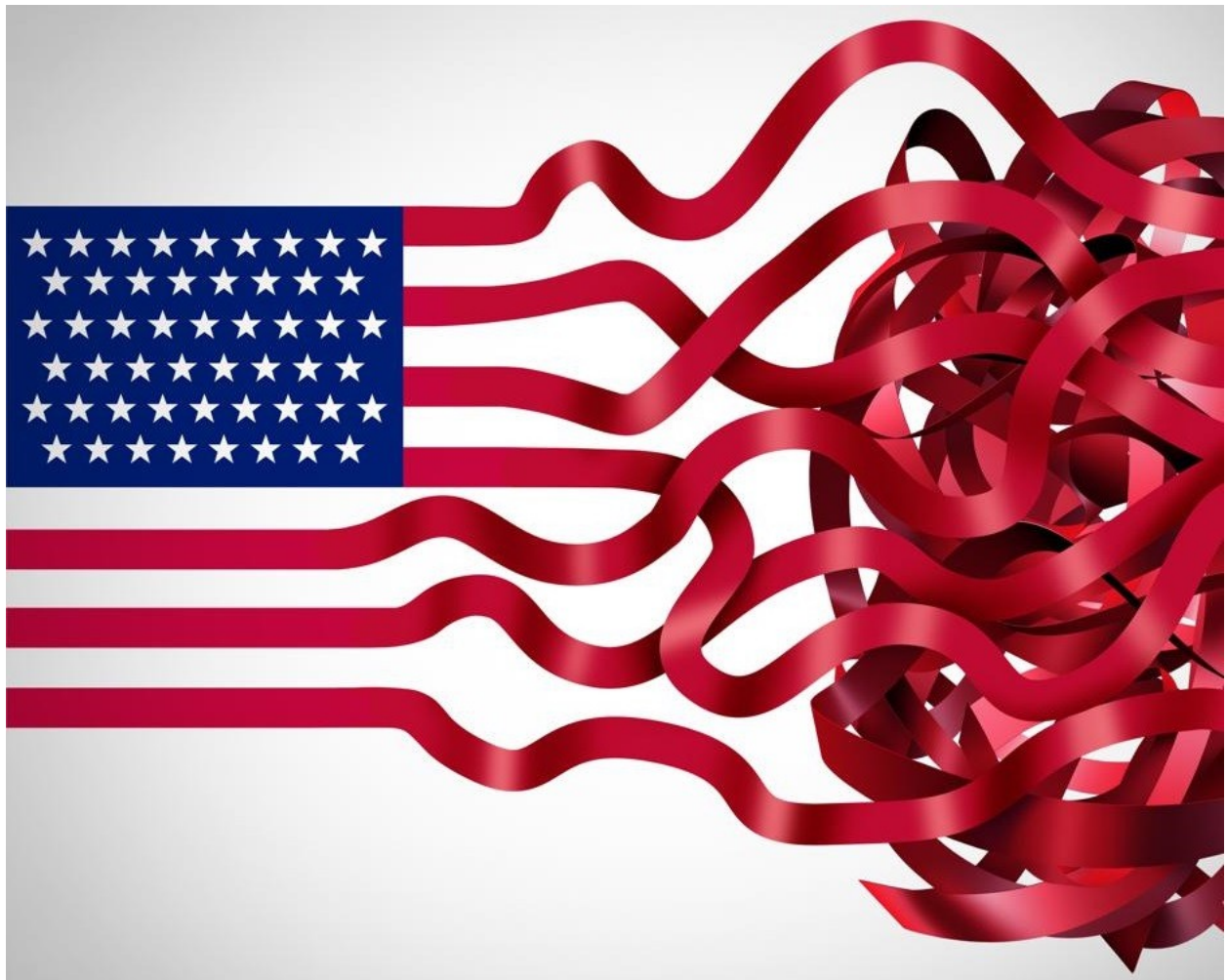


2024 - 2025 TUOLUMNE COUNTY CIVIL GRAND JURY

Treatment of the Tuolumne County Civil Grand Jury by Tuolumne County Officials

June 20, 2025



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SUMMARY

The Tuolumne County Civil Grand Jury (“Grand Jury”) is an independent citizen watchdog group that oversees local government operations, ensuring transparency and proper use of public funds. To function effectively, the Grand Jury relies on the County of Tuolumne for essential support. This support includes adequate and secure meeting and office space, technological and legal support, employee cooperation in investigations and administrative services.

