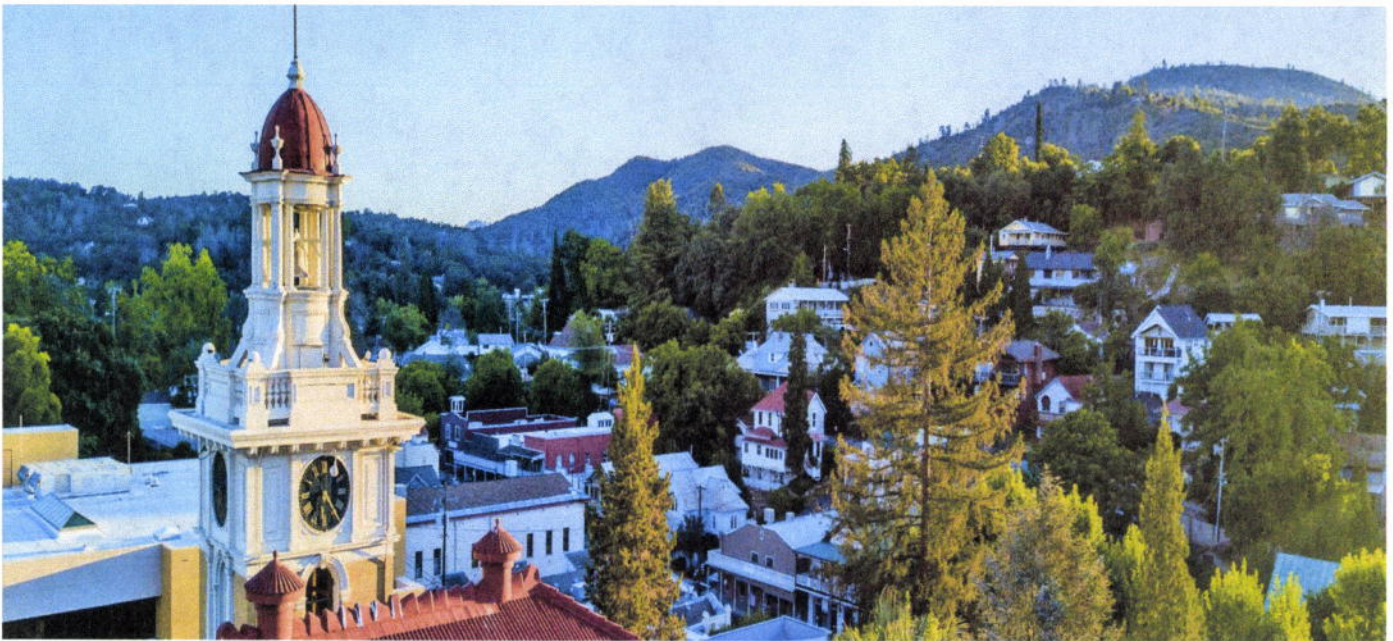


2024-2025 TUOLUMNE COUNTY CIVIL GRAND JURY

A Compliance Report of the 2023 -2024 Tuolumne County Civil Grand Jury Investigative Reports

April 21, 2025



SUMMARY

In July of each year a new Tuolumne County Civil Grand Jury (Grand Jury) is seated by the presiding judge of the Tuolumne County Superior Court and tasked with investigating issues affecting Tuolumne County and its government during its term. By the end of the term, the Grand Jury has performed investigations and published reports with its findings and recommendations.

Governing boards of local government entities and elected county officials are required to respond to the findings and recommendations in the reports that the Grand Jury directs to them. The responses must be submitted in writing to the presiding judge of the Superior Court within a given timeframe and must include legally mandated wording. Because many of these responses are not due until after the term of the reporting Grand Jury has ended, the next Grand Jury is responsible for receiving the responses and confirming their compliance with the applicable laws. This report does not address or comment on the merit or wisdom of any disagreements or opinions expressed by any respondent to last year's reports, but merely upon whether the responses complied with legal requirements.

