

**INYO COUNTY JAIL**  
**550 Clay St.**  
**Independence, CA. 93526**

The Inyo County Sheriff's office operates the Inyo County Jail. This facility also houses the Sheriff's main office, clerical staff and communication dispatch central operations. The jail is staffed by deputies, correctional officer's and support staff.

**Background**

A county jail is defined as a locked adult detention facility which holds both non-sentenced and convicted adult criminal offenders. The Inyo County Jail has a bed capacity to house 96 inmates. At the time of the Grand Jury review, 67 inmates of both sexes were being housed. The current bed capacity for female inmates is 16 beds.

**State Bill AB 109**

- A) Reduces the number of prisoners in state prison by releasing prisoners on early parole, and;**
- B) Returns low level felony offenders to county jails in a process called "realignment"**

AB 109 has increased not only the number of inmates in county jails, but also the type of inmates inhabiting county jails. Inmates from state prisons have backgrounds involving more serious crimes and gang affiliations. These inmates create difficulties for the other inmates and correctional officers by changing the environment of a county jail to that of a prison. 21% of the Inyo County jail population are state prison inmates. These inmates are housed in pods more or less separate from the normal population.

**The passing of Proposition 47**

("Criminal Sentences, Misdemeanor Penalties, Initiative Stature")

The summary of Prop 47: "Criminal offenders who commit certain non-serious and non-violent drug and property crimes would be sentenced to reduced penalties (such as shorter terms in jail). State savings resulting from this measure would be used to support school truancy and drop-out prevention, victim services, mental health and drug abuse treatment and other programs designed to keep offenders out of prison and jail".

Fiscal impact: State and County criminal justice savings potentially in the high hundreds of millions of dollars annually. Law enforcement in Inyo County point out that the California citizen is less safe as a result of the above.

## FINDINGS

**F1.** The Inyo County Jail facility was clean and appeared to be very well kept. The landscaping outside the facility is outstanding.

**F2.** As indicated by transferred inmates from the state prison system, the meals provided by the Inyo County Jail are superior in quality to those provided in the state system.

**F3.** The Inyo County Jail now provides meals for the Inyo County Juvenile Center.

**F4.** New computer legal access programs are now in the jail library replacing law books and other legal documentation.

**F5.** Segregation of inmates as to risk classification has helped in making incarceration time safer for both inmates and correctional officers.

Approximately 90% of the violence that occurs within Inyo County Jail is caused by 10% of the population. Inmates with mental health issues are those most often involved in physical confrontation. This past year 6-8 inmates met the mental health classification at Inyo County Jail at any given time.

**F6.** Volunteer programs such as faith based offerings, Alcoholics Anonymous and General Equivalency Diploma are available to inmates. Moral Reconciliation Therapy is provided by Inyo County Health and Human Services personnel.

**F7.** The average incarceration time for local Inyo County inmates is 14 days. The biggest issue is alcoholism with over half of the incarcerations being held, are due to alcohol. Recent records indicate that prison inmates are serving times within a range from 454 days to a high of 505 days in Inyo County Jail.

**F8.** The service belts worn by Sheriff's Deputies and Correctional Officers, with all of their equipment attached, puts stress on their backs, resulting in chronic back problems for some officers.

**F9.** Inyo County encompasses in excess of 10,000 square miles, making it the second largest county in the United States-second only to San Bernardino County. Many times, one deputy is required to protect and serve a very large territory.

**F10.** Over the past years some Inyo County Deputies, after serving as a Sheriff's Deputy, opted to join the Bishop Police Department or the Mammoth Police Department, as both have a better pay scale than the Inyo County Sheriff's Department.

**F11.** With state funding assistance, the Sheriff's department is able to send qualified deputy candidates to Riverside County Sheriff's Academy. This costs upwards of \$50,000 per candidate and involves close to 900 hours of training.

**F12.** An immediate concern involving the Inyo County Sheriff's Department and the Inyo County Health and Human Services Department involves the issue of the response to severe mental illness or severe abuse situations.