A fundamental conflict exists in this situation because the Grand Jury depends on the very entities it monitors for these essential resources. The two preceding Grand Jury reports have noted persistent deficiencies in County support, hindering investigations. This year’s Grand Jury observed similar issues. As a result, your Grand Jury chose to investigate the manner and efficiency of the support the County provides to the Grand Jury.

Your Grand Jury has found that the County has not been able to assist your Grand Jury for three reasons:

1. The County does not have the ability to help in certain cases.
2. The County has declined to help in other areas.
3. The County has actively attempted to discredit the work of your Grand Jury in other areas.

In the first instance, the County does not have the computer system to provide answers to Grand Jury questions. Your Grand Jury understands that some systems have a monetary cost that may preclude their purchase. However, not having records from former employees is difficult to understand or justify and makes these kinds of inquiries impossible.

In the second instance, the County has declined to provide information, technology, or legal assistance. Your Grand Jury has clearly taken on the mammoth job of providing reports regarding the upper levels of Tuolumne County Administration. The failure of the Administration to assist your Grand Jury, who acts as the ‘watchdog,’ as provided by the state legislature, came as a disappointment.

In the third instance, the County has:

- Provided for an unworkable legal counsel agreement.
- Criticized the credibility and integrity of your Grand Jury in multiple ways.

Delays caused by these issues can prove fatal for reports if they require time beyond your Grand Jury’s statutory one year time limit.

The Grand Jury recommends that the Tuolumne County Board of Supervisors:

1. Provide adequate and secure meeting and office space.
2. Require Department Heads to read Grand Jury reports and fully cooperate with future investigations.
3. Obtain a system to keep track of historical employee information.
4. Arrange for independent legal counsel for Grand Jury investigations when County Counsel has a conflict.
5. Familiarize themselves and Department Heads with the role of the Grand Jury.
6. Create a policy for disciplining employees who use retribution and rumors to disparage other employees or the Grand Jury.
7. Require County Counsel to provide written guidance on budgetary Issues.
8. Independently review senior County employees who are or have participated in Differential Treatment as described in the April 30, 2025, report.

INTRODUCTION

This is the final report from your 2024-2025 Tuolumne County Civil Grand Jury. This report is to show the fundamental and systematic disregard of your Grand Jury by senior administration and the Board of Supervisors and provide suggestions for improving the support given to future Grand Juries. In creating the preceding reports, your Grand Jurors have faced everything from undertones of non-cooperation to blatant contempt. When your Grand Jury interviewed them, most Tuolumne County employees treated us in a polite manner. Most Tuolumne County employees were forthcoming with information. Most Tuolumne County employees were cooperative.

However, when your Grand Jury met with the upper levels of Tuolumne County, they treated us with dismissiveness and even occasional disrespect. They frequently displayed their contempt for not only your Grand Jurors, but with contempt for the entire process of being held accountable by a Grand Jury.

A Civil Grand Jury in California acts as a ‘watchdog’ for local government, ensuring its efficient and accountable operation, by investigating various aspects of our county government. The reports created by the Grand Jury requires the government to respond to the findings and recommendations. The Civil Grand Jury is dedicated to maintaining public trust in local government by independently investigating potential problems and ensuring that county officials are performing their duties properly and efficiently.

Apart from the Compliance Report and the Detention Facilities Report, all the reports in the 2024-2025 term came from a hold-over investigation. Those reports include the Differential Treatment and Hiring Practices by Senior County Officials, the Unfunded Liabilities and Related Financial Challenges and the Board of Supervisors Actions and Obligations. It became abundantly clear that these were massive undertakings, which is likely why the prior year’s Grand Jury provided what they could as a “carry-forward” on these topics. During your Grand Jury’s investigation into these topics, it became our perception that some employees of Tuolumne County were intentionally trying to thwart these investigations into questionable governance.

Once we publish the reports, your Grand Jury does not get any further opportunity to respond to or defend our findings. The reports must speak for themselves. However, having dealt with Tuolumne County Officials over the past year, your Grand Jury feels the need to point out a few realities. Since these topics were the result of a carry-forward investigation from the previous Grand Jury, your 2024-2025 Grand Jury wants the public to know that the 2024-2025 Grand Jury did not bring any of these topics into the Grand Jury deliberation room.

Therefore, when the public hears any complaints by the County of bias on the part of your Grand Jury, we perceive these as attempts to undermine the credibility of the findings made in all reports.

