

## FOREWARD

Just what is the Grand Jury, who are its members, and what are their functions? William J. Shaw and Noah Weinstein in their article, Grand Jury Reports – A Safeguard of Democracy, describe a Grand Jury as “a short-lived, representative, non-political body of citizens functioning without hope of personal aggrandizement. It [the Grand Jury] comes from the citizens at large and soon disappears into anonymity without individual recognition or personal reward.” In El Dorado County this is a group of 19 citizens who have the ability, time and willingness to serve the citizens of the County for a period of one year.

The requirements for service are basic and designed to allow and encourage maximum participation by the County’s citizens. A juror must be 18 years old, a United States citizen, and a resident of El Dorado County for at least one-year on the date they are sworn to service. The candidate for juror must also possess natural faculties of ordinary intelligence, sound judgment, and fair character.

Service on the Grand Jury is an act of citizenship. Individuals selected for the Grand Jury should expect to work a minimum of three six-hour days per week throughout their year of service. Remuneration for service was paid at the rate of \$10.00 per day, however, effective July 1, 2002 will be paid \$15.00 for those days actually worked. Mileage driven for grand jury business is currently reimbursed at the rate paid to all county employees.

The Grand Jury essentially serves as the agency of civilian oversight for our local government. The common public perception of the Grand Jury is a body taking testimony and handing down Criminal Indictments. In reality, the principal functions of the Grand Jury are civil in nature. Some duties, such as the inspections of public prisons, are required by law to be performed on a yearly basis. The majority of the Grand Jury’s inquiries, however, are the result of its own internal direction. Generally, the Grand Jury audits local government processes, expenditures, and the actions of its officials. Practically speaking, a grand jury primarily responds to complaints brought to it by citizens of the County, to issues of concern and public debate as publicized in the local media, and to other issues exposed during the investigation of complaints.

During the course of its inquiries, members of the Grand Jury not only will find conditions and practices within government that deserve recommendations for improvement, they also will encounter examples of excellent service performed by units or persons in local government. Grand Juries by their very design are intended to identify and recommend improvement of deficiencies within government; as such, reports of the Grand Jury tend to be viewed as negative in nature. It would be unfair, however, for the Report of the Grand Jury to focus on the negative without recognizing outstanding performance within government. In that light, this Report also contains commendations for those persons, encountered by members of the Grand Jury, who were noted to have performed exemplary service for the County.

At the conclusion of its investigations the Grand Jury may issue an indictment, an accusation, and/or a report. The year-end Report of the Grand Jury is a compilation of investigative reports complete with recommendations for change that are intended to improve the operations of government and so better serve the citizens of this County. Grand Juries have no power to impose their recommendations on local government. Grand Juries cannot enforce their recommendations; they merely have the ability to “shine a light” on the facts uncovered by their inquiries, thus bringing matters to the public’s attention. The Report then provides a vehicle for public debate. It is a matter for the public to decide whether the recommendations of the Grand Jury are appropriate, and whether actions taken by government officials in response to those recommendations are themselves appropriate. Ultimately, the citizens of the County carry out their role in this process, by expressing their judgment on the issues at the ballot box.

Michael Day, Foreman  
2001/2002 Grand Jury

**To Obtain an Application**

Any interested citizen who meets the required qualifications and is able to make the time commitment may request an application for appointment to the Grand Jury from the Staff Court Secretary at the following location:

Superior Courthouse  
495 Main Street  
Placerville, California 95667  
(530) 621-6451

# TABLE OF CONTENTS

	PAGE
<b>FOREWARD</b> .....	i
<b>TABLE OF CONTENTS</b> .....	iii
<b>EL DORADO COUNTY GRAND JURY</b>	
<b>Resolution</b> .....	vi
<b>LETTER TO THE JUDGE FROM FOREMAN</b> .....	vii
<b>JUDGE’S LETTER TO THE GRAND JURY</b> .....	viii
<b>EL DORADO COUNTY GRAND JURY</b>	
<b>Supervising Judge &amp; Staff Secretary Picture</b> .....	ix
<b>2001/2002</b> .....	x
<b>Group Picture</b> .....	xi
<b>CITIZENS’ COMPLAINTS INDEX</b> .....	xii
<b>AUDIT &amp; FINANCE</b>	
<b>Confirming Purchase Orders</b> .....	1
<b>Fixed Assets Report</b> .....	4
<b>Independent Management Audit</b> .....	6
Exhibit – Harvey Rose Accountancy Audit	
<b>CRIMINAL JUSTICE COMMITTEE</b>	
<b>Allegations of Violation of Ethics in Government Act</b> .....	7
Citizen Complaint #01/02-C-025	
<b>Allegations Regarding the 2002 Sheriff’s Election</b> .....	11
Citizen Complaints #01/02-C-027 and #01/02-C-035	
<b>El Dorado County Jail, Placerville</b> .....	16
<b>El Dorado County Jail, South Lake Tahoe</b> .....	20
<b>El Dorado County Juvenile Hall</b> .....	23
<b>Growlersberg Conservation Camp, Georgetown</b> .....	28

## **EDUCATION COMMITTEE**

<b>Golden Ridge School, Juvenile Hall</b> .....	31
<b>Central Sierra Regional Occupational Program</b> .....	34
Citizen Complaint #01/02-C-006	