These situations require that as promptly as possible, a mental health evaluation be conducted while the subject is still symptomatic and acting out before the symptoms change. A health care professional needs to respond promptly, day or night, not the next morning or after the mental illness episode has worn off or changed, so that the health care professional can see and evaluate the physical condition and mental symptoms the victims and law enforcement were faced with at the time they responded to the episode. We are told that the Welfare and Institutions Code section 5150 episodes are not being attended to until the next day, if the incarceration took place during non-business hours for the health professionals, by which time the symptoms may have dissipated or changed.

**F13.** Gainful fulltime employment and housing opportunities are not easily accessible to former inmates in Inyo County. The same holds true for all unemployed citizens, including recently graduated High School students.

### **RECOMMENDATIONS**

**R1.** The Grand Jury recommends a technological upgrading of the electronic control panel in the Panel in the Pod observation tower of the jail.

**R2.** The Grand Jury recommends consideration be given whereby deputies have the option of wearing vests or belts in carrying the 30+ lbs. of equipment that they are required to carry.

**R3.** The Grand Jury recommends improved coordination between Health and Human Services and the Sheriff's department when addressing mental illness and severe substance abuse cases and responding time by Health and Human Services personnel.

### **COMMENDATION TO THE INYO COUNTY SHERIFF'S DEPARTMENT**

The Grand Jury commends all Inyo County Sheriff's Department personnel from deputies, correctional officer's, clerical staff, support staff and Sheriff for dedication to the work responsibilities required in maintaining an efficient and well maintained jail facility-all on a budget that is deficient commensurate to the work load required.

**RESPONSES REQUIRED**

Pursuant to Penal Code Section 933.05, the grand jury requests responses from the following:

**Inyo County Board of Supervisors**  
**Inyo County Sheriff**

Reports issued by the grand jury do not identify individuals interviewed. Penal Code section 929 requires that reports of 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.



**INYO COUNTY JUVENILE DETENTION FACILITY**  
**201 Mazourka Canyon Road**  
**Independence, CA. 93526**

According to California Penal Code section 919, the Grand Jury is mandated to "inquire into the conditions and management of all public prisons within the County". The Inyo County Juvenile Detention Facility is one of the mandated responsibilities of the 2015-2016 Grand Jury.

**BACKGROUND**

The Inyo County Juvenile Detention Facility is located west of the Inyo County Jail and was built in 1995 for the purpose of detaining juvenile offenders. The Inyo County Probation Department is responsible for the juvenile facility management. Juveniles can be directly released to the custody of their parent(s), or guardians, or if they pose a greater risk to society or themselves, they are held in the detention facility. The state is responsible for providing education, recreation, health assessment, counseling and other intervention services.

**METHODOLOGY**

The Inyo County Grand Jury inspected the Inyo County Juvenile Facility during the month of December 2015. At the facility, the Grand Jury members met with the facility director. The group toured the entire facility and grounds in person.

**DISCUSSION**

The juvenile facility was found to be in good working order, and is staffed with 12 full-time employees and 8 part-time employees, when the inspection took place. Built for a capacity of 17 detainees, on this day five detainees were in custody. The juvenile facility operates with a \$2.2 million dollar budget yearly and approximately \$500,000 is spent for detainee education; yet the average daily population detainee count has been declining in recent years and in some instances, dropped to one minor in custody.

The declining population count prompted the Inyo County Board of Supervisors in late 2015, to begin discussions with the Probation Department to consider a "restructuring" of the juvenile facility. The "restructuring" plan will include the possibility of changing the operational hours of the juvenile facility to a "weekend" facility and an area resource center, to be operated in conjunction with the Inyo County Health and Human Services Department, but staffed by both Probation and Health and Human Services employees.

Detainees were in the classroom at the time of the visit. The classroom, "Keith Bright School" is well supplied and staffed with one lead teacher and one teacher's aide. Both teachers are Bishop Union School District employees.

Detainees go to school daily, Monday-Friday, from 8:15-12 noon with a 30-minute snack break, a lunch period and a physical education period.

