation. The review would document the process and clarify any possible misunderstandings, misconceptions or candid lack of knowledge as to election voting, voting system technologies, tabulation and recording and applicable regulations.

METHODOLOGY

Members of the 2022-2023 TCGJ met with the County Elections staff and performed extensive research on all aspects of voting and regulatory requirements. To better understand the election process, legal requirements, election department and Voter Center information technology, volunteer training and associated State and County regulatory documentation, the Grand Jury:

- Interviewed County Election and volunteer staff
- Interviewed County Information Technology staff
- Performed multiple visits to the Voting Centers, ballot box locations and the County Election Center
- Witnessed the Vote Center process for walk-in voting
- Reviewed ballot pick up process for drop boxes and Vote Centers
- Observed Election night ballot processing and recording to State
- Observed pre-Election meeting with Democratic and Republican Election Integrity Team representatives
- Reviewed Dominion voting device operation
- Reviewed Dominion documentation and certifications from Federal agencies
- Reviewed formal process documentation from the State of California and Tuolumne County including the Voter's Choice Act and VoteCal

Confidentiality

Grand Jury members are sworn to secrecy regarding any matter brought before them. This assures all individuals that their testimony will be strictly confidential. Each Grand Juror must keep all evidence confidential. It is a misdemeanor to violate the confidentiality of any individual or evidence brought before the Grand Jury.

Recusal

The Grand Jury recognizes that a conflict of interest may arise during its investigations. In such instances, the juror may ask to be recused from all aspects of an investigation. Those members do not investigate, attend interviews and deliberations, or assist in the making and acceptance of a final report that may result from an investigation. Therefore, whenever the *perception* of a conflict of interest existed on the part of a member of the 2022-2023 TCGJ, that member abstained from any investigation involving such a conflict and from voting on the acceptance or rejections of any related subject.

DISCUSSION

Given the public's perceived lack of confidence in the current voting process, changes have taken place to build more confidence in the election process. Coinciding with our term in 2022, the Grand Jury was able to observe and investigate the Mid-Term election process in Tuolumne County.

VoteCal is the official centralized database maintained by the State of California that updates state voter registration information. The system became active in 2016 and includes all fifty-eight counties' voter databases. For VoteCal to meet the requirements set forth in the Federal Help America Vote Act (HAVA), the database had to connect the state to all fifty-eight counties, provide a public website to register to vote online and provide a single database for voter registration information.

The information collected comes from several different external systems, ensuring the database is up to date and as complete as possible. The databases that interface with state and county systems to collect information are as follows:

- County Election Management Systems (EMS) is used to register voters and update voter information
- California Department of Corrections and Rehabilitation (CDCR) compares to the VoteCal database to remove any registered voter that has had voting privileges removed due to a felony conviction
- California Department of Public Health (CDPH) removes any registered voter that has been confirmed to be deceased
- California Employment Development Department (CEDD) runs against the VoteCal system for address updates
- California Department of Motor Vehicles (DMV) registered drivers and applicants for licenses or ID cards are automatically registered as voters unless they opt out. This system is used to update addresses and can be used for signature verifications

Information that VoteCal collects includes the voter's name, physical and mailing address, driver's license or ID number and last four digits of Social Security number, date of birth and political party affiliation. Other optional information collected are e-mail address, phone number, language preference, ethnicity and race. The public has access to portions of VoteCal. They can register to vote, update their registration information, find their polling place and verify that their mail-in or provisional ballot has been counted and if it wasn't, the reason why it was not counted.

Voter's Choice Act (VCA) was passed in 2016 through Senate Bill 450. It was implemented in Tuolumne County in 2020. This election model allows voters to choose how, when and where to cast their votes by doing the following:

- Mailing a ballot to every voter, not just selected absentee ballots
- Expanding the in-person early voting hours and days
- Allowing voters to vote at any Voting Center in the county
- Providing secured ballot drop off locations in the county

The VCA also requires each county develop an Election Administration Plan (EAP) to provide voters with education and information about how, where, and when to vote. This plan is established with the help of the public to work in partnership with different agencies for maximum impact. Tuolumne County updated their EAP on May 22, 2022. Resources used to distribute election information include social media, radio, television, direct mail and newspapers.

The VCA is not in every California county. In 2018, only five counties implemented VCA. In 2020, the number had increased to 15 and by 2022, the number of counties increased to 27. With a total of 58 counties, California is at 46% of participating counties. The implementation requires an initial financial expense and a continued increase in expenditure. The County is required to buy all new equipment which could include Poll pads for every voting center, secure ballot drop-off boxes, voting machines, printers, card makers, vote counting computers and potentially more. Expenses also increased for the additional staff required to have the voting centers opened for several days and longer hours. The postage expense is also higher since all registered voters are mailed a ballot, not just the voters who have opted for absentee ballots. Monies are available through grants for these expenditures.

The investigation documents the following election processes in Tuolumne County: Voter Registration, Ballot preparation and mailing, Voting Centers, Drop off Boxes and Election Office ballot tabulation and certification.

Voter Registration, Ballot Preparation and Elections Mailing

A great deal of effort is involved in voter registration, voter address corrections, verification, and ballot preparation. Voter lists are continuously updated. The State of California posts official lists of deceased persons for Tuolumne County and Tuolumne County Health Department. DMV provides change of address information but only for in-state moves. Any returned County Registrar mailings will be processed to verify address changes and update voter registration information (out of State moves or death). Voter identification cards are mailed to verify address changes. Tuolumne

County can receive 600 to 800 undeliverable ballots for any given election. The TCED attempts to contact voters to correct the status of these ballots.

Election Voting (COVID-era Changes)

Tuolumne County Totals	2021 Gubernatorial Recall Election	2022 June Primaries Election	2022 Mid-Term Election
Registered Voters	35,450	35,221	35,355
Votes Cast	25,750	17,092	23,414
Percent of Voters	73%	48%	66%
Mail in Ballots	24,962	16,703	22,524
Vote Center Ballots (in-person)	788	389	890

Source: Tuolumne County Elections Department

The voter information guides generally consist of two election guides: one each for Tuolumne County and State of California. The County guide includes all local races and measures. The State guide includes US President, US House of Representatives and Senate races, State Offices, State Justices and State propositions. These are mailed ahead of receiving the voting ballots. For the 2022 Mid-term election, the State averaged 50% of registered voters cast ballots; Tuolumne County was very engaged with two-thirds of registered voters participating.

The TCED sends the ballot file between 45-50 days before an election to the printer. For the last election, the file was sent on September 21, 2022. Instructions are provided as to the quantities for each ballot type and the respective mailing list for each ballot type. Tuolumne County has a total of 62 precincts. The ballots are mailed to voters 29 days prior to the election. After the initial file is sent to the printer, TCED will support voter updates locally. Updates between 45 days and 29 days prior to the election are mailed to the individual voter. Updates from 28 days until Election Day, the ballot is printed in the office and the voter has the option to vote in the office or take home. During the last election, TCED mailed out 563 new or replacement ballots.

Unfortunately, production errors, while rare, can occur. In the fall 2022 mid-term elections, incorrect ballots were sent. Once the error was discovered, correct ballots were mailed to the 121 voters who had not voted. A total of 21 voters who had already voted were pulled (to match up with the corrected ballot). The affected ballots were for precinct 4007. Another issue can occur with multiple page ballots. In the last election, the ballot had two separate pages. If the voter fails to return both pages, the system will only count the ballot if page one is returned. The ballots with only one page are pulled by Election Center staff and they attempt to reconcile.

Voting Centers

For the 2022 Fall Mid-Term General Election, Tuolumne County used 5 voting centers:

- Tuolumne County Elections Department, weekdays open October 10 - November 8 and weekends October 29-30 and November 5-6
- Tuolumne Memorial Hall, October 29 - November 8
- Groveland Library, November 5 - November 8
- Jamestown Community Hall, November 5 - November 8
- Twain Harte Bible Church, November 5 - November 8

The TCGJ observed each Voting Center during their operations and interviewed staff to understand the process, knowledge and training. The consistency and uniformity of answers to our questions demonstrated their knowledge and skill levels. The TCGJ was very impressed with the staff at each respective site. They exhibited a comprehensive knowledge of the regulations and process while demonstrating a high degree of professionalism. Their performance reflects very highly upon our County and showed a resolute commitment to protecting the integrity of our elections.

Each Vote Center has accessible parking and is Americans with Disabilities Act (ADA) compliant. Vote Center staff ensures each center has the appropriate equipment and material to be ADA compliant. The ICX (ImageCast X) is an accessible ballot marking device with audio options, connections for sip and puff technology, paddle-controlled navigation and font size and color contrast control. Each Vote Center is equipped with doorbells for voters with disabilities to alert staff inside for assistance. Poll workers come out to the voter's car and provide the voter with everything needed to vote in their car.

Each Voting Center contains two KNOWiNK poll pads and three ICX ballot marking devices. KNOWiNK poll pads are used as an electronic roster by Vote Center staff to verify the registered voter, what ballot they should receive (based on their address) and whether that person has already voted. The poll pads fully meet California Code of Regulations Title 2, §20158 – Electronic Poll Books System Requirements. The Poll pads access VoteCal, the official statewide voter registration database managed by the California Secretary of State. VoteCal tracks voters across the state. The database will notify Vote Center staff if a voter is actively registered in another county. The database will also notify Vote Center staff if the voter has received and/or returned a ballot in another county. Voters are required to give their name and address which are compared to the VoteCal database. If the information is not in the database for that voter, they will be provided with a provisional ballot.

From an information technology perspective, KNOWiNK has a server on-site at the County office. The firewall used by the County to give the KNOWiNK air-gapped access is updated monthly. Air-gapped means having no direct connection to the internet or to any other computer that is connected to the internet for security reasons. Hotspots are provided by the County if needed. These are used by KNOWiNK to encrypt and tunnel traffic (data) from polling sites back to the KNOWiNK server. Tunneling is a method to transport data across a network in such a way that equipment between the server and client cannot read the data.

Manufactured by Dominion Voting Systems, the ICX is an accessible ballot marking device with audio options, connections for sip and puff technology, paddle-controlled navigation and font size and color contrast control. The audio capabilities support any of the 10 languages required by the US Department of Justice (DOJ): English, Spanish, Chinese, Japanese, Tagalog, Korean, Vietnamese, Thai, Hindi and Khmer. The following additional languages have been added to comply with California Election Code §14201: Indonesian, Laotian, Mien, Urdu, Bengali, Burmese, Gujarati, Mongolian, Nepali, Tamil, and Telegu. The ICX requires the voter to insert a card which is generated by a poll worker. The cards have the correct ballot for the voter. For the fall 2022 General Election, Tuolumne County had 23 different ballots.

The Vote Center staff identifies the correct ballot for the voter (a paper ballot or a card to be inserted to the ICX device). With either voting option, a paper ballot is either printed out from the printer via the ICX device or hand completed by the voter. Once the voter is finished, the ballot is returned and placed in the ballot box. For voters using the ICX device, the card is returned to the Vote Center staff.

Paper Ballot Voting

Ballot Station

The correct ballot for the voter is printed

Voter marks choices on ballot

Ballot is returned to Vote Center staff



Electronic Voting

Voting on the ICX

- A voter inserts the card
- The machine will pull up their ballot
- The voter marks their choices and prints the ballot and returns ballot to Vote Center staff



The ballots are processed at each Voting Center near the end of each day. The ballots are counted and recorded by voting center volunteers. Volunteers picking up the ballots each day separately count the ballots to verify the quantity. Any discrepancies are resolved and both the Vote Center and pick up volunteers sign to certify the total. The ballots are then delivered to the Election Center and the Center verifies the count.

Ballot Drop Off Boxes



The ballot boxes are currently in nine locations:

- Columbia Elementary
- Groveland Library
- Junction Shopping Center
- Mi-Wuk Library/MAHA
- Rocca Park
- Sonora Library
- Tuolumne County Elections Department
- Twain Harte Market
- Willow Springs Clubhouse

The ballot boxes are available 24 hours a day while the elections are in process. The one exception is the Election Center location, which is only available during the day. The ballot box mail slot is two envelopes wide and locked at all times. The ballots are picked up daily by two volunteers, counted and then delivered to the Elections Office. The ballot count is then verified. Volunteers for ballot pickup include the Sheriff's Community Service Unit and League of Women Voters.