This year's Grand Jury reviewed the level of compliance from the required respondents to the five 2023-2024 Grand Jury reports that were issued. Nine responses were required to the five reports. Six of those responses were not submitted to the courts within the specified timeframe. In addition, one response, although received within the mandated timeframe, did not include the legally mandated wording for two of the reports' recommendations.

The 2023-2024 Grand Jury reports and their responses are publicly available and can be found at www.tuolumne.courts.ca.gov/general-information/grand-jury.

BACKGROUND

County governing boards and elected officials are required to submit a written response to a Grand Jury report. Elected officials are required to respond within 60 days of receiving the Grand Jury report, and governing boards must submit their responses within 90 days of receiving the report. Responses are to be submitted to the Superior Court's presiding Judge.

For each finding, respondents must either agree or disagree. If the respondent disagrees, they must explain what part of the finding they disagree with and explain their reasons for the disagreement.

For each recommendation, respondents must choose one of the following four responses under Penal Code section 933.05(b)(1)-(4):

- 1) That the recommendation has been implemented, with a summary of actions taken; or
- 2) That it will be implemented within a specified timeframe; or
- 3) That the recommendation needs further analysis, with an explanation, the scope of the analysis, and the timeframe (not to exceed six months from issuance of the report) as to when the response will be considered by the respondent; or
- 4) That the recommendation will not be implemented because it is not warranted or not reasonable, with an explanation.

METHODOLOGY

California Penal Code sections 914, 933 and 933.05 were studied relevant to Grand Jury reports, responses, findings and recommendations.

The 2023-2024 Tuolumne County Grand Jury reports were reviewed to establish who was required to respond and by what timeframe.

The responses to the 2023-2024 Tuolumne County Grand Jury reports were reviewed to confirm whether each had been received within the mandated timeframe, and whether the wording was in compliance with California Penal Code section 933.

In the cases where the mandated response deadlines have passed, the agencies whose responses had not been received within the specified timeframe were contacted regarding their responses.

DISCUSSION

The 2023-2024 Tuolumne County Grand Jury issued five investigative reports which are named and numbered below to facilitate this discussion:

TUOLUMNE COUNTY JAIL AND DETENTION CENTER

TUOLUMNE COUNTY 911: Sheriff's Dispatch Center

COUNTY SERVICE AREAS (CSAs) IN TUOLUMNE COUNTY –

Road Maintenance in Subdivisions

TUOLUMNE COUNTY LOCAL AGENCY FORMATION COMMISSION (LAFCO)

TUOLUMNE COUNTY TRANSIT AGENCY

Report 1) had two required respondents as follows:

Tuolumne County Sheriff was required to respond within 60 days of receiving the report. Tuolumne County Board of Supervisors was required to respond within 90 days of receipt. No responses were received within the mandated timeframe by either respondent.

Report 2) had two required respondents as follows:

Tuolumne County Sheriff was required to respond within 60 days of receiving the report. Tuolumne County Board of Supervisors was required to respond within 90 days of receipt. No responses were received within the mandated timeframe by either respondent.

Report 3) had two required respondents as follows:

Tuolumne County Local Agency Formation Commission (LAFCO) was required to respond within 90 days of receipt of the report and is commended for submitting their response within the mandated timeframe and responding to the Findings and Recommendations within full compliance with Penal Code section 933(b).

Tuolumne County Board of Supervisors was required to respond within 90 days of receipt of the report.

No response was received from the Board of Supervisors within the mandated timeframe.

Report 4) had two required respondents as follows:

Tuolumne County Local Agency Formation Commission (LAFCO) was required to respond within 90 days of receipt of the report and is commended for submitting their response within the mandated timeframe and responding to the Findings and Recommendations within full compliance with Penal Code section 933(b).

Tuolumne County Board of Supervisors was required to respond within 90 days of receipt of the report.