School resumes following lunch. Since the last inspection, the Keith Bright School had a total of 20 minors enrolled, with 5 of those minors graduating: a 25% graduation rate for a 1-year period.

Medical needs are attended to by an on-call registered nurse, employed by the Inyo County Health Department. If necessary, detainees are transported to the nearest medical facility. Mental health needs are met by the Inyo County Behavioral Health staff.

Detainees take part in several programs, developed and taught by the juvenile facility staff. Trainings for these programs are provided by the Probation department. These programs include: Boy's Town Skills Model; Interactive Change/KIDS Journaling; Cognitive Behavioral Therapy; Evidence based programs (EPICS); Power Source; Gardening/Composting; Quilting/Crocheting; Arts and Crafts; Music (guitar) lessons, Bike repair; Cooking; Saturday night movie; Life skills (cleaning/laundry/resume building/job interviews/check book balancing).

In addition, programs are also offered by outside community agencies, and include: Toiyabe Native American Talking Circle, Toiyabe Native American ~~Writing Circle~~, Inyo County Mental Health/Behavioral Health services, CPS life skills, Health and Human Services alcohol and other drug counseling services, Narcotics Anonymous, Alcoholics Anonymous meetings and Fish and Wildlife "Trout for the Classroom".

A "commitment" program was begun in 2014, and was facilitated by a collaboration of several Inyo County departmental staff. One Inyo County minor participated in the program, and successfully completed the requirements. This program allowed the minor to remain in Inyo County, near family and work toward a High School diploma, while also building skills necessary to live a productive, healthy lifestyle when released.

Changes in the Juvenile Center since the last inspection includes moving the lead cook from the Juvenile Center to the Inyo County Jail kitchen, eliminating the need for meal preparation on site, and providing a cost savings to the County. Meals for the detainees and the staff come from the jail.

A "restructuring" plan is being developed, not yet implemented, however, "Keith Bright School", in an agreement reached between Inyo County Board of Supervisors, Inyo County CAO and Inyo County Superintendent of Schools, has been closed, effective July 1, 2016. (See additional comments at end of report).

A decline in detainee population count, resulting in a fiscally unsound use of taxpayer funds.

## **FINDINGS**

**F1.** The Juvenile Center Policy and Procedure manual is outdated and needs to be updated.

**F2.** Fire alarm system appears to be in need of updating. While inspected yearly, the system fails to operate properly, especially when humidity is high. The alarm sounds, sometimes for hours at a time.

**F3.** The back-up generator does not always operate when needed and is checked by Inyo County Public Works periodically. The generator needs to work when it is needed, and needs to be replaced or made operable.

**F4.** Per capita cost of detainees stay is \$95 per day for stays under 90 days in length; for stays longer than 90 days, the cost drops to \$75 per day.

**F5.** Occasionally, Mono County minors are detained in the Inyo County Juvenile Facility.

**F6.** Detainee and staff meals are received from the Inyo County Jail kitchens, resulting in a cost savings.

**F7.** "Sally-Port" area is not secure.

## **COMMENDATION**

**C1.** The interior of the facility is very well maintained and very clean. The classroom for the detainees is unsurpassed in its up to date technology, visual aids and overall learning environment, as compared to other public school environments. The teaching staff is to be commended for their daily dedication to student learning.

## **RECOMMENDATIONS**

**R1.** Policy and Procedure manual needs updating

**R2.** Fire alarm system needs updating and possibly a new system installed, using up to date technology. The alarm sounds, often for long periods of time, especially when humidity is high.

**R3.** Back up generator needs repair or a new generator installed. Currently, the generator does not always power the building when electricity fails.

\*Re-structuring plan update: "Keith Bright School" was, as of this writing, to be closed, effective July 1, 2016. Also, the Inyo County Juvenile Center is slated to be operational only as a "weekend" facility, sometime after the July 1, 2016 fiscal year. Detainees will be held Friday afternoon-Monday morning only, or if need be during the week, transported to one of three neighboring counties, contracted with Inyo County for bed space, including a plan to hold a minor in detention during the week, using on-call personnel. An "Area Resource Center" is planned with service delivery to minors and adults, in the Bishop area. Also, as of this writing, layoff of probation personnel was not expected, however several staff have retired or changed employment as a result of the re-structuring plan.

