



2015-2016
Kern County
Grand Jury Final Report

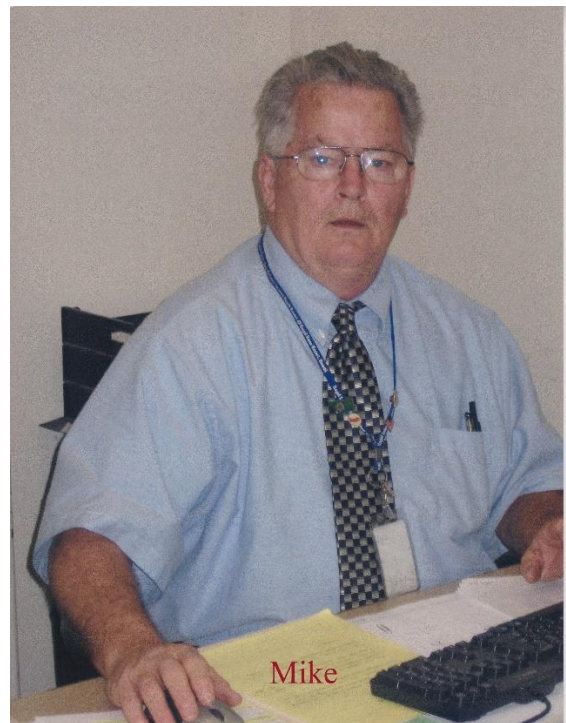
IN MEMORY OF OUR PAST SERVING GRAND JURORS



Fred Evenson

2004-2005, 2012-2013, 2013-2014

Mike McCarthy
2006-2007, 2007-2008, 2009-2010
2011-2012, 2012-2013



IN MEMORIAM
Weslie Brown
1944 – 2016



He dressed so smart
With ties so snappy
His smile was warm
His heart was happy

It stole his joy
When illness came
His smile was lost
Life not the same

Don't understand
Why Wes is gone
But God knows best
...We carry on

His faith in God
Was strong and true
So from God's arms
He smiles at you

His chair sits empty
His presence gone
But in our hearts
He lives on and on

By Donna Schaffel

2015 – 2016 KERN COUNTY GRAND JURY

MEMBERS

NAME	TERMS SERVED	CITY	NOMINATING JUDGE
Avery, Loretta	2011-2012,2012-2013,2014-2015 2015-2016	Bakersfield	Hon. John S. Somers
Ardis, Dwayne	2015-2016	Bakersfield	Hon. Steven Katz
Aronson, David	2015-2016	Tehachapi	Hon. John Oglesby
Brown, Wes	2014-2015, 2015-2016	Tehachapi	Hon. John S. Somers
Chaffin, Gary	2014-2015,2015-2016	Bakersfield	Hon. John Lua
Fox, Perry	2015-2016	Bakersfield	Hon. Stephen Schuett
Frank, Richard	2009-2010,2011-2012-,2014-2015, 2015-2016	Bakersfield	Hon. John S. Somers
Garcia, Frederick	2015-2016	Bakersfield	Hon. John S. Somers
Gonsalves, Evelyn	2015-2016	Bakersfield	Hon. J. Eric Bradshaw
Gonzales, Yvette	2015-2016	Bakersfield	Hon. J. Eric Bradshaw
Grissom, Ray	2014-2015,2015-2016	Bakersfield	Hon. John S. Somers
Henry, Jerry	2015-2016	Tehachapi	Hon. John Oglesby
Hightower, Earlene	2014-2015,2015-2016	Bakersfield	Hon. John S. Somers
Ngo, Hoang	2015-2016	Bakersfield	Hon. Gary Friedman
Schaffel, Donna	2014-2015,2015-2016	Pine Mtn Club	Hon. John S. Somers
Shaw, Scott	2014-2015,2015-2016	Bakersfield	Hon. John S. Somers
Smith, Mark	2015-2016	Bakersfield	Hon. John Lua
Waters, Judith	2010-2011,2012-2013,2013-2014 2015-2016	Frazier Park	Hon. John S. Somers
Wedeking, Philip	2015-2016	Bakersfield	Hon. Stephen Schuett