Election Office Ballot Tabulation and Certification

The Election Center receives all ballots, documents ballot deliveries and quantities daily. They also perform vital roles of processing ballots, tabulation and recording ballot totals. The Center will officially perform the mandatory 1% manual vote verification before the certification of the election can occur. The vote verification requires 1% verification of each ballot type. For the 2022 Mid-term election, the TCED performed a 2% manual verification. Following the election, the ballots are boxed and identified by type of election and date. The boxes are stored onsite and destroyed according to the retention schedule. The record retention for Federal ballots is 22 months and the State/County/Local ballots is 6 months. A vendor is contracted to perform the ballot destruction. A certificate of destruction is provided to the TCED.

The TCGJ witnessed the vote processing on October 18, 2022. Ballots are initially placed in trays by batches (where the ballots were received from). For this processing session, the ballot breakdown was: 455 from drop boxes, 190 from the Registrar's Office and 1793 from US Mail. The first step in processing is to verify the voter signature. Previous voter signatures are scanned and saved. The current signature on the envelope is visually compared against saved signatures. If the signatures match, the ballot is processed. If not, the voter in question is contacted for verification. The verified ballot envelopes are opened and placed in trays until processing.

When ballot processing begins, the volunteers pull the trays and remove the ballots. The ballots are reviewed for any potential problems. Problems include soiled, torn, or damaged ballots. Damaged ballots will require a duplicate ballot to be made. Other issues include the use of red, purple or pink pens (cannot be read by the scanner), extraneous comments or marks/lines drawn on the ballot or write-in candidates who did not complete the required documentation prior to the election (pre-qualified). During the fall 2022 election, a photograph published in the *Sonora Union Democrat* showed a sign attached to a Ballot Drop off box advising voters to vote in person. Ironically, whether voting in person or mailing in your ballot, the ballot is tabulated in the exact same manner. All ballots have eight days after the election date to be corrected.

The TCGJ observed a meeting on November 4 between the TCED and the California Democratic and Republican Election Integrity Teams for Tuolumne County. The teams were established in California following the 2020 Presidential Elections to assist with establishing public confidence in elections. The teams were to view election night processing in all 58 California counties. This program was established in partnership with the California Secretary of State. The teams witnessed ballot processing as the TCGJ did on October 18. They also viewed Election Night ballot tabulation and reporting on November 8.



The Dominion Voting System (DVS) is used by Tuolumne County for counting and tabulating the votes and for the voting machines in the Voting Centers. The system was purchased in March 2020. This system is standalone, not connected to any other voting devices. It is air-gapped like the other hardware. Every software update is performed in person by a representative from Dominion. All software updates are required to be certified by the State of California. The DVS provides support from building the election (ballots), voting and tabulating, tallying and reporting to election auditing.

In addition to the Dominion hardware in the Voting Centers, the Election Center uses ImageCast Central (ICC) for vote tabulation. The ICC uses select commercial off-the-shelf (COTS) Canon DR-X10C, Canon DR-G1130, Canon DR-G2140, and Interscan HiPro scanners at a central tabulation location to scan vote-by-mail and post-voting ballots like provisional ballots and ballots requiring duplication. The results are dropped into a folder located on the server where they can be accessed by the Adjudication Client software.

DVS machines operate using a suite of proprietary software applications, including Election Management System (EMS), Adjudication Client, and Mobile Ballot Production. The software allows for various settings, including cumulative voting, where voters can apply multiple votes on one or more candidates, and Ranked Order Voting, where

voters rank candidates in order of choice and the system shifts votes as candidates are eliminated.

Tuolumne County uses Dominion's Democracy Software Suite, version 5.10A. The Election Management System (EMS) includes a set of applications that handle pre- and post-voting activities, including ballot layout, programming media for voting equipment, generation of audio files, importing results data, and accumulating and reporting results.

Adjudication Client is a software application with administrative and ballot inspection roles. It allows a jurisdiction to resolve problems in a ballot on screen that would normally be rejected, to be remade or hand counted because of one or more exceptional conditions like a blank ballot, write-ins, over-votes, marginal marks and under-votes. The application configures user accounts, reasons for exception, batch management and report generation, which in some jurisdictions must be performed by an administrator directly on a server. Ballot inspection allows users to review ballots with exceptional conditions and either accept or resolve the ballot according to state laws. Each adjudicated ballot is marked with the username of the poll worker who made the change.

Mobile Ballot Production operates in conjunction with the EMS, which creates printable ballot images in PDF format including tints and watermarks. The image is exported to a laptop and then printed on blank paper to provide a ballot record. After configuration and setup are complete, the laptop only contains geopolitical information and no voter data. The system will also generate reports in Excel, Word and .pdf format, including total number of ballots printed and ballot style.

During initial testing in 2017, the California Secretary of State tested the Dominion system against applicable California Election Codes. The DVS complied with or satisfied all the following required section codes: 10264, 10550, 14433, 15101(b), 15101(c), 15109, 15110, 15150, 15151(a), 15153, 15212, 15302(e)(f)(g)(h), 15342(a), 15372, 15374, 19203, 19204, 19205, 19240, 19242(b), 19300, 19301, 19303 and 19322.

The Dominion software is hand delivered by a state representative. The software build is validated by the State. Dominion software is certified on a state-by-state basis. Standards may vary by state. The software/election build is installed via a USB drive. A formal process is established for handling USB drives. An intermediary laptop scans all USB drives before being connected to the Dominion device. A representative from Dominion is onsite to install the validated build. Readiness testing is performed prior to the election. Images of the ballots are saved at the time of scanning. The front and back images of the ballot are taken. The Dominion device takes an initial tally of the ballot(s), and the images/tally can be used in the adjudication process if necessary.

Election Night

The TCGJ observed the November 8 Election Night tabulation and reporting. Besides the Grand Jury members, reporters, County Board of Supervisors and members of the Republican Election Integrity Team observed the process. Volunteers returned with Election Drop-off box ballots and Vote Center ballots after the polls closed. As discussed previously, the votes are processed by six Election Center volunteers in batches. If issues occur within a batch, the batch is held back until all issues with the batch are resolved (adjudicated). During scanning, jamming can occur. If this does happen, the ballot numbers in that batch are zeroed out and redone. Dominion staff is onsite and maintenance help is available if needed. By 8:00 pm, a total of 15,309 or 43% of the ballots were counted. The first attempt to tabulate the results was unsuccessful. The TCGJ recommended rejecting the open batches being adjudicated and not all the files. This suggestion resolved the problem, and the votes were tabulated. The ratio for Election Night ballots requiring adjudication was approximately 1 for every 150 ballots.

Election Certification

Ballot counting does not end on Election Night. The Registrar has the obligation to ensure all ballots are counted including mail-in ballots postmarked by Election Day, provisional ballots, write-in ballots and damaged ballots. These ballots are counted in the 30-day period known as the Official Election Canvass. Certain ballots require additional review to verify voter eligibility and whether write-in votes were cast for qualified candidates.

During this period, ballot verification is also performed (as discussed earlier). Only 1% of the total needs to be manually verified. Tuolumne County verified 2% to be sure all the ballot types were covered in the selected ballot batches. The Dominion device can also be used to select the 1%. For example, when counting the ballots that came in on election night, only 153 would need to be verified. The TCGJ observed the ballot verification. The randomly pulled batches were manually counted and matched the computer results. The chain of custody appears to be extremely robust with clearly defined checks and balances in place.

California state law requires the Registrar to certify the vote within 30 days of the Election Day. Once these ballots are counted and the 1% verification is complete, the final vote results are submitted to the Board of Supervisors for certification. With their certification, the election is finalized and submitted to the California Secretary of State's office.

Potential Risks

While no computing operation can be completely risk-free, the following potential areas of risk were identified by the TCGJ. While more possibilities could surely exist, the two

readily identified were external hardware connections to the Dominion computers and physical access to the Dominion devices and election area. A USB drive or other hardware approach would be required to infect the air-gapped machine. While the Dominion machines are air-gapped, it was not configured in any way to prevent the connection of external hardware. All updates and data downloads, for example, are performed using the USB port. It is possible a thumb drive containing a virus could be downloaded onto the computer (bypassing the intermediary laptop scan). Another possibility is a thumb drive designed to compromise, or outright destroy the voting machine being inserted and injecting voltage into the USB port with a USB killer. TCED performs virus checks on every USB drive before it is connected to the Dominion computer. TCED has taken necessary precautions to maintain data and computer safety and minimize physical access to the computers. Physical access also is an equally significant threat. With access to the computer and election areas extremely limited, activities like Election Night posed more of a threat as visitors, guests and observers could not all be monitored.

Another area of risk and concern is the personal safety of staff and volunteers. During previous elections, death threats were received, and individuals were yelling at staff and watching ballot box drop-offs. However, the 2022 Fall Mid-term elections were incident free.

FINDINGS, RECOMMENDATIONS, AND COMMENDATIONS

Findings

- F1:** The TCED has a strong support staff of over 30 supporting the Tuolumne County elections. Their training is both efficient and effective as evidenced during interviews and tours. The Election Center clearly demonstrated their knowledge both on Election Night and ballot processing observations. The Vote Center staff knew the process thoroughly during our interviews and observations.
- F2:** With the precinct 4007 printed ballot error, a printer proof process to verify the ballots prior to printing did not appear to be in effect. The error was not discovered until a precinct voter came to the Election Office. Understanding the time constraints, a review and approval still should be performed. The ballot corrections, once discovered, were handled swiftly and with great care to be sure all affected voters received updated ballots.
- F3:** Physical access to the Election area is a concern, as witnessed primarily during Election Night. The open areas could not all be monitored by staff. Observers and visitors could walk into areas they should not have access to.

While physical security did seem present or sufficient, access is a concern during the entire election period.

- F4:** Safety of election staff and election centers and ballot boxes should be of paramount concern. The TCGJ did not see a formal safety review or debrief following the election.
- F5:** In conjunction with the physical access concerns, a formal procedure for access to the Dominion hardware for software updates and for election downloads was not readily available. The TCGJ did not see a formal procedure provided when all related documentation was requested.
- F6:** The VCA is fully implemented in Tuolumne County. TCED has an extensive community outreach program.