## **REQUEST RESPONSES FROM:**

**Inyo County Board of Supervisors  
Inyo County Superintendent of School**

**BISHOP POLICE DEPARTMENT**  
207 West Line Street  
Bishop, CA. 93514

**BACKGROUND INFORMATION**

The Police Department is the government agency that keeps public order and safety and enforces the laws. The Bishop Police Department was established around 1903, shortly after the incorporation of the City. It moved to its present location approximately 40 years ago.

With a staff of 14 officers, the department has 12 full time sworn peace officers, with 2 out on leave at the time of inspection, including a Lieutenant presiding as Interim Chief, who was subsequently appointed to the position of Police Chief. At present, there are four Reserve Officers, four Public Safety Dispatchers, with one in training.

A police officer's job description involves keeping the community safe, while protecting and serving the 2.2 square miles of Bishop's jurisdiction, as well as providing aid for other law enforcement agencies.

Approximately three years ago, the front lobby was enclosed to protect the officers, staff and dispatchers from potential danger of an open lobby layout. The back offices were rearranged making room for paperwork, interviewing and other police related duties. The Bishop Police Department can only hold adults for a maximum of six hours in a holding cell, after which they must be transported to the Inyo County Jail in Independence or released. Minor's cannot be placed in holding cells, but must be detained in the conference room until released to a parent or guardian or transported to the Juvenile Detention Center in Independence.

**METHODOLOGY**

The interim Police Chief welcomed and introduced the grand jury to the on-duty sergeant and records supervisor who provided information about the facility, background and staff duties. A physical inspection included the conference room, investigation and dispatch areas, two holding cells, evidence room and the secured "Sally Port" and police vehicle parking in the rear of the building.

**DISCUSSION**

The building was clean and well maintained.

The original Police Department and Jail were located at the corner of South Main Street and Lagoon Street. The department moved to its current location at 207 West Line Street into a building that was built around 1946. There is minimal information to the history of the building.

There are five emergency exits with metal doors. A new partition, new wall and thick safety glass have been added to isolate the lobby. The facility has a conference room which doubles as an interview area and storage room. There are two holding cells, a small locker room, a small office area for support staff and a 9-1-1 dispatch room. The small office area for officers and detectives is separated by a large desk with dividing walls for privacy.

In review with staff, the evidence room and limited office space became so crowded that some evidence was relocated to a secured storage space off premises. Some rooms are without egress in case of fire or earthquake.

The Bishop Police Department has a small force and its duties extend beyond the city limits. The 9-1-1 dispatch serves not only the Police Department, but Sheriff, CHP, Fire Department and Paramedics in the Bishop area. The dispatch control panel is determined to be operating satisfactory and is updated every five years.

## **FINDINGS**

- F1.** The Bishop Police Department building is very undersized for its various roles.
- F2.** Dispatch control panel is up to date and is updated every five years.
- F3.** Shift report/Roll call briefing is given upon every shift.
- F4.** Officer duties are chartered monthly on a large display board.

## **RECOMMENDATIONS**

- R1.** Conduct a feasibility study for building expansion or relocation by the end of next fiscal year.

## **COMMENDATIONS**

- C1.** Despite the crowded conditions for staff and limited space facility, the Bishop Police Department has an excellent service history.

## **REQUEST FOR RESPONSES**

**Bishop City Council**

**CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION  
OWENS VALLEY CONSERVATION CAMP #26  
2781 Round Valley Road  
Bishop, CA. 93514**

California Penal Code section 919 stipulates that the Grand Jury is authorized to inquire into the conditions and management of all public prisons within the county. The Owens Valley Conservation Camp #26 (OVCC) is part of the California Department of Corrections and Rehabilitation (CDCR) Camps Program and is the only state prison in Inyo County. The Inyo County Grand Jury inspected the OVCC on December 17, 2015.

