



LAKE COUNTY SHERIFF'S OFFICE

1220 Martin Street • P.O. Box 489 • Lakeport, California 95453

Administration
(707) 262-4200

Central Dispatch
(707) 263-2690

Coroner
(707) 262-4215

Corrections
(707) 262-4240

Patrol/Investigations
(707) 262-4200

Brian L. Martin
Sheriff/Coroner

August 10, 2020

Honorable Michael S. Lunas
Presiding Judge
Lake County Superior Courts
255 N. Forbes Street
Lakeport, CA 95453

To the Honorable Judge Michael S. Lunas,

I am writing this letter in accordance with Penal Code Section 933.05 as a response to the June 20th, 2020 final report from the Lake County Civil Grand Jury. I want to thank the Court for its role in facilitating this process, and to express my gratitude and appreciation for the Grand Jurors who dedicated many hours to provide this important service to our community. I welcome the opportunity to have oversight and feedback regarding the Sheriff's Office operations. My dedicated staff and I constantly strive to improve the professional services provided by this agency to the people of Lake County.

I had multiple interactions with members of the Grand Jury during the previous year, to include a formal interview with multiple members, exchanges of numerous emails, and various interactions with members of the Grand Jury during public events. The commitment of this Grand Jury was evident in their efforts to investigate and report on governmental activities. I appreciate their efforts, and commend their service.

In response to the 2019-2020 Grand Jury Report, the Lake County Sheriff's Office respectfully submits the following responses:

Name or Report: PSPS-5 Days in October

Finding or Recommendations #: R1. Establish a Public Information Officer (PIO) within the OES to improve communication. (F1)
AGREE, has been implemented.

Finding or Recommendations #: R2. A PIO could assist neighborhoods, Home Owner's Associations (HOA's), service organizations, and the general public to prepare for PSPS and other emergency events through regular meetings and workshops. (F2)

AGREE, has been implemented. OES staff attend community workshops and meetings to discuss emergency preparedness and response as well as distributing literature and social media outreach. The primary responsibility for information dissemination for matters specifically related to PSPS events should remain the responsibility of the private Investor Owned Utility Corporation (PG&E). OES will share such information, but the primary responsibility for creating and distributing such information is the responsibility of the company that initiates these events and taxpayer dollars should not subsidize the costs related to this responsibility.

Finding or Recommendations #: R4. Even more detailed planning from the county and cities is needed to coordinate responses to simultaneous emergency situations.

AGREE, has been implemented. This topic has been discussed during several working groups to discuss considerations for social distancing and other requirements in shelters, prioritization of response for multiple emergencies, and identification of additional possible locations for sheltering and community resource center operations.

Name or Report: Industrial Hemp in Lake County

Finding or Recommendations #: R1. The Agriculture Department as well as all other involved departments having regulatory authority regarding industrial hemp cultivation be directed to conduct a cost analysis. This information should flow to a central source for data analysis and action before presenting to the Board of Supervisor. This would permit fair adjustment of fees to cover costs administration.

DISAGREE (as it pertains to actions by the Sheriff's Department), will not be implemented. Explanation: The Sheriff's Office sole role in any regulatory activity related to industrial hemp in Lake County is the processing of fingerprints for a background check. The Grand Jury Report incorrectly lists the amount of \$152.00 for a hemp permit. That amount is more consistent with the amount charged by the Sheriff's Office for processing a cannabis permit. The fee for a hemp cultivation permit is only \$69.00. The reason for the difference in price between the two permits is a result of the difference in disqualifying convictions that determine eligibility for cannabis permits versus hemp permits.

Under current law, there are numerous convictions that disqualify a person from obtaining a cannabis permit. An analysis of an applicant's convictions, the time of the conviction, the nature of the crime which resulted in a conviction and other factors requires staff time by a qualified peace officer to make a determination on the applicant's eligibility for a cannabis permit.

Under current law, the only conviction that will result in the denial of a hemp permit is for a felony conviction relating to a controlled substance under state or federal law within 10 years of the application (Food & Agricultural Code Section 81013). The lengthy analysis required for a cannabis permit is unnecessary for a hemp permit, and staff at the Agriculture Department are forwarded the criminal history of applicants for their review. This review does not require a peace officer and a determination can be made by Agriculture Department staff.

The \$69.00 fee charged by the Sheriff's Office for processing background checks includes recovery of fees charged by the California Department of Justice for processing the request and fingerprint check in the amount of \$49.00 and the Sheriff's Office's standard \$20.00 fingerprint

rolling fee. The latter fee is the same fee that is charged of any applicant for this service and adequately recovers any costs associated with the service.

No cost analysis by the Sheriff's Office is needed as the only costs related to industrial hemp are the costs related to rolling fingerprints and submitting them to DOJ. Simply put, there are no costs for the Sheriff's Office to recover in relation to Hemp licensing and regulation above and beyond what is described in this response.

This response is not intended to comment on, or reply to the recommendation for data analysis or other actions to ensure fair adjustments of fees for other departments.

Name or Report: **SUCCESS AND PROGRESS FOR POST-CONVICTION CRIMINAL JUSTICE IN LAKE COUNTY**

Finding or Recommendations #: R3 The Sheriff's Department should continue efforts to comply with state regulations by completing construction and other efforts to ensure the Lake County jail has enough toilets, sinks and bathing facilities.

AGREE, has been implemented: The construction work to convert a former classroom to a new housing unit is expected to be complete in September 2020. This included the addition of toilets and sinks to better provide access to these types of facilities to inmates.

Finding or Recommendations #: R4 The Sheriff's Department should provide beds and mattresses to all inmates and stop using "boats."

Because this is a two part recommendation, the response provided will be in two parts.

AGREE, has been implemented, The Sheriff's Office does provide mattresses and bedding to all inmates regardless of their housing assignment.

DISAGREE, will not be implemented: The boats are only used when the number of people ordered by the courts to be incarcerated in the Lake County Jail exceeds our bed capacity and/or population capacity. When necessarily utilized, the boats serve as insulation from the floor as well as a space for inmates to store their personal property.

Finding or Recommendations #: R8 The Sheriff's Department should continue to take vigorous action to control the smuggling of heroin and other illegal drugs into the county jail.

AGREE, has been implemented: The Sheriff's Office continues to take a strong position on reducing the introduction of contraband into the jail, with a priority on preventing controlled substances. The Jail is utilizing a body scanner and a mail scanner which detect the presence of controlled substances. Each of these pieces of technology have aided in the seizure of controlled substances in the past year.

I would also like to thank the Grand Jury for its kind words in acknowledging this Office's staff "for their professionalism in the face of continuing fiscal hardships, as well as the BOS for their recognition of the problems and support for the MOU." This recognition goes a long way to ensure that the civil servants in these positions feel appreciated for the hard, and sometimes thankless work they do.

In closing, I again want to restate my appreciation for the hard work and countless dedicated hours provided by members of this Grand Jury. The oversight, guidance, and inquiry that they

provide serves as a compass for leaders in public service to use to steer their organizations in a way that best delivers the services our citizenry expects and deserves.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Brian L. Martin', with a long horizontal flourish extending to the right.

Brian L. Martin
Sheriff-Coroner
Emergency Services Director
County of Lake