

County of **Siskiyou** California

Superior Court of California
County of Siskiyou

SISKIYOU COUNTY CIVIL GRAND JURY
411 Fourth St Yreka, CA 96097

August 30, 2024

Chairperson Michael Kobseff
Siskiyou County Board of Supervisors
c/o County Clerk
311 Fourth Street
Yreka, CA 96097

RECEIVED

AUG 30 2024

SISKIYOU COUNTY
CLERK'S OFFICE

Re: Enclosed Reports: *Jail Overcrowding the County has an Option*

Dear Chairperson Kobseff,

On behalf of the 2023-2024 Siskiyou County Civil Grand Jury, I am providing to you the following report:

Jail Overcrowding the County has an Option

This report will be released to the public on September 6, 2024. The report is being provided to you in advance of their general release pursuant to Penal Code section 933.05, subdivision (f), which provides:

A grand jury shall provide to the affected agency a copy of the portion of the grand jury report relating to that person or entity two working days prior to its public release and after the approval of the presiding judge. No officer, agency, department, or governing body of a public agency shall disclose any contents of the report prior to the public release of the final report.

It is very important that you comply with this confidentiality requirement.

The Penal Code also prescribes the obligations of a governing board or elected official with regard to responding to the grand jury's findings and recommendations. Specifically, if the report contains one or more recommendations directed to you as an elected official, or to the governing board of which you are a member, you must respond to those recommendations and to the supporting findings, as directed in the report.

The time within which to respond is prescribed by subdivision (c) of Penal Code section 933, which states in relevant part:

No later than 90 days after the grand jury submits a final report on the operations of any public agency subject to its reviewing authority, the governing body of the public agency shall comment to the presiding judge of the superior court on the findings and recommendations pertaining to matters under the control of the governing body, and every elected county officer or agency head for which the grand jury has responsibility pursuant to Section 914.1 shall comment within 60 days to the presiding judge of the superior court, with an information copy sent to the board of supervisors, on the findings and recommendations pertaining to matters under the control of that county officer or agency head and any agency or agencies which that officer or agency head supervises or controls. In any city and county, the mayor shall also comment on the findings and recommendations. **All such comments and reports shall forthwith be submitted to the presiding judge of the superior court who impaneled the grand jury.**

The Penal Code also prescribes the content of your responses. Subdivisions (a) through (c) of Penal Code section 933.05 state:

For purposes of subdivision (b) of Section 933, as to **each grand jury finding**, the responding person or entity shall indicate one of the following:

- (1) The respondent agrees with the finding.
- (2) The respondent disagrees wholly or partially with the finding, in which case the response shall specify the portion of the finding that is disputed **and shall include an explanation of the reasons, therefore.**

For purposes of subdivision (b) of Section 933, as to **each grand jury recommendation**, the responding person or entity shall report one of the following:

- (1) The recommendation has been implemented, **with a summary regarding the implemented action.**
- (2) The recommendation has not yet been implemented, but will be implemented in the future, **with a time frame for implementation.**
- (3) The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, **and a time frame for the matter to be prepared for**

discussion by the officer or head of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This time frame shall not exceed six months from the date of publication of the grand jury report.

- (4) The recommendation will not be implemented because it is not warranted or is not reasonable, **with an explanation, therefore.**

However, if a finding or recommendation of the grand jury addresses budgetary or personnel matters of a county agency or department headed by an elected officer, both the department head and the board of supervisors shall respond if requested by the grand jury, but the response to the board of supervisors shall address only those budgetary or personnel matters over which it has some decision-making authority. The response of the elected agency or department head shall address all aspects of the findings or recommendations affecting his or her agency or department.

Please be aware that your responses will be a matter of public record and widely read by both community members and local media. Therefore, it is important that your responses be as clear and specific as possible. A response that is vague, does not provide a clear explanation of any action that will be taken, or that does not include a specific time frame for implementation, is neither helpful nor sufficient. Furthermore, if a response does not comply with the applicable provisions of the California Penal Code, you may be directed by the presiding judge to provide an amended response.

Please send your response addressed to the Honorable Judge JoAnn Bicego, Siskiyou County Superior Court, 411 Fourth St., Yreka, California 96097, with a copy to the Grand Jury, within the time period provided in subdivision (c) of Penal Code section 933 (see above.) The 2023-2024 Siskiyou County Civil Grand Jury's reports, and the responses to them, will be posted in the future on the Siskiyou County website/Grand Jury report page, and in the future Siskiyou County Grand Jury reports.

Thank you for your cooperation in providing a meaningful and timely response.

Sincerely,



C. Kelly Atchley
Foreperson, 2023-2024 Siskiyou County Civil Grand Jury