### **BACKGROUND**

There are 44 CDCR camps in California. The camp operates in conjunction with the California Department of Forestry (CDF) for the training of these inmates as fire fighting specialists for fighting fire within the State of California.

### **METHODOLOGY**

On-site inspections by the Grand Jury members, not only included inmate eating and sleeping facilities, but a review of CDF camp facilities as well. Resource materials, discussion with staff, a good noon meal and facility tour by staff from both entities were provided to the Grand Jury members.

### **FINDINGS**

- F1.** The Conservation Camp and the CDF facilities are both well run facilities.
- F2.** All inmates assigned to the camp not only have to be on good behavior, but must be physically fit to complete the four-week firefighting training course and be able to put in at least eight hours of work per day.
- F3.** Inmates do all of the maintenance and upkeep of the camp facilities, prepare the meals and cleanup and maintain the cafeteria facility. Some inmates do the laundry service and clerical work. Other inmates maintain fire equipment for CDF while others do metal welding fabrication and wood fabrication projects. Inmates also do work in the community and with their fire fighting skills, are a great asset to the county when fire season is more or less over. Among the beneficiaries of inmate cleanup projects are county parks, Bishop fairgrounds, LADWP ranch lessees and county waste facilities.

**F4.** Years ago when the Owens Valley Conservation Camp was being introduced as becoming a part of Inyo County, there was a great outcry in the community concerning having unlocked inmates in the neighborhood. We now know and are witness to, the great benefit the camp is to our community. The Grand Jury commends the professional staff of both the camp and the CDF present and past, for their dedication and commitment to this incarceration program. The inmates at our Owens Valley Conservation Camp devoted 52,976 man hours to community service in our area during 2015. Imagine what that would have cost our community. The Owens camp inmates put in over 100,000 firefighting hours in our state by the end of November 2015. The three-year recidivism rates of the conservation camp system are the lowest in the prison system, although it is still pretty high at 52.2%.

**F5.** Each inmate in this camp (minimum security program) saves the State of California \$51,000 per year in comparison to lockdown incarceration. There were 95 inmates at the facility on the date of inspection. Current fire crews are made up of 12-17 inmates each and are all bunked in the same barracks. There are currently 5 trained fire crews at the camp.

**F6.** The Owens Valley Camp and the CDF are to be commended for their assistance in fire protection for all unincorporated communities in the county.

#### **COMMENDATION**

**C1.** The O.V.C.C. for being a highly cost efficient and well-maintained facility, that provides many services of benefit to Inyo County and the State of California.

#### **REQUEST FOR RESPONSES**

California Department of Corrections and Rehabilitation, Owens Valley Camp #26

## **CITIZEN SEEKING LAW ENFORCEMENT PROTECTION**

### **INTRODUCTION**

Investigation into the process involved should a citizen enter the Bishop Police Department lobby seeking personal protection.

### **DISCUSSION**

A concern came before the grand jury regarding the process by which law enforcement administer a situation whereby an individual enters the lobby of the Bishop Police Department seeking personal protection.

### **FINDINGS**

1. There exists a verbal policy, understood by Bishop Police Officers and policy dispatchers, for providing assistance to a citizen seeking personal law enforcement protection. The dispatchers receive months of in house training as well as a 116 hour Public Safety Dispatcher course and two other 8 hour courses. One of the dispatchers has also completed another 400 hours of instruction at Cerro Coso College in police training in addition to the above.
2. There exists a process by which police personnel receive updated training, both physical and technological in the office and on patrol, in addressing law enforcement protection.
3. There exists audio and video in the Bishop Police Department lobby, though this technological equipment is badly in need of updating. Presently, there are about 12 cameras in the station but only 5 sound microphones with no recording microphone in the lobby. The sound recordings of conversations of citizens in the lobby are difficult or impossible to hear. The sound recordings in other areas of the jail leave much to be desired leaving both the citizens and the police in danger of false accusations. The recordings in the police station are kept for at least a year and longer if any charges are still pending or if the matter is still under investigation or if a serious crime such as murder or rape is involved.
4. All Bishop police officers while on duty wear on their person audio-video equipment (body cams) and use this technology when needed. Data from this technology is downloaded following every shift and stored for a prescribed period of time should further investigation be required. Storage of these recordings on the Cloud costs about \$800.00 per month, which is a strain on the current police budget.
5. A follow-up on the Bishop Police Department lobby audio-video showed that interactions are now being periodically spot checked by the head dispatcher to assure that policy procedures are being consistently adhered to.
6. As a part of the process policy a determination is made as to which law enforcement agency has the authority to handle the situation.
7. A determination is made by law enforcement as to whether the individual seeking protection is actually afraid of a threat or is in immediate danger of receiving bodily harm. The citizen will make the danger verification and is the key as to how law enforcement responds in providing protection.