Recommendations

- R1:** All material, printed or available only online, should have a vetting process or material signoff. This includes the ballots printed and mailed offsite. Online proofs should be approved, even if the TCED creates and submits the files. (F2)
- R2:** For both physical site and Dominion system access, formal procedures should be established including a two-person integrity rule. A minimum of two County staff should be present during all ballot build uploads, software downloads and external drive scans. The TCGJ was not provided with any documentation regarding site and Dominion hardware access security plans. (F3, F5)
- R3:** A comprehensive volunteer and Election and Vote Center debrief plan should be established and fully documented. This should include protocols for ballot box pick-ups, Vote Center ballot pick-ups and deliveries to the Election Center. The TCGJ did not see any formal debrief procedures to document what went well and what did not go well. (F4)
- R4:** The community outreach, voter presentations, printed material, and voter education through media channels should be continuously improved. The TCGJ was impressed with the depth and breadth of the materials. (F6)

Commendations

- C1:** The Tuolumne County Grand Jury commends the Tuolumne County Elections Department for their performance excellence in County Elections operations: ballot preparation, election build, published voting materials, community outreach, Vote and Election Center worker training, overall voting system management, technical support and commitment to Tuolumne County for voting integrity. (F1)
- C2:** The Election Center and Vote Center are recognized for excellent performance with respective operations, voter support and knowledge, vote tabulation, procedural integrity and dedication to the voting process. Their knowledge, professionalism and impartiality are a credit to Tuolumne County. (F1)

REQUESTED RESPONSES

Required Responses

Pursuant to Penal Code Section §933(c), responses are required from the following governing body within 90 days:

- Board of Supervisors: Findings F1-F5 and Recommendations R1-R4

Pursuant to Penal Code Section §933(c) responses are required from the following elected official within 60 days:

- Tuolumne County Auditor/Registrar of Voters: Findings F1-F6 and Recommendations R1-R4

Invited Responses

Although not required under Penal Code Section §933(c), the following responses are invited within 90 days:

- Tuolumne County Assistant Clerk - Elections: Findings F1-F6 and Recommendations R1-R4
- Tuolumne County Information Technology Director: Finding F5 and Recommendation R4

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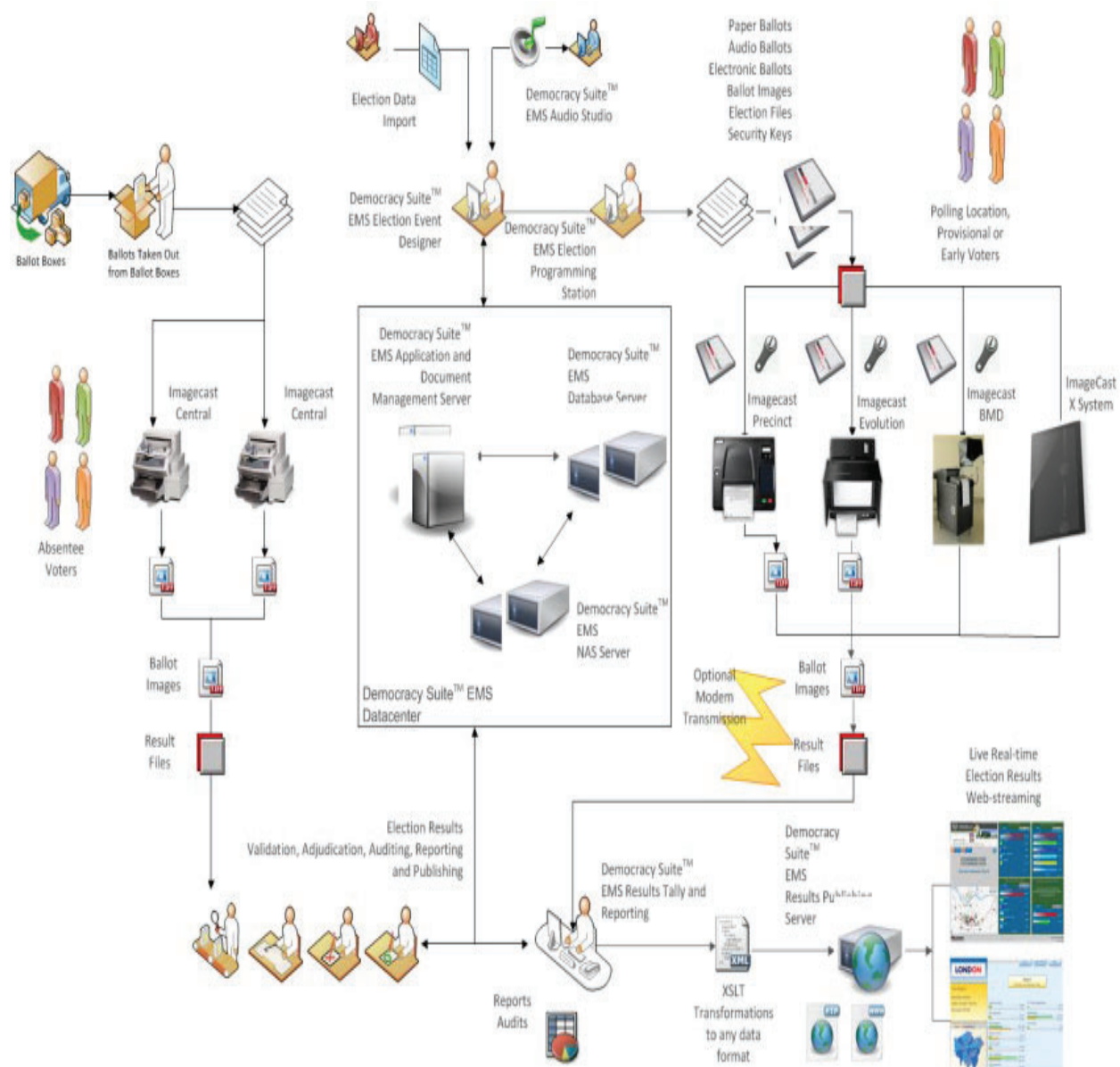
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Dominion Voting Systems
www.dominionvoting.com

APPENDIX

Dominion Voting Systems Democracy Suite-System High Level Block Diagram



Source: California Secretary of State's Voting Systems Technology Assessment

The block diagram is a graphic representation of the Dominion Voting System, both hardware and software. This illustrates the entire scope of Dominion's system workflow. Tuolumne County does not have or use all these features.

COUNTY OF TUOLUMNE
GRAND JURY
12855 Justice Center Drive
Sonora CA, 95370



Tuolumne County Grand Jury Jail and Prison Facilities Report, June 30th, 2023

**Dambacher Detention Center, Sierra Conservation Center
and Mother Lode Regional Juvenile Detention Facility**



Sierra Conservation Center
Photo provided by Department of Corrections and Rehabilitation

SUMMARY

The 2022-2023 Tuolumne County Grand Jury Jail Committee visited all three County facilities to report on conditions there. The Jail Committee:

- Interviewed Tuolumne County Sheriff Pooley
- Took thorough, escorted tours of all three facilities including:
 - Dambacher Detention Center
 - Sierra Conservation Center
 - Mother Lode Regional Juvenile Detention Facility

All personnel cooperated with the Jail Committee and were generous with their time answering questions and escorting us wherever we requested. The committee was impressed by all staff's dedication to providing quality care for their residents and to ensuring the safety of Tuolumne County citizens.

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.

INTRODUCTION

Mandated Yearly Grand Jury Visits

California Penal Code § 919(b) mandates that the Grand Jury in each county inspect the condition of all public prisons every year “to be assured that they are being administered efficiently, honestly, and in the best interests of Tuolumne County’s citizens.” Sections 919(a), 925, and 925a authorize the Grand Jury to investigate city and county jails and other detention facilities.

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METHODOLOGY

The committee visited and interviewed staff at:

- Dambacher Detention Center December 19, 2022
- Sierra Conservation Center December 16, 2022
- Mother Lode Regional Juvenile Detention Facility November 3, 2022

Confidentiality

Grand Jury members are sworn to secrecy regarding any matter brought before them. This assures all individuals that their testimony will be strictly confidential. Each Grand Juror must keep all evidence confidential. It is a misdemeanor to violate the confidentiality of any individual or evidence brought before the Grand Jury.

Recusal

The Grand Jury recognizes that a conflict of interest may arise during its investigations. In such instances, the juror may ask to be recused from all aspects of an investigation. Those members do not investigate, attend interviews and deliberations, or assist in the making and acceptance of a final report that may result from an investigation.

Therefore, whenever the perception of a conflict of interest existed on the part of a member of the 2022-2023 Tuolumne County Grand Jury, that member abstained from any investigation involving such a conflict and from voting on the acceptance or rejections of any related subject.

CHAPTER 1: DAMBACHER DETENTION CENTER – DISCUSSION, FINDINGS, RECOMMENDATIONS, AND COMMENDATIONS

Discussion

The maximum occupancy of the jail is 230. Current occupancy runs about 62%. Officials prefer to keep the population around 115 because of staffing shortages and Covid. The maximum sentence for California county jails used to be up to 1 year. To reduce prison overcrowding, the state went through a prison realignment. When Assembly Bill 109 was passed by California voters in 2011, some felons from state prisons who were lower-level offenders became eligible for county jail time. After the realignment, the maximum sentence can be extended to an indeterminate length of time due to inmate circumstances.

Because the inmates may now have a lengthy stay at the jail, programs similar to those at the prison are being adopted. Prisoners may be enrolled in Medi-Cal and receive extensive medical and dental care. Education programs exist to enable inmates to earn a high school diploma. Motherlode Job Training also assists inmates. There is also dialog with Columbia College to create inmate education programs. Mental and behavioral health programs exist throughout the county. Volunteer programs also exist, such as Narcotics Anonymous & Alcoholics Anonymous and religious programs.

The jail is spacious and has room to grow in both staff and inmate populations. The jail appears clean and well maintained. We first passed by several administration, conference, and training rooms. Staff have a dining room where two meals each day are served.

We toured the inmate intake area where new arrivals are processed. There are two booking stations. Staff takes the inmates through a process that is intended to determine their mental and emotional state as well as their criminal history. Inmates proceed through identification process and a body scan. A Property Room stores inmates' personal items. We learned that a transportation van takes inmates to the nearby courthouse; also, a low-risk inmate may be walked over.

A single control room visually oversees all rooms and halls and controls the locks (excluding the cell pods). Most areas of the jail are under some kind of surveillance. During the tour we saw the kitchen, laundry, library, medical, and education areas. All areas were very clean and organized.

Findings

F1. The Jail is currently short staffed. Not all programs are functioning at their full capacity.

F2. Due to the staffing shortage, there are no longer inmate work crews. The work program contributed to a significant reduction in recidivism and tracking shows 72% of those enrolled in work programs don't come back.

Recommendations

R1. Continue the dialogue with the Board of Supervisors to ensure competitive wages and benefits for the staff. [F1-F2]

R2. Share updates proactively with the local press and social media to help increase awareness of the benefits the institution provides to the community. [F3]

Commendations

C1. We felt confident that the facility was safe, secure, and had staff interested in helping their residents.

CHAPTER 2: MOTHER LODE REGIONAL JUVENILE DETENTION FACILITY – DISCUSSION, FINDINGS, RECOMMENDATIONS, AND COMMENDATIONS

DISCUSSION

Motherlode Regional Juvenile Detention Facility partners with five other counties. Youth may come from these other counties to be served by the Detention Facility if space is not available or provided by their county. Consent from a legal guardian is required for detainees from other counties unless the youth has been previously adjudicated and remanded by the court to juvenile hall.

The Detention Facility provides the minimum standard for local detention facilities as required by Title 15 for Prevention and Corrections. The Detention Facility also boasts a huge volunteer base to provide additional services. After being open for over five years, the center expresses that it has its services “nailed down.”

The Wellpath health care system, a private business, services the Detention Facility. The Wellpath system coordinates medical, dental, optical, and mental healthcare. Some care is given onsite and other services are off grounds. Youth are provided triage and sick calls. Comprehensive health assessments are produced for each youth. There is a small medical office with one nurse, and an adjacent small examination room. A doctor visits once a week for scheduled services. The nurse was present and is scheduled for a twenty-hour week. There is also a registered nurse on the staff. Nurses are mostly on call and are local. Emergency services are provided as needed.

The Detention Facility contracts with Health and Human Services for additional outside care. The Smile Keepers provide cleanings and checkups. There are also outside vision services provided. Tele site services are used to coordinate and provide psychiatric needs. Detainees often require stabilization upon arrival. About two-thirds of detainees are on psychotropic medications.

There is not a dedicated counselor for the center, but counseling is provided by qualified staff and volunteers. Detainees are under continued evaluation to determine their physical and mental state. At-risk youth receive a “security classification” and are re-evaluated every thirty days.

There is a Multi-Disciplinary Team that meets weekly to discuss all services and bring family members into the programs where possible. Transitional planning is also provided to aid the youth after they leave the facility. Medical staff does not go through self-defense training, but an additional member of the Detention Facility staff is always present during doctor/nurse youth visits. A uniformed officer may also be called if necessary.

Youth are provided three meals per day. The food is brought over from the nearby jail as the center does not have a service kitchen.

Education services are provided by Gold Ridge Education Center, which is a fully accredited school that is exclusive to the Tuolumne County Juvenile Detention Facility. Youth can acquire a full diploma, not just a GED. Youth learn skills to help them live outside the center; for example, doing job interviews and filling out applications and creating resumes. Opportunities such as taking cooking classes and gardening also exist.