KERN COUNTY GRAND JURY

MISSION STATEMENT

The Kern County Grand Jury reviews cities within the County, county departments, local governmental agencies and special districts to ensure these bodies of government comply with fiduciary responsibilities and are governed effectively. The Jury is charged with the oversight of all County and local law enforcement agencies and non-federal penal facilities within the County. Citizen complaints are received and reviewed by the Jury. The Standing and Ad Hoc Committees will investigate, evaluate and report findings to the Jury which may then include recommendations to the entities. Standing Committees are: Administration and Audit; Cities and Joint Powers; County Services and Special Districts; Health, Education, and Social Services and Law and Justice.

The Jury may inquire into possible public offenses and rarely, allegations of misconduct in office by public officers. The criminal function of the Jury may lead to indictments charging individuals with public offenses, or accusations in the case of public officer misconduct. The Grand Jury is the only remaining institution not answerable to the administration, the politician or the legislator. It is the “watchdog” of public interest.

2015-2016 GRAND JURY FORMAL STATEMENT AND SUMMARY OF ACTIVITIES

Grand juries have existed in the state of California since the adoption of the State's Constitution in 1849-50. The Constitution requires that a grand jury "be drawn and summoned at least once a year in each county." According to Kern County Board of Supervisors' records, the first Grand Jury was selected in 1867. The Board of Supervisors' meeting minutes, although very difficult to read, reflected, "Apportionment of persons to be selected and returned from various townships to serve as Grand and Trial Jurors for the 1867. The Board of Supervisors' meeting minutes, although very difficult to read, reflected, "Apportionment of persons to be selected and returned from various townships to serve as Grand and Trial Jurors for the year 1867." This would have been the first Kern County Grand Jury. At that time, names of persons to serve were drawn from the property tax assessment roll. One hundred and forty-eight years later, the 2015-2016 Kern County Grand Jury was selected by a blind draw of over 30 volunteers. The nineteen volunteers and six alternates were selected to represent Kern County and sworn in by the Presiding Judge of the Superior Court to uphold the Grand Juror's Oath.

All grand juries are independent judicial bodies. Responsibilities include investigating all aspects of county government, special districts, cities within the county and citizen's complaints to ensure that these bodies are governed effectively and efficiently. The Grand Jury is considered to be the "watchdog" for the citizens of the County and 'an arm of the court'. The Grand Jury also functions as an investigative 'criminal' body, conducting hearings which can lead to indictments by the Attorney General and the District Attorney's offices. To fulfill these responsibilities the Grand Jury may subpoena persons and/or records to obtain information on subjects under investigation. To protect the constitutional rights of parties being investigated, the Grand Jury as a group is and as individuals are, sworn to complete lifelong confidentiality.

The Grand Jury conducts business at a General Meeting (Plenary) weekly. Any and all action taken during the year is considered to be official Grand Jury business and must be approved by at least twelve of the nineteen Jurors. When an investigation involves an issue that could not be completed within the year, the Presiding Judge can hold over the evidence gathered for the next grand jury (if the previous grand jury so requests).

The 2015-2016 Kern County Grand Jury was made of nineteen volunteers from Tehachapi, Pine Mountain Club and Bakersfield areas of Kern County. The 13 men and 6 women served approximately 175 days, four days a week, five hours a day and fulfilled their responsibilities to the citizens of Kern County. Jurors served on one of five standing committees: Administration and Audit; Cities and Joint Powers; County Services and Special Districts; Health, Education and Social Services; or Law and Justice. Other committees were appointed to help fulfill the Grand Jury duties: Edit and Final Report; Budget; public Relations; Library; and Ad Hoc committees. The Final Grand Jury Report contains the reports and work of each committee.