No response was received from the Board of Supervisors within the mandated timeframe.

Report 5)

The Tuolumne County Transit Agency (TCTA) Board of Directors was the sole agency required to submit a response to Report 5 and did so within the mandated timeframe. Further, TCTA's response acknowledged all Findings and Recommendations in accordance with Penal Code section 933 (b) except that the responses to Recommendations R2 and R6 did not specify a timeframe for implementation.

FINDINGS

F1. The Tuolumne County Board of Supervisors and the Tuolumne County Sheriff issued a joint response to the report entitled “Dambacher Detention Center and Mother Lode Regional Juvenile Detention Facility” within the 60-day timeframe mandated for elected officials (Sheriff), however the response was improperly addressed and not delivered to the court in accordance with the instructions given to each of the entities when they were given the Grand Jury report naming them as required respondents. Although the responses have since been delivered to the court, they were not received within 60 days (Sheriff), nor within 90 days (Board of Supervisors), of receiving the Grand Jury report, thus violating Penal Code section 933.

F2. The Tuolumne County Board of Supervisors and the Tuolumne County Sheriff issued a joint response to the report entitled “Tuolumne County 911: Sheriff’s Dispatch Center” within the 60-day timeframe mandated for elected officials (Sheriff), however the response was improperly addressed and not delivered to the court in accordance with the instructions given to each of the entities when they were given the Grand Jury report naming them as required respondents. Although the responses have since been delivered to the court, they were not received within 60 days (Sheriff), nor within 90 days (Board of Supervisors). of receiving the Grand Jury report, thus violating Penal Code section 933.

F3. The Tuolumne County Board of Supervisors issued a response to the report entitled “Tuolumne County Local Agency Formation Commission (LAFCO)” within the 90-day timeframe mandated for a governing body, however the response was not delivered to the court in accordance with the instructions given when the Board of Supervisors was given the Grand Jury report naming them as a required respondent. Although the response has since been delivered to the court, it was not received within 90 days of receiving the Grand Jury report, thus violating Penal Code section 933.

F4. The Tuolumne County Board of Supervisors issued a response to the report entitled “County Services Areas (CSAs)” within the 90-day timeframe mandated for a governing body, however the response was not delivered to the court in accordance with the instructions given when the Board of Supervisors was given the Grand Jury report naming them as a required respondent. Although the response has since been delivered to the court, it was not received within 90 days of receiving the Grand Jury report, thus violating Penal Code section 933.

F5. The Tuolumne County Transit Agency Board of Directors failed to provide a timeframe for implementation of recommendation R2 in the report entitled "Tuolumne County Transit Agency", thus violating Penal Code section 933.05(b)(2).

F6. The Tuolumne County Transit Agency Board of Directors failed to provide a timeframe for implementation of recommendation R6 in the report entitled "Tuolumne County Transit Agency", thus violating Penal Code section 933.05(b)(2).

RECOMMENDATIONS

R1. By September 30, 2025, the Tuolumne County Board of Supervisors should establish a protocol confirming that their responses to Grand Jury reports are received by the presiding judge and accepted by the court as compliant with Penal Code section 933.

R2. By July 31, 2025, the Tuolumne County Transit Agency Board of Directors should further respond to the report entitled "Tuolumne County Transit Agency" stating a date by which recommendation R2 will be implemented.

R3. By July 31, 2025, the Tuolumne County Transit Agency Board of Directors should further respond to the report entitled "Tuolumne County Transit Agency" stating a date by which recommendation R6 will be implemented.

REQUIRED RESPONSES

Pursuant to Penal Code section 933.05, the following responses are required:

The Tuolumne County Board of Supervisors is required to respond to **F1, F2, F3, F4** and **R1** within 90 days of receipt of this report.

The Tuolumne County Transit Agency Board of Directors is required to respond to **F5, F6** and **R2** within 90 days of receipt of this report.