The juvenile hall is rated to house thirty youth up to age twenty-five. The population at the time we visited was sixteen residents. According to the staff, having fewer occupants enables more personalized care. The average duration of stay is fifty-eight to seventy-two days but can be longer. The Camp Program is for youth with longer stays at the facility and is individually structured. The Camp Program also aims to help older youth with planning for independent living outside the center.

We were told there is currently a shortage of staff that may affect the housing totals. Staff expects the center population to grow and cited the following reasons:

- The State closed its California Youth Authority prisons and juvenile offenders were turned back over to the respective counties.
- The state provided funding for counties to build detention centers, and many did which resulted in overbuilding.
- Tuolumne County was not able to fill the beds it anticipated upon its completion in 2017.
- Since then, many of these juvenile centers have closed because the counties found they could not, or didn't want to, run such facilities.
- Slowly, more youth are coming from out of the area and the population at the juvenile hall is expected to rise in the near future.

The good news is that with more beds filled, the County receives more revenue; however, a larger population could mean less effective rehabilitation programs and a rougher class of youth from neighboring counties, not to mention staffing issues.

The facility does mandatory searches inside and outside the facility. A police dog is also available to help with searches. Even with safeguards in place, including cameras, staff shared that supervision is still a challenge due to staff shortages.

Findings

- F4.** It is the shared opinion of the Grand Jury that the Tuolumne County Juvenile Detention Facility is a valuable and effective institution that is staffed by qualified and competent personnel. It was evident that staff are dedicated to helping the Youth exit the system successfully and build skills needed for successful lives outside the system.
- F5.** The detention center also benefits on a grand scale from its indispensable volunteer work force.

Recommendations

None

Commendations

- C2.** We were impressed by the level of detail provided to us about services and the clear dedication to your residents and the Tuolumne County Community.

CHAPTER 3: SIERRA CONSERVATION CENTER- DISCUSSION, FINDINGS, RECOMMENDATIONS, AND COMMENDATIONS

Discussion

We first met with all department heads and other administrative staff, along with the captains and warden. After a question and answer session we went into the secure facility.

Our first stop was the Plaza. There were some renovations going on and inmates were helping with the cement work. There was also an inmate painting a mural on the wall. The Canteen and clothing distribution, along with the chapel and Behavioral Health, are accessed from the Plaza. A building that stands in the middle of the Plaza serves as the center of operations for the prison's secure facilities.

From the Plaza, we passed through a gate into the "A" yard, which is also known as the "Level I Yard." The A yard is comprised of dorms that house thirty-two inmates each. Each dorm has a small day room with a television, sixteen double bunks, toilets and showers. Inmates are free to come and go during open yard hours. The dorms are interconnected to form sections, a, b, and c (also known as a 270 design.) There is an upper and lower tier.

An inmate's placement onto a Level I, II, III, or IV facility depends on various case and custodial factors. The following is a basic breakdown for the facilities (Levels I-III) provided by the Sierra Conservation Center¹:

Inmate Placement.

Each inmate shall be assigned to a facility with a security level which corresponds to the following placement score ranges:

- (1) An inmate with a placement score of 0 through 18 shall be placed in a Level I facility.
- (2) An inmate with a placement score of 19 through 35 shall be placed in a Level II facility.
- (3) An inmate with a placement score of 36 through 59 shall be placed in a Level III facility.

¹California Code of Regulations (CCR), Title 15, Crime Prevention and Corrections. Division 3, Rules and Regulations of Adult Institutions, Programs, and Parole - Department of Corrections and Rehabilitation (Updated through June 1, 2023).

All are designated as Non-Designated Programming Facilities (NDPF), which means general population inmates and prior sensitive needs yard inmates are assigned and live together regardless of prior designations.

Below is a breakdown of the security level, physical design and security as provided by the Sierra Conservation Center²:

Each camp, facility, or area of a facility complex shall be designated at a security level based on its physical security and housing capability. Reception centers are not facilities of assignment and are exempt from the security level designations except for the assignment of permanent work crew inmates. The security levels are:

(a) Level I facilities and camps consist primarily of open dormitories with a low security perimeter.

(b) Level II facilities consist primarily of open dormitories with a secure perimeter, which may include armed coverage.

(c) Level III facilities primarily have a secure perimeter with armed coverage and housing units with cells adjacent to exterior walls.

(d) Level IV facilities have a secure perimeter with internal and external armed coverage and housing units described in Section 3377(c), or cellblock housing with cells non-adjacent to exterior walls. A Level IV 180-design facility utilizes housing units comprised of two wings; each wing is partitioned into three self-contained "pods", each "pod" has its own dayroom and control room. Each wing is linked by a dining facility and ancillary functions. The design of the housing unit allows a 180-degree view of all cells and dayrooms from the control room. A Level IV 270-design facility utilizes housing units comprised of three connected sections and one dayroom. Portions of first and third sections extend back behind the blind side of the control room. The design of the housing unit places cells within a 270-degree circumference of a circle with the control room in the center of the circle.

Towers are strategically placed around the yard and are manned by armed officers/guards. No lethal weapons are carried on the yards. Officers only carry Oleoresin capsicum (OC) or "pepper spray," a baton, and handcuffs.

The A and B yards are nearly identical except inverted. They are separated by an administrative building that houses the culinary, medical and education services. The B yard houses the level 2 inmates.

Many level 1, and some level 2, inmates are eligible to join the firefighting training programs. Inmates can also get their GED, learn vocational trades: body/fender, auto mechanics, welding, masonry, carpentry, office services, electronics, and building maintenance. The Prison Industry Authority (PIA) teaches sewing. There are self-help groups and substance abuse disorder treatments. A relatively new program allows

² California Code of Regulations (CCR), Title 15, Crime Prevention and Corrections. Division 3, Rules and Regulations of Adult Institutions, Programs, and Parole - Department of Corrections and Rehabilitation (Updated through June 1, 2023).

inmates who qualify to keep and train dogs. The dog program is conducted in partnership with Friends of the Animal Community (FOAC), a local volunteer group.

We visited several stations that handle the daily needs of the inmates. In addition to the kitchens and dining areas and the medical services areas, we toured the library, clothing distribution, education buildings, the Chapel, and the substance abuse counseling office.

Once our tour of the A & B yard was completed, we left that secured area and walked over to the C yard; level 3 prison population. We went through the security building into the secure facility. Level 3 prisoners require different housing. There are five separate buildings around the yard. Each building has cells that typically house two inmates each. Building 2 houses inmates that are segregated from the rest of the population for a variety of reasons. Building 3 is currently utilized as a Covid-19 segregation unit. The other buildings house those considered general population inmates. The prison was quiet and there were no incidents during our tour.

During our initial meeting with staff, we learned about all the services that the prison provides. The staff we interviewed would like the public to know that the prison is in need of both employees and volunteers for programs and services. The prison does outreach to the public to acquire personnel. Staff also wants the public to know that the prison does more than just house inmates. Rehabilitation of the incarcerated is part of their mission and one of their main concerns. All programs are meant to help the inmate rehabilitate himself into a productive member of society and abstain from criminal activity.

Sierra Conservation Center Staff have programs that raise money for local community needs, such as aid to fire victims. Inmates also raise money for charities.

Findings

- F6.** The staff was friendly, professional, articulate, and knowledgeable.
- F7.** We learned that the prison is fully staffed with correctional personnel but there are shortages in staffing for many of the other departments, such as, medical, education, and all other rehabilitation services offered to the prisoners.
- F8.** There are a tremendous number of services and opportunities available that benefit staff, the incarcerated, and the public at large.

Recommendations

- R3.** Share successes and positive programs with the local press so that they may help the public stay aware of the benefits and effectiveness of the programs.

Commendations

- C3.** The Grand Jury greatly appreciated your open discussion and level of transparency and the detailed and lengthy tour you hosted. We were also impressed by the cleanliness of the facilities and yards.

REQUESTED RESPONSES

Required Responses

Pursuant to Penal Code section 933(c), responses are required from the following governing body within ninety (90) days:

- Board of Supervisors: Findings F1-F5 and Recommendations R1-R2;

Pursuant to Penal Code section 933(c) responses are required from the following elected official within sixty (60) days:

- Sheriff-Coroner: Findings F1-F5 and Recommendations R1-R2;

Invited Responses

Although not required under Penal Code section 933(c), the following responses are Invited within sixty (60) days:

- Chief Probation Officer: Findings F4-F5
- Tuolumne County Administrator Findings: F1-F5 and Recommendations R1-R2
- Public Information Officer, Sierra Conservation Center Findings F6-F8 and Recommendations R3

COUNTY OF TUOLUMNE
GRAND JURY
12855 Justice Center Drive
Sonora CA, 95370



Tuolumne County School Safety Report

June 30, 2023

Working Together to Improve the Safety of Our Students



Historic Columbia School House

SUMMARY

The Tuolumne County Grand Jury (TCGJ) decided to investigate school safety programs at our local schools. Our motivation was simple – to ensure our children and school employees are as safe as possible. No one needs to be reminded of the potential risks – we see incidents regularly in the news, varying from minor to catastrophic.

During our investigation, we learned that each school has a dedicated, documented safety plan. The plans are designed to deal with a number of possible events – fire, earthquake, injuries, bullying, floods, wild animals, and active shooters. In addition to written safety plans, the schools conduct training for teachers and staff. Periodic training brings in law enforcement to focus on communication and coordination. During the Covid pandemic, law enforcement training was interrupted and has not been reinstated consistently across the board for Tuolumne County schools.

At each school we spoke to superintendents, principals, teachers, office staff, and maintenance personnel. The workload of visiting and investigating the campuses required using multiple teams from the Grand Jury. Each team had slight differences in their investigation focus and their reports will reflect this. Without exception, everyone we met with showed a serious professional attitude toward this most important subject. Rather than a county-wide unified school district, Tuolumne County has many independent school districts. Each school, as mentioned above, has developed their own safety plan. To some extent, this complicates coordination and communication with law enforcement and first responders. A unified approach would not only streamline safety procedures, but also promote shared responsibility, transparency, and communication among all involved entities.

The Grand Jury recommends that an effort be made to standardize the many different safety plans that now exist. This effort would be best led by the Tuolumne County Superintendent of Schools. The Grand Jury further recommends more frequent training with local law enforcement. On-campus training with law enforcement present is ideal. This training would be scheduled, mandatory, and well documented.

Finally, the Grand Jury would like to acknowledge that this report takes a close look at the many differences in Tuolumne County school campuses and leadership, and how this contributes to safety. While campuses are different both geographically and structurally, there are benefits and downsides in all cases. Despite efforts taken by schools and law enforcement, the factors that contribute to violence in schools go beyond what was studied in this report. These factors include access to mental health care, violence witnessed at home, access to weapons, psychological conditions, bullying, etc. The grand jury commends every school for facing such serious issues among their student population and working with all resources and creativity available to keep students and staff as safe as possible.

Disclaimer:

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

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GLOSSARY

ADA	Americans with Disabilities Act
ALICE	Alert, Lockdown, Inform, Counter, Evacuate (see Appendix)
CDC	Center for Disease Control
NCES	National Center for Educational Studies
SPD	Sonora Police Department
TCGJ	Tuolumne County Grand Jury
TCSO	Tuolumne County Sheriff's Office
TCSOS	Tuolumne County Superintendent of Schools
TK	Transitional Kindergarten

BACKGROUND

The Tuolumne County Grand Jury (TCGJ), in the wake of increasing concerns about school violence and safety, initiated an investigation aimed at understanding the state of safety in our local schools and identifying areas for enhancement. The Grand Jury conducted interviews at twelve local public schools (including elementary and high schools), both law enforcement agencies in the city and county, as well as Tuolumne County Superintendent of Schools Office. The task of ensuring student safety falls onto a network of school administrators, teachers, maintenance, and office staff, alongside law enforcement agencies, all of which were interviewed. The Grand Jury hopes that all learning institutions, those interviewed and those not, read this report and consider their safety plans and protocols.