The Grand Jury activities include:

- California Grand Jury Association Foreperson and Jury Training, Bakersfield.
- California Grand Jury Association Report Writing Workshop, Bakersfield
- California Grand Jury Association Annual Conference, Burbank and San Luis Obispo
- California Grand Jury Association Regional Meeting, Madera, Visalia, Bakersfield
- Kern County Grand Jury Association Quarterly Meetings, Bakersfield
- Visit and tour of NASA Edwards Air Force Base
- Visit and tour of the Kern County Sheriff's Office Air Support Unit, Bakersfield
- Visit and tour of the Kern County Sheriff's Office K-9 Unit, Bakersfield
- Visit and tour of the Kern County Sheriff's Office Central Receiving Facility, Bakersfield
- Visit and tour the Kern County Sheriff's Office Bomb Squad team, Bakersfield
- Visit and tour the Kern County District Attorney Office's Regional Crime Laboratory, Bakersfield
- Kern County Grand Jury Awareness Week Ceremony
 - ~ Kern County Board of Supervisors Proclamation presented by Supervisor Leticia Perez
- Responded to over 50 citizen complaints
- Released over 36 Final Reports
- Public Awareness Booth for the Bakersfield Home and Garden Show, three days
- Public Awareness Presentations at various organization and Bakersfield College
- Monitored and Participated in the Audit of the voting machines for the Kern County Elections Department
- Open discussion with guest speakers
- Jurors served over 14,000 hours

TABLE OF CONTENTS

2015-2016 KERN COUNTY GRAND JURY

Kern County Grand Jury Cover Page	1
In Memory of Mike McCarthy and Fred Evenson.....	2
In Memoriam Weslie Brown.....	3
Grand Jury Members.....	4
Grand Jury Photograph and Mission Statement Kern County Grand Jury	5
Grand Jury Formal Statement and Summary of Activities	6
Table of Contents	8
Grand Jury Oath.....	11
Advisor Judge	12
Support Staff	13
Grand Jury Forepersons	14
2015-2016 Officers	15
Grand Jury Foreperson's Letter to the Presiding Judge	16
Board of Supervisors Proclamation	18
2015-2016 Grand Jury Awareness Week	19
2015-2016 Kern County Grand Jury Veterans.....	20

ADMINISTRATION AND AUDIT COMMITTEE

Mission Statement.....	21
Summary of Activities	22
Kern County General Services KGOV-TV	23
Response	26
Kern County Law Library.....	27
Response	31
Kern County Superior Court Parking	32

CITIES AND JOINT POWERS COMMITTEE

Mission Statement.....	35
Summary of Activities	36
City of Bakersfield Recreation and Parks	37
Response	46
City of Delano.....	52
Response	57
Hidden Governments - Joint Powers Authorities in California	59
Response	75
Response	77
Response	78
Response	81
Response	82
Response	83
Response	84

COUNTY SERVICES AND SPECIAL DISTRICTS COMMITTEE

Mission Statement.....	87
Summary of Activities	88
Buttonwillow Recreation and Parks District.....	89
Response	93
Golden Hills Community Services District	94
Response	108
Lamont Public Utility District	124
Mountain Meadow Community Service District.....	132
South Kern Cemetery District.....	138
Response	144
Wasco Parks and Recreation District.....	150
Response	154
Westside Recreation and Parks District	156
Response	161

HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE

Mission Statement.....	165
Summary of Activities	166
Kern County Animal Shelter.....	167
Response	171
Kern County Junior High School Lunch Program.....	172
Miriam Jamison Children's Center	177
Response	181
Regional Occupational Center	182
Response	187

LAW AND JUSTICE COMMITTEE

Mission Statement.....	191
Summary of Activities	192
California City Correctional Facility	193
California City Police Department.....	197
California Correctional Institution.....	199
City of Shafter Modified Community Correctional Facility.....	204
City of Taft Modified Community Correctional Facility	208
Response	212
Delano Police Department.....	214
Kern County Sheriff's Office Central Receiving Facility.....	217
Response	220
Response	223
Kern County Sheriff's Office Lerdo Facility	224
Response	228
Response	232
Kern Valley State Prison	233
McFarland Central Valley Modified Community Correctional Facility	238
Response	242
McFarland Female Community Reentry Facility	243
North Kern State Prison	247
Shafter Police Department.....	253
Taft Police Department	255
Wasco State Prison - Reception Center.....	257