8. There is immediate protective service available to citizens. Wild Iris family counseling and crisis center is an example of such protective service. It is the decision of the citizen expressing the need of such service who will ultimately decide whether or not to use it.

9. It is not uncommon for law enforcement to receive a citizen request for protection and upon further investigation the request is found to be unmerited. All requests for personal protection are taken seriously and prescribed policy is followed in addressing such requests.

#### **METHODOLOGY**

- Interviews with officers and citizenry
- Visits to the Bishop Police Department
- Audio-video reviews

#### **RECOMMENDATIONS**

- Update and expand audio-video technology in the Bishop Police Department lobby and the entire facility. Be sure that all reports from citizens given at the lobby windows are audibly recorded. Use a camera which shows the facial expressions of the reporting citizen.
- Address any breakdown of protection policy to entire department if observed in follow-up by head dispatcher.
- The grand jury recommends the Police Department review length of time that all audio-video records are retained and that the police budget is adjusted to meet these needs.

#### **COMMENDATION TO THE BISHOP POLICE DEPARTMENT**

- A protective services procedure policy does exist and has long existed at the Bishop Police Department. This policy includes process, updated training and evaluation of the process
- An obvious commitment to serve and protect citizens is evidenced at the Bishop Police Department.
- The grand jury extends thanks to all law enforcement personnel and staff in the Owens Valley for their individual dedication in serving and protecting the public.

#### **RESPONSE REQUESTED**

Bishop City Council

## ADDENDUM

Early this year there was an incident which caused concern among many citizens

**It was rumored that a person came into the police station lobby expressing immediate fear for her life and that she was sent away from the station with only the phone number of another agency to seek further help.**

Interviews and review of the audio-video recordings show that that person did not clearly state immediate fear for her life to the police (although she did to other people). The citizen was given information about the availability of extra patrols in the area of her residence and the number of the Sheriff to ask for such services. She was also told of the availability of a Court Restraining Order. She did not call the Sheriff.

Later that same evening, some sort of incident did befall the citizen in which she sustained injury. She refused to call the Sheriff when the incident happened. There is conflicting information about exactly what did happen and there is no one available to tell the alleged victim's side of the story. Any statements the victim made are inadmissible here-say since they are not subject to cross examination in a court of law.

Rumors that the alleged assailant confessed to beating the citizen are not true.

The citizen died a few days later.

An autopsy was conducted by an independent pathologist in another county. The pathologist was thoroughly briefed of the alleged head trauma said to have occurred just a few days before the death and special care was taken with regard to possible head injuries. Nonetheless, the authorities here have been told that the autopsy shows that alleged trauma due to an alleged beating was not a cause of the death and that the citizen died of unrelated natural causes.

Under all circumstances known at the present time, any criticism of local authorities for not criminally prosecuting the alleged assailant is unjustified.

## INVESTIGATION OF THE NORTHERN INYO HOSPITAL CONCERNS

### SUMMARY

The Inyo County Grand Jury (ICGJ) investigated a series of concerns regarding the functioning and administration of the Northern Inyo Hospital (NIH).

The concerns were in regards to conduct by the former CEO, the hospital board, use of funds and professional as well as non-professional staff morale. In addition, there were concerns dealing with staff turnover in the NIH District.