METHODOLOGY

Members of the 2022-2023 TCGJ met with the school administrators, teachers, maintenance, and office staff at every public school. The focus was emergency preparedness and safety of both students and staff. During this investigation, the Grand Jury performed the following:

- Interviewed County School staff, individual school staff, and law enforcement agencies
- Reviewed individual school emergency plans including fires, earthquakes, active shooter and student violence and bullying
- Conducted interviews with staff to ascertain their understanding and commitment to emergency preparedness
- Reviewed school safety training protocols and procedures including exercises, frequency, law enforcement coordination and involvement and documentation
- Interviewed the Tuolumne County Sheriff's office and Sonora Police Department regarding law enforcement roles and responsibilities in school emergencies
- Conducted extensive research for school safety including state and federal guidelines and legal requirements

Confidentiality

Grand Jury members are sworn to secrecy regarding any matter brought before them. This assures all individuals that their testimony will be strictly confidential. Each Grand Juror must keep all evidence confidential. It is a misdemeanor to violate the confidentiality of any individual or evidence brought before the Grand Jury.

Recusal

The Grand Jury recognizes that a conflict of interest may arise during its investigations. In such instances, the juror may ask to be recused from all aspects of an investigation. Those members do not investigate, attend interviews and deliberations, or assist in the making and acceptance of a final report that may result from an investigation.

Therefore, whenever the *perception* of a conflict of interest existed on the part of a member of the 2022-2023 TCGJ, that member abstained from any investigation involving such a conflict and from voting on the acceptance or rejections of any related subject.

INTRODUCTION

The issue of violence in schools, particularly in the form of mass shootings, has become a national crisis that continues to shock and traumatize the United States. In Tuolumne County, the community takes pride in fostering a safe and welcoming environment for raising children. However, given the increasing concerns surrounding mental health among adolescents and teens, and the accessibility of firearms, it is crucial to address the question: how safe are the schools in Tuolumne County?

The 2022/2023 Grand Jury term commenced amidst the devastating Uvalde shooting in Texas at Robb Elementary School, which resulted in 19 fatalities and 17 wounded individuals. This tragedy, along with the failed rescue attempt, remains etched in the hearts and minds of people across the nation. As this report was being prepared, another heartbreaking incident unfolded at a private Christian school in Nashville, Tennessee, where three nine-year-old children and three adults were fatally shot. These incidents emphasize the urgent need to address school safety comprehensively.

According to a National Center for Education Statistics (NCES) report, during the 2017-2018 academic year, 20% of students aged 12-18 reported being bullied at school, while 6% experienced physical attacks or fights (NCES, 2019). Furthermore, the Centers for Disease Control and Prevention (CDC) reported that in 2019, 6.8% of high school students were threatened or injured with a weapon on school property (CDC, 2020). These statistics highlight the extent to which children are exposed to violence in school settings.

Residents of Tuolumne County may recall the 2015 incident in which a potential mass shooting at Summerville High School was averted, thanks to the courageous intervention of students who reported the plot to law enforcement. More recently, Sonora High School and Sonora Elementary School experienced multiple lockdowns due to various threats (Union Democrat, 2023). Although these incidents were resolved without any harm, the persistence of this concern underscores the pressing nature of school safety as an issue that weighs heavily on the minds of Americans.

This Grand Jury report will critically examine the safety preparations and measures in place within Tuolumne County schools, considering the broader national context of school violence, as well as local incidents such as the recent lockdowns. By evaluating the effectiveness of these measures, identifying areas for improvement, and offering recommendations, the grand jury seeks to contribute to a safer educational environment in the county, providing reassurance and protection for students, staff, faculty, and the community at large.

CHAPTER 1 – Belleview School

Settled on the outskirts of Cedar Ridge, up Phoenix Lake Road and nearby the Big Hill community, this small elementary school serves students from preschool to 8th grade. There is also an onsite preschool, run through the county's supervision. In 2023, the school of Belleview serves a population of 163 students. Breaks and recess have a ratio of one adult to every 18 students indicating a strong adult presence and supervision.

During our investigation, we conducted interviews with the school administration, teachers and maintenance personnel. They provided valuable insights into the school's safety measures

- There is an active and updated safety plan available for staff and public accessibility, which is regarded by staff as important and pertinent to everyday practices.
- The school participates in ALICE training (for a complete definition of 'ALICE training' please refer to the Appendix) through county law enforcement, and there is an updated log in the office that follows the training to ensure they are happening annually.
- There are many cameras around the school, which are utilized, and found to be helpful by school staff and administrators.
- The location of Belleview Elementary School is quite unique, with much unused land surrounding the school and no large neighborhoods that are within walking distance.

Conclusions

Belleview is a small school, but there are many small details that contribute to a safe community and culture. School administration reported the students feel safe in reporting concerns directly to staff. While there are areas that are open from the school, fencing is likely not possible due to steep hillsides. The safety plan is accessible and provided to staff and students. The school should be commended for such a small ratio of students to staff during breaks and recesses.

FINDINGS, RECOMMENDATIONS, AND COMMENDATIONS

Findings

- F1.1:** ALICE training is an annual process, with engagement between the local Sheriff's office and the students and staff at Belleview. The school also runs monthly drills for various emergency situations, which are documented in the school office. Notably, at Belleview Elementary School, parents are also

invited to come into the classrooms for education and participation in active shooter drills.

- F1.2:** The school safety plan continues to be updated routinely, staff are provided with it and concurrent education during the training week before the school session starts.
- F1.3:** All doors have a quick-lock system, which is effective and smooth in allowing drills and actual lockdowns to occur as quickly as possible. These locks are universally installed across the school and the staff interviewed felt comfortable and experienced with using them. There are also many cameras in the gymnasium and outsides of the school that are utilizable by staff.
- F1.4:** A great deal of the perimeter of the school is not fenced in and leads to fields or wild lands.

Recommendations

- R1.1:** ALICE training should continue to be yearly, if not twice a year, and the Tuolumne County Sheriff should prioritize and promote engagement with students and education around lockdowns and potential threats to the school. (F1.1)
- R1.2:** The school safety plan must be updated routinely and staff are provided with it and concurrent education during the training week before the school session starts. (F1.2)
- R1.3:** Administration should continue to monitor and evaluate to see if additional fencing is possible to add. (F1.4)

CHAPTER 2 - Big Oak Flat School District

Located in Groveland, this school district is one of the few in Tuolumne County that encompasses more than one school. Tenaya Elementary serves children from preschool to 8th grade and Tioga High School serves children 9th through 12th grade. The school district overall educates 278 students and some of the administrative job roles are shared. They have one staff member per 12 students during recess and breaks.

During our investigation, TCGJ conducted interviews with the school administration, staff and maintenance personnel. They provided valuable insights into the school's safety measures:

- There is an active and updated safety plan available for staff and public accessibility, which is regarded by staff as important and pertinent to everyday practices.
- The school district uses only a few substitute teachers, and they are invited to the same in-person training provided to their staff, which takes place in the days just prior to school starting and encompasses the Safety Plan Training and ALICE training.
- The school participates in ALICE training, and there is an updated log in the office, which follows the training to ensure they are happening regularly.
- There are many cameras around the school and throughout the front campus, which are utilized, and found to be helpful by school staff and administrators.

Conclusions

Big Oak Flat is a small school district; however, their size and location contribute to a safe community and culture. The students feel safe in reporting concerns directly to staff, indicating trust and an openness to communication. The staff have been working with many of the same children, their siblings, and families for many years and generations. Most of the students have grown together from kindergarten to seniors in high school, creating a tight bond and camaraderie among students and staff. The safety plan is accessible, and it is provided to staff and students.

FINDINGS, RECOMMENDATIONS, AND COMMENDATIONS

Findings

- F2.1:** ALICE training is an annual process for staff, with engagement between local law enforcement. The school also runs monthly drills for various emergency situations, including but not limited to fire, earthquake and lockdown drills and active shooter drills, which are documented in the school office.
- F2.2:** The school safety plan continues to be updated routinely. Staff and substitutes are provided with updated plans and concurrent education during the training week before the school session starts.
- F2.3:** There are cameras covering about 70% of the access areas on the campuses. About 50% of the campuses are fenced.

Recommendations

- R2.1:** ALICE training should be conducted yearly with staff and students, if not twice a year. (F2.1)
- R2.2:** The district should ensure the safety plan continues to be updated routinely, and that all teachers, staff, students and parents are provided with copies and pertinent training to develop current understanding. (F2.2)
- R2.3:** Administration should evaluate the viability of adding additional fencing. (F2.3)

CHAPTER 3 - Columbia Elementary

Originally established in the 1800s as a one-room schoolhouse in what is now historic Columbia State Park, Columbia Elementary School has a rich and storied history. The old schoolhouse still stands, preserved and maintained by the State Park for tours and educational presentations. In 1936, the one-room schoolhouse was replaced by a new facility at its current location. Over time, the campus underwent significant expansions, with the most recent major additions taking place in 2007, transforming the original 1936 building into an auxiliary classroom and administrative building.

During our investigation, we conducted interviews with the school administration, staff, and maintenance personnel. They provided valuable insights into the school's safety measures:

Conclusions

Columbia Elementary is a marked learning institution in the quaint town of Columbia, which does actively work to improve the safety for the school, including the creation of a robust safety plan. The school has a well-defined plan for the safe evacuation of students in the event of a crisis, as well as protocols for student release and pick-up by parents following an incident. During the time of the grand jury interview, this school was experiencing a transition between administrators and hiring, while making sure that there is continuity in safety planning. Staff training commences prior to the start of the academic year and continues throughout, including regular in-house training sessions that are held on Fridays, from 1:40pm to 3:15pm. With cameras and frequent training for staff, the school overall is prepared for incidents that may compromise the safety of the school.

FINDINGS, RECOMMENDATIONS, AND COMMENDATIONS

Findings

- F3.1:** The school conducts various drills, including active shooter scenarios, in collaboration with local police and fire departments. However, no such drill was held last year.
- F3.2:** Columbia Elementary employs the use of supplies in all classrooms with extended lockdown resources, though it was noted that these may not have been recently updated.
- F3.3:** During recess periods, the student-to-teacher ratio stands at 50 to 1. For special events, security is managed by coaches and administrative staff.

Recommendations

- R3.1:** Ensure the continuation of active shooter and other emergency drills, ideally in collaboration with local law enforcement and emergency services. (F3.1)
- R3.2:** Regularly update and inspect the content of the classroom supplies available to ensure their readiness for prolonged lockdowns. (F3.2)
- R3.3:** Consider reducing the student-to-teacher ratio during recess periods to ensure better supervision and safety. (F3.3)

CHAPTER 4 - Curtis Creek Elementary School

According to the school's comprehensive website and background, "Curtis Creek School District was founded on May 16, 1865, originally in the Sullivan Creek area of Sonora". In May of 1915, the school was moved to the quaint and historical town of Standard. Years ago, there was a secondary campus, in the Sullivan Creek area, near Sonora Meadows and Crystal Falls, but the school was consolidated into one campus at Standard. The layout of campus includes many different levels where certain grade levels are grouped together. The school serves students Transitional Kindergarten through 8th grade, and over 400 students are in attendance there.

The ratio of adults to students during outside recreation time is 1:40, which is like other schools interviewed during the grand jury investigation. During our investigation, we

conducted interviews with the school administration, staff and maintenance personnel. They provided valuable insights into the school's safety measures:

Conclusions

Overall, the campus layout is expansive with the multi-levels of classrooms and play areas. This requires staff to work together for safety and supervision. Curtis Creek utilizes a safety plan, as other schools do, and overall, staff feels that it is important and necessary. The school holds routine drills and keeps track of this, even thinking outside the box to rename the drills "Get Away" to not scare students and make sure they can easily remember what to do. In addition to these drills, Curtis Creek also participates in ALICE training. The school attempts to greet all visitors to the campus and utilizes name badges so that staff know they checked in with the office before entering the students' areas. The geography of the campus provides some difficult to watch areas, with lots of fencing and visibility from the roadways. This is something to think about when discussing staff to student ratios and supervision during outside play times.