BUDGET COMMITTEE

Mission Statement.....	263
------------------------	-----

EDIT AND FINAL REPORT COMMITTEE

Mission Statement.....	265
------------------------	-----

LIBRARY COMMITTEE

Mission Statement.....	267
------------------------	-----

PUBLIC RELATIONS COMMITTEE

Mission Statement.....	269
Summary of Activities	270

TRACKING REPORTS.....

Final Reports Date Tracking	272
Final Reports Response Tracking	273



GRAND JUROR'S OATH

THE FOLLOWING OATH IS ADMINISTERED TO GRAND JUROR'S

**“I DO SOLEMNLY SWEAR (AFFIRM) THAT I WILL
SUPPORT THE CONSTITUTION OF THE UNITED
STATES AND OF THE STATE OF CALIFORNIA, AND
ALL LAWS MADE PURSUANT TO AND IN
COMFORMITY THEREWITH, WILL DILIGENTLY
INQUIRE INTO, AND TRUE PRESENTMENT MAKE,
OF ALL PUBLIC OFFENSES AGAINST THE PEOPLE
OF THIS STATE, COMMITTED OR TRIABLE WITHIN
THIS COUNTY, OF WHICH THE GRAND JURY
SHALL HAVE OR CAN OBTAIN LEGAL EVIDENCE.
FURTHER, I WILL NOT DISCLOSE ANY EVIDENCE
BROUGHT BEFORE THE GRAND JURY, NOR
ANYTHING WHICH I OR ANY OTHER GRAND
JUROR MAY SAY, NOR THE MANNER IN WHICH I
OR ANY OTHER GRAND JUROR MAY HAVE VOTED
ON ANY MATTER BEFORE THE GRAND JURY. I
WILL KEEP THE CHARGE THAT WILL BE GIVEN TO
ME BY THE COURT.”**

(SECTION 911, PENAL CODE, AMENDED JUNE 2, 1983)