### TOOLS USED

The ICGJ used the following tools to collect information pertinent to the above issues:

- Direct interviews with staff
- Questionnaires to board members
- Articles published in the Inyo Register
- Interviews with Medical Doctors no longer employed by NIH
- Interviews with citizens of the local community

### FINDINGS

1. The NIH District Board of Directors (BOD), an elected body, experiences very little training in dealing with its responsibilities to the hospital district and the hospital staff.
2. The Board of Directors had little control over their CEO and would not consider concerns of NIH staff or Medical Doctors. In addition, the BOD was unresponsive to citizen concerns and unprepared for dealing with issues at the hospital.
3. The members of the BOD of NIH indicated a lack of understanding as to their role and responsibility and their role in dealing with the hospital, its staff and citizen concerns. Only one of the board members showed any signs of knowledge of what the responsibilities might be.
4. Many hospital staff, past Medical Doctors and local citizens, felt that the former CEO handled their concerns, as well as them personally in a very unprofessional manner and with disdain.
5. The former CEO's style when dealing with people and their concerns was to use intimidation and fear. Two specific examples of this were:
  - A) Meeting with the Medical Doctors and indicating that they were breaking the law with their contracts, when indeed it was the hospital that might have been in breach of the law.

- B) The CEO contacted a local citizen's employer indicating that the CEO was concerned that the employee might have access to the CEO's personal information that was in the employer's possession.
6. The NIH District's BOD and the CEO's behavior contributed to the loss of a Medical Doctor whose specialty is so rare that it may be irreplaceable for years or decades to come in this valley.
  7. Staff turnover was 4x greater in the 18 months the former CEO was at the NIH than, in the five years prior to her being there.
  8. A variety of sources were, and continue to be, greatly concerned with the lack of (or declining) morale within the hospital. This has been a major reason why doctors and nurses have left employment of the hospital.
  9. The NIH BOD often appeared to use the Brown Act to shield itself from local citizen and staff concerns. The NIH Board declined to heed multiple citizen and staff concerns over agendaizing Grievance Policy and Medical Leave Policy as an example.
  10. The Nursing staff found itself in the position of having to unionize in order to protect themselves from the former CEO and be able to express their concerns with the BOD.
  11. Concerns were expressed that financial stewardship of the hospital was placed directly in the hands of the CEO with little oversight and accountability from the BOD.
  12. Doctors and citizens expressed concern about a shift away from the community oriented focus of the hospital to a more institutional focus. This is exemplified by comparing the new mission statement to the old one.
    - A. Old statement: "People you know, Caring for People you Love"
    - B. "Improving our communities, one life at a time.  
One Team. One Goal. Your Health."
  13. After numerous complaints about the former CEO, the NIH BOD took action by terminating the contract with the CEO.
  14. Concerns with morale and the practice of the use of traveling nurses to fill positions vacated by local nursing staff and Medical Doctors have not abated. Examples of these continuing concerns include a local nursing union demonstration and Medical Doctors continuing to leave the area and NIH.
  15. The NIH BOD has appointed a new board member from the community to replace a retiring member. The new member's training involved approximately two weeks dealing with budgetary issues.

## **RECOMMENDATIONS**

1. The NIH District is in need of a hospital BOD that is properly trained to conduct the duties and responsibilities associated with managing a community based hospital.
2. Training for the NIH District BOD should be on-going.
3. This training should include the proper vetting of the CEO position in order to provide the community with a skilled and trained administrator that understands the needs of a community based hospital
4. The NIH administration should deal with its staff, the Medical Doctors and the community in a more fair, appropriate and responsive fashion.
5. The BOD and the CEO need to provide greater transparency to the public concerning budgeting and financial accountability.
6. The BOD needs to work with the CEO to develop a plan to improve morale within the hospital.
7. The BOD and CEO need to improve communication with employees of the hospital and the community.
8. The BOD and CEO need to actively seek input from hospital staff, as well as the public concerning the focus and mission of the hospital.

## **STATEMENT ON COMMUNITY INVOLVEMENT**

The local community should strongly encourage candidates to run for the NIH district BOD who understand the role the hospital plays as a community based institution.