FINDINGS, RECOMMENDATIONS, AND COMMENDATIONS

Findings

- F4.1:** The school has an accessible safety plan, which is deemed important by the administration. The plan is executed with the aid of radios used by all staff members, and it is reviewed and edited in collaboration with the Tuolumne County Sheriff's office.
- F4.2:** Safety drills are conducted monthly and documented in the school's office. The school has also participated in ALICE training, provided by law enforcement, and holds "Get Away" drills specifically for active shooter scenarios.
- F4.3:** When asked about the plan to have children return to campus after they have practiced the drill, interviewees didn't have a systematic plan.
- F4.4:** All visitors to the campus are challenged and encouraged to wear identification badges.
- F4.5:** The school's campus is only 50% fenced, leaving certain areas exposed to potential unwanted guests, while also providing students with potential escape routes in emergencies.

Recommendations

- R4.1:** To enhance the effectiveness of the safety plan, it would be beneficial to ensure that all staff members, including substitutes, receive a copy of the plan and are properly trained. This will ensure continuity and efficiency in case of an emergency. (F4.1)
- R4.2:** It is commendable that the school is actively engaging in drills and training sessions. To further improve, the school could consider incorporating a wider variety of emergency situations into their drill regimen. Additionally, involving students more directly in these drills can help them understand what to do in a real-life scenario. (F4.2)
- R4.3:** The school should establish a system for ensuring that students know how and when the “Get Away” drill or actual emergency event has ended and how they should return to the campus safely. (F4.3)
- R4.4:** While the practice of challenging visitors and requiring identification is excellent, it could be supplemented with a more formal check-in/check-out system for visitors. This could help track non-staff adults on campus and ensure that everyone on campus has a reason to be there. (F4.4)
- R4.5:** To better secure the school grounds, consider completing the fencing around the entire campus. This would help control access points to the school and potentially deter unwanted guests. If this is not feasible due to the natural environment, other security measures could be explored, such as additional surveillance in unfenced areas or strategic landscaping to deter unauthorized access. (F4.5)

CHAPTER 5 - Gold Rush Charter School

Originally founded in 2001, this school, which serves grades K-8, was started with a “goal to create a non-traditional program that would allow educators to focus on the individual needs of each student.” Today, there is the Country School, which serves the K-8 grades through this charter. The school is set in a quiet, forested area on Peaceful Valley Road, the original Sullivan Creek Elementary School. There are approximately 200 students at the Country School. Despite the charter, this school is still funded through taxes/grants and the school receives ADA money per student in attendance. To become enrolled in The Country School through the charter, parents must request an application and enter through the waitlist. Students at The Country School are required to maintain a 70% grade average and complete 80% of their work.

Interviews held with administration and staff disclosed the following:

- There is an active and updated safety plan available for staff and public accessibility, which is regarded by staff as important and pertinent to everyday practices.
- The school participates in ALICE training through county law enforcement, and there is an updated log in the office that follows the training to ensure they are happening annually.
- The location of The Country School is unique, with little to no fencing and multiple access points to adjoining neighborhoods and land.
- There is no in-person class on Friday, as the schools declares this day an independent study day, and this allows teachers to have meetings and training sessions on campus during this time.
- The ratio of students to adults at peak times (before and after school) is one adult to 40 students, but during the breaks and recess, the school runs on a staggered schedule so there is more supervision.

Conclusions

Unlike all other schools listed in this report, The Country School through Gold Rush Charter School is run by slightly different set of governing laws. While there are no cameras, the administration expressed that there has never been any type of issue for which a look back on a camera would have proven useful. Per staff, the culture of safety at The Country School is valued by students, family, and staff. Because of this, many families support students coming to the staff with concern, and parents play a very active role in advocacy and support to the school.

FINDINGS, RECOMMENDATIONS, AND COMMENDATIONS

Findings

F5.1: While ALICE training is part of the yearly plan for The Country School, it is not clear if this occurred during the COVID years amidst school closures and times of uncertainty. The most recent drill was in January 2022 and an interviewee stated that the school was actively trying to schedule another drill for this calendar school year but was waiting on Sheriff availability. The ALICE training is listed in the school's safety plan.

F5.2: There are no cameras on school premises. While the school does try to greet visitors to the campus and give sticker badges stating that the visitor has been approved by the office, this does not happen always. Of note, during the interview with the grand jury, a repair person from an outside hired agency, entered the interview room while in search of the main office. This

demonstrates that it is possible to walk on campus and not be directly greeted by staff.

- F5.3:** Communication between the main office and individual classrooms is supported through radios provided to all teachers and staff. At this time, the PA system is not working effectively in all areas of the school.

Recommendations

- R5.1:** Administration should continue to support and update the safety plan. The posted evacuation maps are very helpful to substitutes who may be less familiar with the campus, but it would also be extremely helpful to give substitutes a copy of the safety plan for perusal as they are coming to work. (F5.1)
- R5.2:** Cameras on campus are advisable, if at least to monitor the main entrances and exits. Many ways to walk onto campus exist and staff are not always able to greet and have them go through correct badging in process. (F5.2)
- R5.3:** An updated PA system offers clear, fast, and universal communication to all teachers and students, and staff should work to update this PA system as soon as possible. (F5.3)

CHAPTER 6 – Jamestown Elementary School

Located in the small town of Jamestown, CA, the school serves children in Transitional Kindergarten through 8th grade and offers interesting and specialized education programs, including the dual immersion program for Spanish language for over 400 students. For children in grades K through 5th grade, they can learn Spanish in a 50/50 model, where students are being taught in Spanish half of their school day. There is also another school in Chinese Camp, under the same district, that specializes in STEM (Science, Technology, Engineering and Math) activities where students are actively engaged, individually and collaboratively, in project-based learning. The Chinese Camp campus is available for students in third through sixth grade. In recent years, Jamestown Elementary school has taken steps to become a strong learning institution, with something to reach every student's interest.

During our investigation, we conducted interviews with the school administration, staff, and maintenance personnel. They provided valuable insights into the school's safety measures.

Conclusions

Jamestown Elementary has taken many pains and precautions to ensure safety for its student and staff population. From cameras to limited access points, it is clear that much thought and intention has gone into screening traffic in and out of campus. While staff are trained and updated with policy, there are still some recommendations that can be made to improve and enhance school safety. During breaks and recess, the student to adult ratio during recess/breaks is 40:1, which may be a point of concern in terms of supervision and safety but was stated to be adequate at this time.

The school implements access control to its offices and campus, ensuring security. The school uses radios as a part of their safety plan process, with four different radio channels for administration, aides, and maintenance personnel. While the school has maintenance personnel, there are no designated security staff universally available. The administration serves as the liaison between law enforcement and the school.

FINDINGS, RECOMMENDATIONS, AND COMMENDATIONS

Findings

- F6.1:** Jamestown Elementary employs the ALICE training methodology, which is undertaken annually with the involvement of the local law enforcement offices. The school conducts an active shooter drill once a year in cooperation with the sheriff. Besides ALICE, fire and earthquake drills are also conducted.

F6.2: The school safety plan at Jamestown Elementary is readily accessible and is executed by the administration. It is updated routinely, and staff training occurs before the school year starts. The staff training logs are maintained by the school secretary.

F6.3: Jamestown Elementary's campus is mostly fenced in, except for a small portion in the front. The school has security cameras installed. The school follows a safety protocol for releasing students to parents in case of an evacuation, and it has practices in place for firearm/weapon prevention, such as searching backpacks as necessary.

Recommendations

R6.1: Jamestown Elementary should continue to complete ALICE trainings and consider biannual all-school training sessions to ensure that students are reminded of the concepts. This will ensure that all individuals responsible for students are prepared to execute the safety plan in an emergency. (F6.1)

R6.2: The school should establish a regular schedule for revising and updating the safety plan (making this information transparent to both staff and parents). Furthermore, involve more staff members in the maintenance of training logs to ensure accuracy and comprehensive coverage. (F6.2)

R6.3: The school should complete the fencing of the remaining portion of the campus to ensure comprehensive perimeter security. Also, the school should add more cameras around the campus, especially in areas where student activity is high. (F6.3)

CHAPTER 7 – Sonora Elementary School

Sonora Elementary School has the largest enrollment of all elementary schools in Tuolumne County. Founded in 1855, Sonora Elementary School was a school for the children of the gold rush. Located in the heart of town, the home of the Bobcats serves students Transitional Kindergarten through 8th grade, with a Head Start program also located on campus. The school's mission statement elaborates on the idea and importance of safety in the school, as it pertains to fostering a place for learning, growth and engagement. A perusal of the website shows that the school is working to offer opportunities for learning and growth, including the use of technology, as students are given Chromebooks and encouraged to manage their studies online, starting in grade three.

Interviewees stated that there was a ratio of 10 students to every one adult for fieldtrips and during school recess and breaks the ratio of students to staff is 20:1. Sonora Elementary is situated on a large campus with foot traffic on the sidewalk out front and behind some of the athletic fields. Most notably, there was a recent lockdown initiated following a report of a suspicious looking person who might have had a weapon on foot near the school. It is the hope of the grand jury that Sonora Elementary staff has done a debriefing on this incident, and have learned and grown from this experience.

During our investigation, we conducted interviews with the school administration, staff and maintenance personnel. They provided valuable insights into the school's safety measures.

Conclusions

Sonora Elementary utilizes the standard practice of ALICE training involving both students and staff. When asked in interviews, it was stated that the school's safety plan is accessible and perceived as important. It is executed with the use of radios across different roles within the school, including administration, aids, and maintenance staff. Based on the physical location of Sonora Elementary School, situated in an urban environment, it would be greatly beneficial to increase surveillance of parking lots and other areas.

FINDINGS, RECOMMENDATIONS, AND COMMENDATIONS

Findings

- F7.1:** The school does not log its regular monthly drills, which might limit the ability to track progress and areas for improvement.
- F7.2:** Sonora Elementary has an active shooter protocol in place, with ALICE training that involves parent participation.
- F7.3:** The school's camera system is not consistently monitored throughout the day, and there are no cameras in the parking lot. This could potentially leave areas of the school vulnerable.

Recommendations

- R7.1:** The school should institute a system for logging and reviewing all safety drills. The documentation should include recording the date, time, type of drill, and debrief to identify any issues arising from the drill. Regular reviews of these

logs could help identify trends, areas for improvement, and ensure consistency in safety practices. (F7.1)

R7.2 Continue the existing ALICE training protocol. (F7.2)

R7.3: Evaluate the current camera surveillance system. This evaluation should aim to identify blind spots, including the parking lot, and periods during the day when monitoring is lax or non-existent. (F7.3)

CHAPTER 8 – Sonora High School

Sonora High School has a rich history dating back to its establishment in 1909. Serving as one of the area's oldest high schools, Sonora High School is a staple of the community, priding itself on academic excellence, athletic achievement, and student success. The school is nestled in the heart of downtown Sonora, close to many residential homes. As of the 2022-2023 academic year, Sonora High School serves approximately 1,000 students for grades 9 through 12.

Notably, there was a situation where Sonora High School had to initiate a full lock-down due to a perceived threat of violence on campus. The response by law enforcement was rapid, with many officers responding and being ready to assist. While students were locked down for hours without confirmation of there being an actual shooter on their campus, the opportunity for school staff and county law enforcement to react was educational. It is the hope of the grand jury that Sonora High School has completed a debriefing following this incident and taken measures to improve, aid and promote school safety.

Interviews held with administration and staff disclosed the following:

- There is an active and updated safety plan available for staff and public accessibility, which is regarded by staff as important and pertinent to everyday practices.
- Substitutes are given binders with information for perusal so that they have the opportunity to become familiarized with the safety rules and processes.
- A total of four campus security supervisors, employees of the school, not officers of the law, are employed to provide assistance and attention to general campus safety.
- Communication with students and staff is exemplary with the use of technology in apps to share information and report issues like bullying.