## **GOVERNMENT & ADMINISTRATION COMMITTEE**

<b>Introduction (All Subcommittees)</b>	
Final Reports - Introduction .....	42
<b>Subcommittee on General Services</b> .....	45
<b>Subcommittee on Personnel</b> .....	59
<b>Subcommittee on Government Structure</b>	
Procedures for the Board of Supervisors in Responding to Grand Jury Final Reports .....	74
Communication of Board of Supervisors' Directives .....	89
<b>Report Replying to Responses</b>	
Report Replying to Responses of Board of Supervisors to Dated Final Reports of October 4, 2001, October 10, 2001, January 16, 2002 and January 23, 2002 .....	92
Exhibit – Response to Report Dated October 4, 2001	
Exhibit – Response to Report Dated January 16, 2002	
Exhibit – Response to Report Dated January 23, 2002	
Exhibit – Report Dated October 10, 2001	

## **MENTAL HEALTH COMMITTEE**

<b>Department of Mental Health</b> .....	99
--	----

## **PUBLIC SCHOOL BUILDINGS & GROUNDS COMMITTEE**

<b>Inspection of Public Schools</b> .....	114
---	-----

## **SOCIAL SERVICES COMMITTEE**

<b>Department of Social Service</b> .....	118
<b>Independent Management Audit</b> .....	131
Exhibit – Harvey Rose Accountancy Audit	

**SPECIAL DISTRICTS COMMITTEE**

**Cameron Estates Community Services District** ..... 132  
    Citizen Complaint #01/02-C-003

**Golden West Community Services District** ..... 135  
    Citizen Complaints #01/02-C-020 and #01/02-C-024

**APPENDIX A**

**Instructions to Respondents** ..... 141

**EL DORADO COUNTY GRAND JURY  
2001-2002**

**RESOLUTION**

*WHEREAS*, the EL DORADO COUNTY GRAND JURY has conducted investigations and has arrived at certain findings and recommendations; and

*WHEREAS*, the EL DORADO COUNTY GRAND JURY desires to make its final report thereon;

*RESOLVED*, by the EL DORADO COUNTY GRAND JURY that the attached report be, and hereby is, adopted as the final report and conclusions of the EL DORADO COUNTY GRAND JURY, 2001/2002.

*PASSED AND ADOPTED* at the meeting of the EL DORADO COUNTY GRAND JURY this twelfth day of June, Two Thousand and Two.

MICHAEL DAY  
Foreman

**EL DORADO COUNTY GRAND JURY**  
**P.O. Box 472**  
**Placerville, CA 95667**

June 2002

Honorable Eddie T. Keller  
Grand Jury Supervising Judge  
Superior Court of El Dorado County  
495 Main Street  
Placerville, CA 95667

Dear Judge Keller:

I am pleased and honored to submit, to you, the Final Report of the 2001/2002 El Dorado County Grand Jury. The nineteen members of this Grand Jury have worked long and hard hours to compile this report. We, as panel members, spent considerable effort and energy in the pursuit of satisfying and surpassing our legal and moral obligation.

The Grand Jury was comprised of volunteer citizens of our county who chose to donate a substantial portion of this past year (July 1, 2001-June 30, 2002) to the residents of El Dorado County for the betterment of local government. It was a learning process for us all. Our service was, at times, exhausting and fatiguing and at other times it tested our level of patience. It was at all times, however, rewarding and exhilarating. Our various backgrounds, expertise and personalities melded into a common bond, which allowed us to seek and achieve our goals for the year.

This report reflects the major investigations undertaken by this Grand Jury. It does not, however, consider the entire scope of work and effort put forth by this panel. Many hours were devoted to investigation, research and testimony of other available remedies, insufficient evidence, existing or pending litigation, etc.

As Foreman of the 2001/2002 Grand Jury, I am thankful and grateful to have served the citizens of El Dorado County. I especially enjoyed the privilege of serving with eighteen extremely dedicated and devoted members of this panel. They are now my friends!

Sincerely,

Michael Day, Foreman  
2001/2002 El Dorado County Grand Jury

**THE SUPERIOR COURT  
STATE OF CALIFORNIA  
COUNTY OF EI DORADO  
495 MAIN STREET  
PLACERVILLE, CA 95667**

June 2002

Dear Grand Jury Members:

It has been my personal pleasure to have served as your Supervising Judge during the 2001/2002 term of the Grand Jury. I hope that my efforts on your behalf have been of service to you.

All the judges in this county appreciate the dedication of good citizens like yourselves. You have spent countless hours examining the operation of local government in order to make it better. The investigations that you have conducted and the reports that you have issued cover a wide range of topics, demonstrate keen insights, and offer helpful suggestions for improvements. Your efforts reaffirm the vital democratic principles that government must be open to public scrutiny and effectively serve the interests of its citizens.

I wish to express deep appreciation to Mr. Michael day, the Foreperson of this year's Grand Jury. I have had frequent contact with him during the year and enjoyed working with him. He has outstanding leadership abilities and has worked tirelessly to accomplish the objectives of the Grand Jury. Well done, Michael!

Sincerely,

EDDIE T. KELLER  
Judge of the Superior Court

ETK:hw



## PICTURE

**EL DORADO COUNTY GRAND JURY**

**2001/2002**

**Honorable Eddie T. Keller, Supervising Judge**

**Bobbi Arkus  
Hank Barbachano  
Jane Marie Black  
Steve Carlson, Sergeant-at-Arms  
Michael Day, Foreman  
Bob Doran  
Jim Estelle  
Dick Flachbart  
Jane Fraim, Recording Secretary  
JoAnn Hamiel  
Tim Howell  
Bob Isaacs  
Patricia Kriz  
DeLisa Nelson  
Dick Nichols  
Scott Nielsen, Pro Tempore  
Barbara Palm  
Mel Sheets  
Norma Woodward**