We categorized the problems we encountered into three types:

1. The first and easiest to remedy would be to provide adequate office and confidential interview space along with necessary legal support.
2. The second would be the Grand Jury's perception that Tuolumne County Officials do not fully cooperate with the Grand Jury.
3. Finally, your Grand Jury has found that a few County employees have attempted to thwart the work being done by the Grand Jury and have even criticized reports already published.

Normally, a Grand Jury publishes all reports together. That policy allowed the County to make excuses because the Grand Jury could not respond because their term was over. However, because of the problems we have encountered in these investigations, your 2024-2025 Grand Jury decided to publish individual reports so we could see what excuses were given. In this report we point out to the public how others have maligned us and why those comments are not accurate.

Finally, this report refers to the Tuolumne County Civil Grand Jury as "your Grand Jury." Your Grand Jury wants the readers to know how much work is involved in serving on a Civil Grand Jury. We desire for the public to be motivated to the meaningfulness of the task that anyone can volunteer to participate. Issues have been overcome. We hope future Grand Juries can benefit from our experiences through the results of this report.

BACKGROUND

At this point it would be advisable for the reader to review the reports already generated by your 2024-2025 Tuolumne County Civil Grand Jury. This report is to identify and elaborate on the treatment your Grand Jury received by Tuolumne County Officials and how that treatment impeded our investigations. It was during Grand Jury deliberations that your Grand Jury reached this conclusion based on a substantial number of examples that we could no longer call coincidental. At one such meeting, your Grand Jury decided to open this investigation into the Treatment of the Tuolumne County Civil Grand Jury by Tuolumne County Officials.

METHODOLOGY

To develop the Findings in this report, your Grand Jury took detailed notes of how Senior Tuolumne County Officials behaved, whether with cooperation or frustration, during our investigations. Some frustration was noted at the level of support given to your Grand Jury to merely function as a body that requires office / meeting space and basic technical support. However, frustration grew when we believe there were attempts to thwart our investigations. There were two reports from your Grand Jury that are not subject to this report because of the nature of those reports. Those reports are the Compliance Report and the Detention Facilities Report. Your Grand Jury's interaction with Tuolumne County Employees for those two reports, particularly the Detention report, was excellent. It was not until your Grand Jury reached the point in our investigation where we were compelled to interview senior officials, including those from County Counsel's Office, Human Resources (past and present), County Administrative Office (past and present), and the Board of Supervisors (past and present) that we felt we were being hampered by these offices and board members.

Our investigations that led to this report included accumulating information learned from other reports as well as publicly available documents and non-publicly available documents. Finally, this report is based on the observations of Grand Jurors.

DISCUSSION

A. Prior Grand Jury Statements

Here are two quotes from previous Grand Jury Consolidated Reports:

As for future Tuolumne County Grand Juries, we hope that over the next year you receive support and encouragement as you voluntarily examine aspects of county government. Recent Grand Juries have grappled with not having a designated meeting room, with the lack of IT support - a disadvantage of functioning independently of other entities, and with the extent of time and energy that can be required by grand jury service. Having said that, we can state with confidence that service on the Grand Jury will contribute to the ongoing efforts to improve Tuolumne County governance and uphold the principles of justice, accountability, and public service.

- 2023-2024 Tuolumne County Grand Jury

I hesitate to close on a sour note but I must. Support from the Tuolumne County Administration Office has been disappointing. With all the buildings and office space controlled by the County, they could not find one office for the Jury. We operated out of backpacks and met in whatever room we could find on any particular week. We were provided with a suite of complicated computer office programs - and given no training. This must be resolved for the 2023-2024 Grand Jury.

- 2022-2023 Tuolumne County Grand Jury

B. Selection and Purpose of the Grand Jury

Each of the fifty-eight California Counties has a Civil Grand Jury. The State Court, in each county sends out summonses to randomly selected residents. Individuals can also apply to be on the Grand Jury. A judge then reviews the questionnaires from each prospective member and then brings the qualified individuals into court and questioned about their background and ability to serve. There are nineteen members of the Grand Jury. In Tuolumne County, the Honorable Judge Campbell selected your nineteen Grand Jurors.

A Civil Grand Jury in California acts as a ‘watchdog’ for local government, ensuring its efficient and accountable operation. The Grand Jury’s primary role is to oversee local government to ensure they are operating efficiently, effectively and in the best interest of the public. These types of investigations can include potential waste, fraud, abuse of power and

lack of accountability. Without this ‘watchdog’ role, the residents of Tuolumne County may never know about such problems.