Conclusions

The organization and detail to knowing when drills and trainings have occurred is important and admirable. Staff training logs are maintained, including a checklist of training and a binder for records. Continuing to partner with local law enforcement to complete these trainings and improve students' attention and engagement is notable, as well. As any observer can note, there are many entrances and exits from the Sonora High campus, as it is well integrated into a more urban environment. While access to offices or campus is not controlled, there are designated security personnel available, and the administration acts as a liaison between the school and law enforcement.

Sonora High School's classrooms are supplied with buckets full of food, water, and emergency supplies, which can also be used for emergency toilets during long lockdown situations. Evacuation plans are posted on the walls. It is commendable that the school employs the use of the "Stop It" app, where students are encouraged to report safety concerns, which allows for anonymous reporting and after-hours monitoring. The discipline policy cracks down on the presence of weapons on campus with a five-day suspension for students found carrying a pocketknife. The school also employs a safe schools app and maintains a cumulative file to help identify previously violent students. One great challenge to Sonora High School is keeping track of the location of students, made particularly harder due to off-site education and students being of driving age and independent.

FINDINGS, RECOMMENDATIONS, AND COMMENDATIONS

Findings

- F8.1:** Sonora High conducts ALICE training (Appendix 1) as part of their safety plan, with staff training taking place on the days before the school session starts. The school has performed two fire drills, one lockdown drill, and one earthquake drill this academic year.
- F8.2:** The school safety plan is accessible and considered important by the administration. Substitutes receive binders with safety information, ensuring they are informed and prepared in case of emergencies.
- F8.3:** Sonora High has implemented several security measures, including numerous cameras, four non-uniformed campus security supervisors, and a facial recognition app for visitors, which sends instant notifications to staff.
- F8.4** The campus is not fully fenced, with only 50% of the perimeter secured.

- F8.5** Firearm and weapon prevention practices at Sonora High include searching backpacks as deemed necessary, using wands if required, and employing a monthly dog search service.
- F8.6** Despite having a considerable number of students leaving for classes at Columbia College, the school does not have a system in place for regulating those coming on and off campus.

Recommendations

- R8.1:** Regular ALICE Training and Drills - Conduct ALICE training for staff and students more frequently to ensure they are well-prepared for potential active shooter situations. Maintain an updated log of all drills and trainings. Regularly practicing different scenarios can help build confidence and familiarity with emergency response procedures. (F8.1)
- R8.2** Assess and Update Safety Plans - Regularly review and update the school safety plan to ensure it remains relevant and effective. Include input from staff, students, parents, and law enforcement agencies in the review process to ensure all perspectives are considered and the plan reflects best practices in school safety. (F8.2)
- R8.3:** Implement an enhanced access control system to control access to offices and other campus areas. This may include using electronic access cards or keypads that require a code for entry. Regular audits of access permissions can help maintain the security of restricted areas. (F8.3)
- R8.4** Consider increasing the fencing perimeter in order to reduce the risk of unauthorized entry. In addition, consider installing more surveillance cameras and lighting around the school grounds, especially in the back parking lot, to deter potential threats and improve overall safety. (F8.4)
- R8.5** Continue collaborating with local law enforcement agencies to foster a healthy relationship. Regularly involve them in safety drills, training, and planning. Continue use of searches, dogs, and other means to ensure that unsafe items are not being brought on campus. (F8.5)
- R8.6** Monitor Student Movement on and off Campus - Develop a system for tracking and regulating students who leave the campus for classes at Columbia College or for other reasons. This may include a sign-in/sign-out

sheet or app, ID scanning, or other methods to ensure the school is aware of students' whereabouts during school hours. (F8.6)

CHAPTER 9 - Soulsbyville Elementary School

Soulsbyville Elementary was established in 1869 and serves students in Transitional Kindergarten through 8th grade. Located in a quaint area surrounded with hillsides, which was once a gold rush town, Soulsbyville is known as an unincorporated census-designated place in Tuolumne County, and the school is named for Ben Soulsby, who resided in the area during the California Gold Rush. At present, there are 480 children enrolled in Soulsbyville Elementary. Additionally, the school has a Head Start program on-site. Soulsbyville Elementary is known for its academics and close-knit nature of the school families and community.

During our investigation, we conducted interviews with the school administration, staff and maintenance personnel. They provided valuable insights into the school's safety measures.

Conclusions

Soulsbyville Elementary staff and teachers are trained and prepared for maintaining school safety. In general, access to the school is limited for vehicles simply based on the one-way-in and one-way out traffic flow. This also creates traffic backup onto Soulsbyville Road, which is problematic in many ways. There are cameras around campus, but no centralized place to view the camera feeds. The school feels that there are strong bonds and collaboration between parents and staff, all to provide support to students and ensure safety.

FINDINGS, RECOMMENDATIONS, AND COMMENDATIONS

Findings

- F9.1:** Like most of the schools in the county, Soulsbyville has both in-house ALICE training and assistance by local law enforcement. Full time teachers receive safety training, but substitutes must rely on safety plans in the classroom. They do have cameras and 65% fencing which includes athletic fields and play area.
- F9.2:** There is not much foot traffic from the surrounding neighborhoods, but all people entering the campus are challenged by any staff members if they do not check into the office. The only crosswalk is situated in a bad place and has bushes blocking the view of both pedestrian and oncoming traffic. The Head Start program is closest to the cross walk. The lack of a crossing guard presents a problem for both pedestrians & traffic.

F9.3: The ratio of teachers to students at recess is 1:35; on field trips it is 1:10. During hosted school events staff and parents are used as security. After a lock down the students must have their parents come to get them released. Students can contact an adult or use the drop box to report safety concerns.

Recommendations

R9.1: Staff should maintain and follow up in ALICE training for both students and staff, and involvement with local law enforcement is optimal. Staff should also continue to update and review safety plans if possible. (F9.1)

R9.2 Updates to foot path and traffic flow would be optimal, but given geographic location, this provides many challenges. The blind spot where the crosswalk is located should be evaluated. (F9.2)

R9.3: Soulsbyville Elementary school should continue to uphold a high standard in considering their student to adult ratio. Soulsbyville should be commended for having much supervision and small ratios for students at recess. (F9.3)

CHAPTER 10 - Summerville Elementary School

Summerville Elementary School, located in Tuolumne, California, is a school dedicated to fostering a nurturing and secure environment for its students. The school's mission statement underscores its commitment to providing an educational experience that is both academically challenging and personally enriching. The administration, faculty, and staff work collaboratively to cultivate an atmosphere where every child feels valued and encouraged to reach their full potential. The school serves students in grades K-8 and has a total enrollment of approximately 450 students.

The school's ethos is centered around safety, understanding, and respect, with a strong emphasis on cultivating a community of lifelong learners. This commitment extends to all aspects of the school's operations, from classroom instruction to campus security. In line with this, Summerville Elementary's safety protocols and procedures reflect a comprehensive and proactive approach to ensuring the well-being of its students and staff. The administration's strategic approach to safety is underscored by regular drills, staff training, and a robust safety plan, demonstrating the school's unwavering commitment to the safety of its community.

During our investigation, we conducted interviews with the school administration, staff, and maintenance personnel. They provided valuable insights into the school's safety measures.

Conclusions

Summerville Elementary School has a well-structured safety plan in place, with access to radios for all staff and a panic button in the office. Regular drills are conducted monthly and are documented by the school secretary. The grand jury found that Summerville Elementary School's layout seemed incredibly helpful to maintaining safety. The office is located on top of a hill, allowing for a comprehensive view of the parking lot. Furthermore, a fixed monitor with live camera streaming ensures continuous surveillance of the campus. Despite the strong emphasis on security, there are areas of ambiguity and potential improvement. Based on interviews, staff were aware and actively working to find creative solutions. Overall, the grand jury was extremely impressed with the staff's care and attention to safety, as well as the actual school set up and layout.

FINDINGS, RECOMMENDATIONS, AND COMMENDATIONS

Findings

- F10.1:** Staff training occurs before the start of the school year and includes two ALICE training courses annually.
- F10.2:** Summerville Elementary School places emphasis on preparedness for a potential lockdown. Classrooms are equipped with flip charts for substitutes, and each room has emergency and water supplies.
- F10.3:** The school has ceased locking its gates and fences based on county advice to facilitate emergency response and to allow children access in the event of a shooter. However, this practice appears to be a point of concern for school administration.
- F10.4** The student to adult ratio during recess at Summerville Elementary School is 12:1, which is a reasonable ratio that allows for adequate supervision during these periods.
- F10.5** The school has mechanisms in place for students to report safety concerns, including options to send an email or talk to a teacher.

Recommendations

- R10.1** Continue to prioritize and invest in regular safety drills and staff training, including ALICE training. Given the comprehensive nature of this training,

consider extending this training to substitute teachers to ensure a uniform response to potential emergencies across all staff. (F10.1)

R10.2 The presence of flip charts for substitutes and emergency supplies in classrooms indicates commendable preparedness. However, it may be beneficial to include a wider range of emergency supplies, including first aid kits, in each classroom. (F10.2)

R10.3: Engage in a dialogue with county officials to gain clarity on the policy regarding the locking of gates and fences. Exploring options for gates that allow emergency access while maintaining a secure perimeter could be a potential solution. (F10.3)

R10.4 Maintain the commendable current student to adult ratio during recess. Regularly evaluate this ratio to ensure it continues to provide adequate supervision. (F10.4)

R10.5 While the existing channels for reporting safety concerns are good, introduce an anonymous reporting system to encourage more students to report any safety issues without fear of being identified. (F10.5)

CHAPTER 11 - Summerville High School

Summerville High School, located in Tuolumne, California, serves just over 600 students from 9th to 12th grade as of the 2022-2023 school year, according to the National Center for Education Statistics. It is part of the Summerville Union High School District and is situated on a sprawling campus that includes academic buildings, athletic facilities, and agricultural grounds.

In 2015, the school made headlines when four students were arrested for plotting a shooting at the campus. While the plot was foiled and no one was harmed, the incident highlighted the importance of school safety measures. The school has since made significant strides in improving safety and security, including implementing ALICE (Alert, Lockdown, Inform, Counter, Evacuate) training and adding security measures such as cameras and quick-lock systems in classrooms. Despite these advances, there remain areas for improvement in ensuring the safety and security of all students and staff.

During our investigation, we conducted interviews with the school administration, staff and maintenance personnel. They provided valuable insights into the school's safety measures.

Conclusions

Summerville High School participates in the ALICE training, and benefits from collaboration with local law enforcement and community members. Teachers and other staff can call for a lockdown from any classroom, using the PA system, which is up-to-date and functional. In regard to safety planning, staff training occurs before the school year starts, with online training that yields certification, and safety topics are also addressed in monthly staff meetings. The school keeps a record of these certificates. Substitute teachers receive safety training from the county, as stated by an interviewee. The school has evacuation plans in place, with buses available for transportation if needed. There is a system to notify parents in case of an emergency evacuation.

The school manages visitors by putting into place identification measures, such as visitor tags. The school has a significant number of cameras, which are monitored by security/maintenance staff and the principal. The ratio of staff to students is relatively low for a high school setting, which is commendable. During after-hour events, designated administrators, coaches, and teachers provide security, with maintenance staff on site from 4 am to 10:30 pm.

FINDINGS, RECOMMENDATIONS, AND COMMENDATIONS

Findings

- F11.1:** Summerville High School has implemented ALICE training and engages with law enforcement for planning and preparedness.
- F11.2:** The safety plan at Summerville High School is not only accessible but also continually updated.
- F11.3:** The campus is partially fenced, and access control is not absolute, as individuals can walk in unchallenged.
- F11.4** Most classrooms are equipped for lockdowns with emergency supplies, though not all have food and water.
- F11.5** The school employs practices to prevent weapons on campus, such as monitoring break times and behaviors as well as utilizing surprise drug dog visits. They also distribute a classroom discipline policy that outlines the consequences of bringing weapons to school.
- F11.6** The ratio of students to adults during recess and breaks is between 30 and 35 to 1.

F11.7 Students are encouraged to report safety concerns to any adult staff member, reinforcing the message "if you see something, say something".