## **RESPONSE REQUESTED**

Board of Directors of the Northern Inyo Healthcare District

## CARTAGO/CG ROXANE

### SUMMARY

The Inyo County Grand Jury was contacted by citizens concerned about toxic substances being released into the environment by CG Roxane at the Olancho/Cartago bottling plant.

### METHODOLOGY

Inyo County Grand Jury interviewed and requested documentation from Inyo County staff. Interviewed and requested documentation from Cartago Mutual Water Company. Attended informational meeting led by CG Roxane, Inyo County staff and Lahontan Regional Water Quality Control Board (LRWQCB), discussing arsenic and toxic substance pollution and steps being taken to remediate the arsenic and toxic substances in the aquifer and surrounding environment.

### FINDINGS

1. Inyo County issued original Conditional Use Permit in 1980
2. CG Roxane constructed an Arsenic Pond in 2003
3. The arsenic pond was constructed to handle arsenic waste extracted from the water to meet FDA requirements for bottled water
4. Inyo County admitted issuing a grading permit for the pond but doesn't have a copy of the permit
5. The grading permit should have triggered CEQA/EIR due to the arsenic pond's potential for impacts to the environment
6. Inyo County did not require CEQA/EIR at this time
7. CG Roxane did not obtain Hazardous Waste Discharge permits for the pond from the Department of Toxic Substances
8. CG Roxane did not obtain or provide a plan for Water Quality Monitoring from Lahontan Regional Water Quality Control Board which is required for waste discharge
9. CG Roxane violated California Health and Safety Codes and was issued a summary of violations from the Department of Toxic Substances
10. The arsenic pond liner failed and arsenic was released into the aquifer and surrounding soils over a period of years
11. Cartago Mutual Water Company (Cartago MWC) was concerned that it's well would be contaminated by the illegal arsenic discharge
12. Cartago MWC brought the arsenic issue/illegal discharge to Inyo County staff during EIR process in 2011 for expansion of it's existing facility
13. Inyo County staff were not responsive to Cartago MWC
14. Cartago MWC consultant requested permit review from LRWQCB in 2012

15. LRWQCB had not issued any permits for Crystal Geyser's arsenic extraction process and discharge.
16. Cartago MWC informed Inyo County staff of lack of permitting for the arsenic pond
17. LRWQCB followed up with CG Roxane to remove the arsenic pond with specific guidelines for the removal.
18. CG Roxane did not comply with guidelines of LRWQCB in removing arsenic pond in providing a plan to the Department of Toxic Substances
19. Inyo County was not responsive to citizen concerns until LRWQCB got involved
20. Inyo County left no options for the residents of Cartago MWC but to file a law suit to protect their drinking water and surrounding environment.
21. CG Roxane filed a counter suit against Cartago MWC this year

## **DISCUSSION**

After interviews and data collection, the grand jury remains deeply concerned as to the length of time that elapsed before Inyo County responded to Cartago Mutual Water Company and Cartago residents' concerns. Over 2 years elapsed before Inyo County took action. If not for Cartago MWC going to LRWQCB for assistance in addressing the arsenic contamination, it is apparent Inyo County would not have pursued a remedy to the contamination. Also, CG Roxane's lack of proper operational permitting indicates a lack of concern for rules and regulations. As a business, CG Roxane should be aware of the rules and regulations required for a water bottling company with multiple facilities.

## **RECOMMENDATIONS**

1. Inyo County needs to review the Conditional Use Permits and develop a policy to review permits that have a potential for impacts.
2. Inyo County needs to be responsive to its citizen's concerns
3. Inyo County needs to ensure that CG Roxane follows all rules and regulations in its operations
4. Inyo County needs to give assistance to Cartago MWC in its lawsuit against CG Roxane
5. Inyo County needs to be held accountable for its inaction
6. CG Roxane needs to be held accountable for its actions

## **COMMENDATIONS**

Cartago Mutual Water Company and the adjoining citizens worked collectively and resolutely to insure that arsenic and other toxic substances were brought to the public's attention.

## **RESPONSE REQUESTED**

Inyo County Board of Supervisors