ADVISOR JUDGE



Honorable John S. Somers

Presiding Judge January 2015– Present

SUPPORT STAFF



Barry Klein
District Attorney



Allan Rogers, Investigator
District Attorney



Don Krueger, Investigator
District Attorney



Theresa Goldner
County Counsel



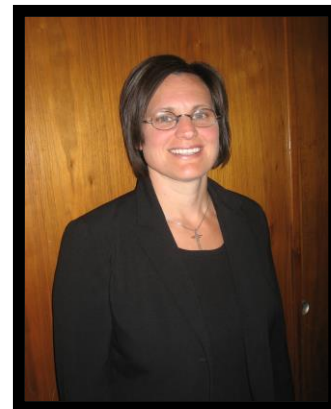
Terry McNally
Court Executive Officer



Tracy Henson
Grand Jury Liaison



Gloria Rangel
Sr. Office Services Specialist



Stacy Garner
Presiding Secretary

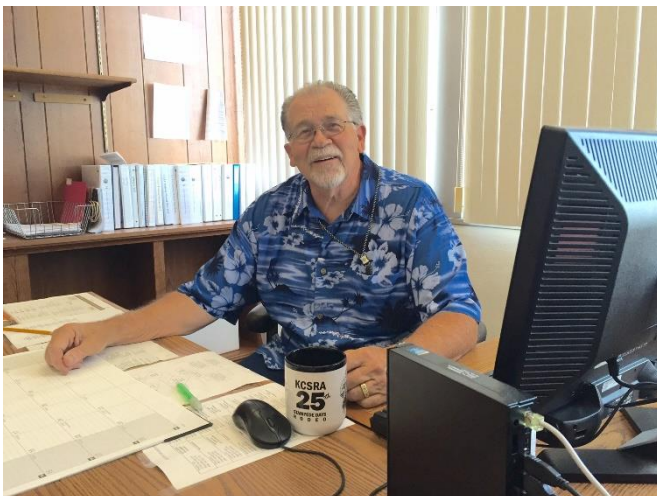
2015-2016 KERN COUNTY GRAND JURY



Weslie Brown, Foreperson, June 2015 - January 2016



Richard Frank, Pro Tem
June 2015 - January 2016



Richard Frank, Foreperson, January 2016 - June 2016



Dwayne Ardis, Pro Tem
January 2016 - June 2016

2015-2016 OFFICERS



Lena Gonsalves, Recording Secretary



Ray Grissom, Parliamentarian



Dwayne Ardis, Earlene Hightower, Fee Manager



Scott Shaw, Gary Chaffin, Sergeant-at-Arms



Kern County **GRAND JURY**

2015 – 2016

Richard Frank
Foreperson

George Ardis

David Aronson

Loretta Avery

Gary Chaffin

Perry Fox

Fredrick Garcia, Jr.

Evelynn Gonsalves

Yvette Gonzalez

Ray Grissom

Jerry Henry

Earlene Hightower

Hoang Ngo

Donna Schaffel

Vaughn Shaw

Mark Smith

Judith Waters

Philip Wedeking

June 21, 2016

The Honorable John S. Somers
Presiding Judge
Kern County Superior Court
1415 Truxtun Avenue
Bakersfield, CA 93301

Dear Judge Somers:

As the 2015-2016 final session of the Kern County Grand Jury comes to an end, I hereby submit our Final Report.

The 2015-2016 Grand Jury consisted of nineteen people from all over Kern County, and on behalf of the jury and myself, I would like to thank you and your staff for the time and support that they and you contributed to this year's Grand Jury.

A special thanks to Mrs. Theresa Goldner, County Counsel and members of the District Attorney's staff, including D.A. Investigators Al Rogers and Don Krueger. Also, thank you to your Judicial Secretary, Tracy Lidgett and our new Senior Office Services Specialist, Gloria Rangel. Thanks also to Sheriff Youngblood and all his staff for their support.

This year's Grand Jury investigative powers were hampered by our original Office Specialist leaving in the first month of our term and not being replaced until October, thus leaving us without office help for approximately three months. In addition to that, our appointed Foreperson, Weslie Brown, unfortunately became ill in November and passed away in January, causing us to have to start all over. In spite of all these setbacks, we still had a productive year.

This year's Grand Jury engaged in some high profile investigations, some of which were not completed in time to make the Final Report. However, they can be viewed on our website.

The Honorable John S. Somers

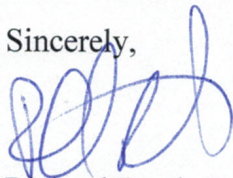
Page 2

June 21, 2016

When a group of people is selected at random to serve a common purpose, with different backgrounds and upbringing, it takes a while to learn to work together; even then there will always be some who perform at a higher level than others. To these members, I and the citizens of Kern County say thank you.

Once again, thank you and all your staff for your support.

Sincerely,

A handwritten signature in blue ink, appearing to read 'R. Frank', with a stylized, cursive script.

Richard Frank, Foreperson

2015-2016 Kern County Grand Jury

PROCLAMATION

The Board of Supervisors
of the County of Kern,
State of California
has officially proclaimed

February 8 - 12, 2016

as

**Grand Jury Public Awareness Week
in Kern County**

and this recognition has
been entered in the
official Board minutes




CHAIRMAN, KERN COUNTY BOARD OF SUPERVISORS

February 9, 2016
DATE



GRAND JURY AWARENESS WEEK



Presiding Judge John S. Somers



Redwood High School Color Guard



County Counsel Theresa Goldner



2015-2016 KERN COUNTY GRAND JURY VETERANS



Ray Grissom, Jerry Henry, Gary Chaffin, Director of Kern County Veterans Service Department Dick Taylor, Dwayne Ardis, Richard Frank, Fred Garcia Jr.,
Hoang Ngo