Recommendations

R11.1 Continue to engage with local law enforcement to practice and review the ALICE training. (F11.1)

R11.2 Ensure that all substitute teachers receive the same level of safety training as full-time staff. Look into providing them with access to the online training and certification that full-time staff members receive. (F11.2)

R11.3: Consider implementing additional access control measures, such as secured entrances or more comprehensive check-in procedures for visitors. Additionally consider increasing the fence perimeter around the campus and extend camera coverage to the tennis courts and softball fields, which currently lack surveillance. (F11.3)

R11.4 Ensure that all classrooms are fully equipped for lockdown situations, including the provision of food and water in the safety buckets. (F11.4)

R11.5 Reinstate surprise drug dog visits and continually enforce the classroom discipline policy. Consider additional preventative measures such as metal detectors or increased supervision in areas where students may potentially conceal weapons. (F11.5)

R11.6 Consider hiring additional staff members to reduce the student-to-adult ratio during recess and breaks. This would also improve supervision during after-hour events. (F11.6)

R11.7 Create a formalized method for students to report safety concerns, such as a confidential online portal or designated staff members. This would ensure that all student concerns are properly documented and addressed. Additionally, consider the administration's suggestion of hiring more security guards and installing additional cameras to increase surveillance coverage. (F11.7)

CHAPTER 12 – Twain Harte School

The first Twain Harte School opened in 1928 in Confidence, California, before being moved to the current location on Manzanita Drive in 1959. Twain Harte School serves students Transitional Kindergarten through 8th grade and the school is located right in

the center of downtown Twain Harte. Twain Harte School and Summerville District also serve four offsite necessary small school campuses in Long Barn, Cold Springs, South Fork and Pinecrest. In 2023, the school in Twain Harte serves a population of over 250 students and has a shared principal and superintendent, with a robust teaching staff. Breaks and recess have a ratio of four adults to approximately 175 students.

During our investigation, we conducted interviews with the school administration staff and maintenance personnel. They provided valuable insights into the school's safety measures:

- There is an active and updated safety plan available for staff and public accessibility, which is regarded by staff as important and pertinent to everyday practices.
- The school participates in ALICE training through county law enforcement, and there is an updated log in the office that follows the training to ensure they are happening annually.

Conclusions

The school is at the disadvantage of not having pre-established, annual or ideally biannual ALICE training jointly with TCSO. This may be due to COVID issues and high demand of the TCSO, but it is a valued moment of connection and education. There are supplies in all classrooms with extended lockdown resources.

The location of Twain Harte School is wonderfully integrated into the town of Twain Harte, making it accessible for parents and staff, but also lending itself to more non-student visitors on campus for recreation. Staff from the front office are tasked with looking out into the yard and blacktop areas to greet any visitors who are not coming into the office to sign in as a visitor.

From a safety perspective, the school buildings are being updated. The addition of new fencing was suggested by teachers demonstrating that engagement with staff around safety is high and input is welcome.

FINDINGS, RECOMMENDATIONS, AND COMMENDATIONS

Findings

F12.1: While ALICE training is part of the yearly plan for Twain Harte School, it isn't clear if this occurred during the COVID years amidst school closures and times of uncertainty. The most recent drill was in January 2022 and an interviewee stated that the school was actively trying to schedule another drill for this calendar school year but was waiting on Sheriff availability. The ALICE training is listed in the school's safety plan.

F12.2: The school is directly in town, making it appealing for members of the public to enter the grounds during school hours. In the field nearest the Twain Harte Market shopping center, a locked gate was recently installed, in an attempt to discourage foot traffic through the school grounds. When non-staff or non-students enter the premises there are staff who attempt to greet them and provide education on the availability of campus access.

F12.3: While some of the buildings are older in nature, staff are working to update security measures to ensure that students are safe in the present day. Notably, there was a new locked gate installed along a back pathway into the primary school at the request and suggestion of teachers. Doors have devices to allow teachers to lock from the inside swiftly, and there has been fencing installed, where possible, but much of the school is open.

Recommendations

R12.1: The district should ensure that the safety plan is updated routinely, and that all teachers, staff, students and parents are provided copies and pertinent training to develop current understanding. ALICE training should be yearly, and the Tuolumne County Sheriff's Office should prioritize and promote engagement with students and education around lockdowns and potential threats to the school. (F12.1)

R12.2: Staff must continue to address fencing opportunities and find solutions to highly trafficked areas, during school hours. Dedicated personnel for greeting on-campus visitors, or community members passing through would be ideal. (F12.2)

R12.3: Door locking devices work, but technology around this should be updated, making the locks stronger and more efficient. It is commendable that changes have been made at the request of the teachers, and this participation is critical to staff and students feeling heard, safe, and supported at school. (F12.3)

Tuolumne County Law Enforcement and Superintendent of Schools Office

Tuolumne County Sheriff's Office and Sonora Police Department Interviews

1. **Multiple Law Enforcement Agencies:** Tuolumne County has law enforcement agencies available to respond to school incidents, which can ensure a robust response in case of emergencies.
2. **Involvement in School Safety:** Local law enforcement is actively involved in reviewing and making recommendations regarding the school's safety plans. They also provide ALICE training and host monthly meetings for school administrators to address safety-related topics.
3. **Response Times:** Law enforcement response times to school incidents vary, ranging from as little as two minutes to just under fifteen minutes, depending on the nature of the incident and the location of the responding officers at the time of the report.
4. **School Resource Officers (SROs):** The County has budgeted funds and received grants to pay for SROs, but there is currently a shortage of staff to fill these positions. SROs are considered an important aspect of school safety, providing an immediate response capability and fostering trust between students and law enforcement.
5. **ALICE Training:** ALICE training is provided to school staff and students, but it is not mandated by the state or county. The frequency and type of training are adjusted based on the needs of each school.
6. **Safety Plan Improvements:** Law enforcement officers suggest several improvements to enhance school safety. These include standardized safety plans, the creation of ALICE training videos for parents, the presence of SROs on campuses, the installation of modern automated locking devices in classrooms, and the evaluation and potential implementation of school fencing.
7. **Infrastructure Improvements:** Local law enforcement recommends evaluating school fencing on a case-by-case basis. They believe that a solid perimeter fence could greatly improve school safety, but also recognize that the school's topography can provide escape routes and hiding places for staff and students in certain cases.
8. **Parental Involvement:** There is an ongoing initiative to develop training videos for parents about ALICE practices, highlighting the importance of parental involvement in ensuring school safety.

Recommendations

The Grand Jury strongly recommends the establishment of a collaborative framework among local law enforcement, the Superintendent of Schools office, and all school districts in Tuolumne County to ensure the regular provision of ALICE (Alert, Lockdown,

Inform, Counter, Evacuate) training. This training is vital in equipping students, staff, and the wider school community with the knowledge and skills necessary to respond effectively to emergency situations.

Given the critical nature of this training, it is suggested that this responsibility should ultimately fall to the Superintendent of Schools office. As the central agency overseeing all school districts, the Superintendent's office is in the optimal position to take the lead to coordinate and ensure the consistent implementation of ALICE training across all schools in the county. In addition to ALICE training, it is suggested that the Tuolumne County Superintendent of Schools Office develop a compilation of each school's safety plan available to all substitutes. This centralization of responsibility would ensure a unified approach to safety measures, facilitating the standardization of safety procedures, and limiting errors or confusion.

To ensure the effectiveness and relevance of the training, it is recommended that the ALICE training be provided on an annual or bi-annual basis to staff and students. Regular training would help to keep the school community's knowledge and skills up-to-date and ensure that new staff and students are also adequately trained.

In developing and implementing the ALICE training, the Superintendent's office should work closely with local law enforcement. Their expertise and understanding of the local context would greatly enhance the relevance and effectiveness of the training. Law enforcement can also provide practical insights and guidance, making the training more realistic and hence more useful.

Finally, transparency and communication between these entities are paramount. The Superintendent of Schools office, law enforcement, and individual school districts should maintain open lines of communication to address any concerns, share best practices, and continuously improve the safety measures in place.

Implementing this recommendation would demonstrate a strong, united commitment to school safety, ensuring that all students and staff in Tuolumne County are empowered with the knowledge and skills necessary to keep themselves and others safe during emergencies.

REQUESTED RESPONSES

Required Responses

Pursuant to Penal Code Section 933(c), responses are required from the following governing body within 90 days:

- Belleview, Big Oak Flat, Columbia, Curtis Creek, Gold Rush Charter, Jamestown Sonora Elementary, Sonora High School, Soulsbyville, Summerville Elementary, Summerville High School and Twain Harte School Boards: Findings and Recommendations as identified in related school chapter

Pursuant to Penal Code section 933(c) responses are required from the following elected official within 60 days:

- Tuolumne County Superintendent of Schools Office: all findings and recommendations

Invited Responses

Although not required under Penal Code section 933(c), the following responses are invited within 90 days:

- Principals in Belleview, Big Oak Flat, Columbia, Curtis Creek, Gold Rush Charter, Jamestown Sonora Elementary, Sonora High School, Soulsbyville, Summerville Elementary, Summerville High School and Twain Harte School Boards: Findings and Recommendations as identified in respective school chapters
- Sonora Police Department
- Tuolumne County Sherriff's Office

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APPENDIX

ALICE training is a proactive approach to school safety that provides staff, students, and administrators with strategies for responding to an active shooter or violent intruder situation. ALICE stands for Alert, Lockdown, Inform, Counter, and Evacuate. The training emphasizes the importance of making informed decisions based on the specific circumstances of the threat, rather than relying on a one-size-fits-all response.

A - Alert

Alert is your first notification of danger.

ALERT is when you first become aware of a threat. The sooner you understand that you're in danger, the sooner you can save yourself. A speedy response is critical. Seconds count.

Alert is overcoming denial, recognizing the signs of danger and receiving notifications about the danger from others. Alerts should be accepted, taken seriously, and should help you make survival decisions based on your circumstances.

L - Lockdown

Barricade the room. Prepare to EVACUATE or COUNTER if needed.

If **EVACUATION** is not a safe option, barricade entry points into your room in an effort to create a semi-secure starting point.

Our training explains scenarios where Lockdown may be the preferable option and dispels myths about passive, traditional 'lockdown only' procedures that create readily identifiable targets and makes a shooter's mission easier. ALICE trainers instruct on practical techniques for how to better barricade a room, what to do with mobile and electronic devices, how and when to communicate with police, and how to use your time in lockdown to prepare to use other strategies (i.e., Counter or Evacuate) that might come into play should the active shooter gain entry.

I - Inform

Communicate the violent intruder's location and direction in real time.

The purpose of **Inform** is to continue to communicate information in as real time as possible, if it is safe to do so. Armed intruder situations are unpredictable and evolve quickly, which means that ongoing, real-time information is key to making effective survival decisions. Information should always be clear, direct and in plain language, not using codes. If the shooter is known to be in an isolated section of a building, occupants in other wards can safely evacuate while those in direct danger can perform enhanced lockdown and prepare to counter.

Video surveillance, 911 calls and PA announcements are just a few of the channels that may be used by employees, safety officers, and other personnel to inform others. An emergency response plan should have clear methods outlined for informing school employees, hospital workers, or any other employees of the location of a violent intruder.

C - Counter

Create Noise, Movement, Distance and Distraction with the intent of reducing the shooter's ability to shoot accurately. Counter is NOT fighting.

ALICE Training does not believe that actively confronting a violent intruder is the best method for ensuring the safety of those involved. **Counter** is a strategy of last resort. Counter focuses on actions that create noise, movement, distance and distraction with the intent of reducing the shooter's ability to shoot accurately. Creating a dynamic environment decreases the shooter's chance of hitting a target and can provide the precious seconds needed in order to evacuate.

E - Evacuate

When safe to do so, remove yourself from the danger zone.

ALICE provides techniques for safer and more strategic evacuations. **Evacuating** to a safe area takes people out of harm's way and hopefully prevents civilians from having to come into any contact with the shooter.

Did you know that you should break a window from the top corner as opposed to the center? Many useful techniques that civilians do not know exist and can save your life. ALICE trainers teach strategies for evacuating through windows, from higher floors and under extreme duress.

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