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HEATHER FOSTER
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SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF SIERRA

In the Matter of
2022 Sierra County Grand Jury

MINUTE ORDER

HONORABLE CHARLES H. ERVIN, JUDGE PRESIDING

The County Clerk is hereby directed to file the **Sierra County Grand Jury 2022 Final Report**, attached hereto.

I **HEREBY CERTIFY** the foregoing to be a full, true and correct copy of an order entered on the minutes of said Superior Court of the State of California, County of Sierra, this 27th day of December 2022.

ATTEST my hand and seal of the Superior Court of the State of California, County of Sierra, this 27th day of December 2022.

SIERRA SUPERIOR COURT
BY: [Signature] Clerk

cc: Heather Foster
Sierra County Clerk
Courthouse
Downieville, CA 95936

**A
Report to the
People
Of
Sierra County,
California**



From
The 2022
Sierra County
Grand Jury

Members of the 2022 Grand Jury

Carrie Blakley (Foreperson) of Downieville, California

Nina Tucker (Pro Tem) of Loyalton, California

Allison Gunier (Secretary) of Loyalton, California

Davey Scott (Communications Officer) of Sierra City, California

Don Yegge of Sierra Brooks, California

Jim Kelley of Loyalton, California

Susan Kelley of Loyalton, California

Tony Tucker of Loyalton, California

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INTRODUCTION TO THE 2022 SIERRA COUNTY GRAND JURY REPORT

Even though the Constitution of the United States originally contained no reference to a grand jury, the Fifth Amendment to that founding document states, in part:

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a grand jury...

In California, Article I, Section 23 of the state constitution mandates:

One or more grand juries shall be drawn and summoned at least once a year in each county.

It is based on these mandates, and on our individual and collective conviction that a grand jury, acting morally and ethically under the law, serves the people of Sierra County as a much needed and honorable agency of oversight of government, that we undertook our work throughout this year.

As you will note in this report, this Grand Jury interacted with several people in a variety of capacities. We here express our gratitude to each of these persons for their willingness to work with the Grand Jury, and for the input they gave to our various investigations and quests for information and knowledge.

Additionally, we express our gratitude to those persons who trusted the grand jury process enough to lay complaints before us, believing that we would honor their confidentiality and their grievances. It is our hope that each of these persons feels that the Grand Jury treated their complaints with respect and honest effort.

Finally, we express our gratitude to the people of Sierra County for the opportunity to serve them as members of this Grand Jury. It has been a humbling experience to take up the responsibility laid before us. It is our hope that the members of the Sierra County community feel that they have been well-served by this Grand Jury and we encourage those who are able to do so to consider serving on a Grand Jury in the future.

CHAPTER 1: COUNTY GOVERNMENT

The California Penal Code (§925) states (in relevant parts):

The grand jury shall investigate and report on the operations, accounts, and records of the officers, department, or functions, of the county. The investigations may be conducted on some selective basis each year.

This Grand Jury understands that mandate to mean that its responsibility entails evaluating and reporting on the "regular" functioning of county departments and officers, as well as investigating and reporting on any extraordinary circumstances within county departments or involving county officers.

To this end, this Grand Jury invited the heads of several county departments to share with the Grand Jury the normal operations of their respective departments. These were not investigations into these departments, but merely an opportunity for the members of the Grand Jury to learn how the county government operates on an everyday basis.

This Grand Jury chose to investigate the county's response to the COVID pandemic that became a major issue in Sierra County, as well as the rest of the country and world, in early 2020, and throughout 2021. This investigation took the form of interviews with representatives from county agencies, as well as readily available documentation on the Sierra County Website and the Center for Disease Control and Prevention (CDC) Website.

SECTION 1.1: DEPARTMENTAL ORIENTATION

In order to educate itself as to the normal functioning of Sierra County government, this Grand Jury invited the heads of several departments to make presentations to the Grand Jury about the workings of their various departments. These presentations included information regarding staffing, finances, operations, practices, and policies that direct the functioning of their departments.

The departments and department heads involved in this orientation process were:

- Clerk-Recorder's Office: Heather Foster, Clerk-Recorder and Registrar of Voters
- Planning and Building Department: Tim Beals, Director of Planning and Building
- Public Works Department: Tim Beals, Public Works, Roads, and Transportation Director
- Sierra County Sheriff's Office: Mike Fisher, Sheriff

The Grand Jury expresses its gratitude to each of these persons for taking the time to meet with the Grand Jury, and for helping to orient the Grand Jury as to the normal functioning of government in Sierra County.

SECTION 2: COVID RESPONSE

COVID-19 first appeared in Sierra County in May 2020. As of December 8, 2022, Sierra County has had a total of 760 cases with six deaths. According to the CDC, the total cases of COVID in the United States as of December 8, 2022 is 99,241,649 with 1,080,472 deaths. Total updated booster doses of persons five years of age and older is 42,017,288. As the numbers across the country and the world were staggering at times, it was imperative that Sierra County in conjunction with the Office of Emergency Services (OES), bravely tackled the pandemic head on to protect our citizens.

When COVID-19 first arose, the way the county and its agencies dealt with everything had to be re-evaluated to protect the citizens.

- The Sierra County Sheriff's Office (SCSO) handled calls a little differently including citations and temporary release when warranted to minimize inmates in close proximity to one another in the jail. Deputies followed protocols including masks, distancing when possible and testing. When many of the officers contracted COVID, others filled the duties by working overtime to ensure there was not a shortfall within the department.
- The SCSO implemented mandatory COVID precautions including the use of N95 masks, rubber gloves and eye protection. If a situation arose with an uncooperative person who were spitting, spit masks were used and, if necessary, netting. Hand sanitizer was a standard and was used to minimize the risk of COVID, refraining from alcohol-based hand sanitizer for alcohol-related cases as it absorbs into the skin. In those cases, soap and water were used.
- The Sierra County Health Department (SCHD) followed the CDC guidelines and administered mandates and issued quarantine orders to citizens that either tested positive for COVID-19 or were in the same household. Although quarantine orders were issued and masks were mandated, the SCSO did not enforce the orders. They were available to serve paperwork but did not police any orders or mandates on the communities or their citizens.
- As soon as available, the SCHD offered and encouraged its citizens, especially those at risk, to vaccinate against COVID-19 and set up drive-up COVID-19 testing facilities.
- There was much controversy in the community over the mandate of masks and the possibility of mandated vaccination. The SCHD continued to follow CDC guidelines.
- There were strange changes to tourism in Sierra County during the pandemic. As travel bans increased in the larger cities, tourism increased in Sierra County. People wanted to get away and many chose to avoid the threat of COVID by visiting smaller, less populated communities such as those found in Sierra County. We saw an increase in car clubs and off-road recreation. With that there was an increase in car crashes, accidents and hospital visits. By 2022 things settled down. The increase in visitors ended up not being a burden on our resources but it was something that had to be taken into consideration for contingency planning.
- Fortunately for our county, we received approximately \$560,000 in COVID Relief Funds (CARES Act), which paid for a large portion of the Sheriff's personnel and two new vehicles.

Findings

F1.2.1 The Sierra County Health Department, in conjunction with the Sierra County Sheriff's Office and the Office of Emergency Services were not prepared for a pandemic, such as COVID-19 that first surfaced in May 2020, nor was the rest of the state, country or world.

F1.2.2 The Sierra County Health Department, the Sierra County Sheriff's Office and the Offices of Emergency Services acted quickly to protect the citizens of this county.

F1.2.3 Due to the quick response by Sierra County officials, to the pandemic, the effects of COVID-19 were minimized, and Sierra County had the lowest death rate per capita.