The reports created by the Grand Jury require the government to respond to findings and recommendations. Therefore, your Grand Jury made findings in our prior reports:

- Compliance Report
- Differential Treatment and Hiring Practices Report
- Unfunded Liabilities and Financial Challenges Report
- Board of Supervisors Actions and Obligations Report

The Tuolumne County Board of Supervisors must address those concernsⁱ. Sometimes a county may simply state that recommendations will not be implemented because the Board feels they are not warranted or reasonable. However, these are elected officials and can be held accountable by the voters for failure to adequately address these concerns.

C. Limitations of the Grand Jury

The Grand Jury does not have the authority to set specific policy or make findings that any specific policy is ‘good’ or ‘bad.’ However, the Grand Jury does have the authority to make recommendations that a current policy be followed when there is evidence to suggest it is not being followed. The Grand Jury also has the authority to make recommendations that the investigated agency create a policy to address a problem.

The Grand Jury is only permitted to investigate local government agencies within Tuolumne County. For example, the Tuolumne County Superior Court, while in Tuolumne County, is a state agency and the Grand Jury may not investigate the Court. There are presently approximately ninety-eight different government entities operating in Tuolumne County that fall under the jurisdiction of your Grand Jury.

There is one major limitation to every Grand Jury. There is a one-year time limit on all investigations. What is not finished, whether by natural disaster, lack of time, or by being thwarted by the County, must be terminated on June 30. Therefore, if the County can put up roadblocks, delays and hinderances the County can prevent a Grand Jury from publishing a report or attempt to do so.

D. Needs of the Grand Jury

Because the work done by the Grand Jury is confidential, we need a place to meet away from the public. The location we meet must accommodate nineteen members. This space must

also include seating, tables, and other basic office furniture. The meeting location must also have secure Wi-Fi because the technology provided to us only works online.

In addition to meeting space, any Grand Jury needs office space. There are times individuals need an office to write/edit reports. There are times a juror needs to schedule events, such as interviews. A Grand Jury would need space to keep track of interviews and subjects of the investigations. There are documents every Grand Jury must keep, therefore the Grand Jury needs paper file storage. Since there are nineteen Grand Jurors, to provide documents, they need a copier, scanner, and printer.

Outside of meeting space and office space, every Grand Jury needs space to conduct interviews. These interviews must be confidential. There are times, sometimes frequently, where a Grand Jury would investigate an issue and not write a report, or not continue an investigation after one or two interviews. It would be a great disservice to Grand Juries everywhere if the subject of those interviews or investigations were made known to the public. The interview space must be in a location that is not a high traffic area. If a Grand Jury were to hold interviews next to multiple county agencies, everyone in those agencies could see who was being interviewed.

Finally, and most importantly, any Grand Jury needs information. That information can come from publicly available documents, interviews, or non-publicly available documents. Regardless of space requirements, the most important need of any Grand Jury is information. When information is provided, your Grand Jury can provide accurate and reliable information back to the public. When that information is withheld, the public is kept in the dark.

E. Problems the Grand Jury has Experienced

1. Space

First, and what should be the easiest for Tuolumne County to address, is space. Our meeting space was a general conference room on the third floor of the Francisco Building. For the most part this space was acceptable. However, on April 3rd of 2025, that room flooded. Your Grand Jury was no longer able to use that room for meetings. Additionally, people who are not on the Grand Jury were taking possession of confidential items to move them. It is worth noting at this time that Acting CAO Roger Root took time away from his vacation to inform the Foreperson of this issue. Had it not been for his actions, an even greater security risk would have occurred.

Office space flooded April '25



Office space is a requirement. Your Grand Jury received a room about 10X10 to hold all our documents, computers, filing cabinets and other electronic equipment. This is not nearly enough room to conduct standard office tasks by multiple jurors. We were never able to use the office space provided as an office because of the miniature nature of the space. Finally, the office space was only accessible through the office space of a different agency or through a conference room that was available for use by all county agencies. None of these conditions permit confidential work.

Regarding the interview space, it was also inadequate. The interview space was the same space as our meeting room. This space is on the third floor of the Francisco Building where two other county agencies resided. Anyone coming to a 'confidential interview' had to walk past those other two agencies. The employees of those agencies could easily determine who was being interviewed by your Grand Jury.

In addition, we had to not only share the room with every other county agency, but we also found that other agencies used it as if it were their own space. For example, during an interview, which was supposed to be confidential, the OES Director walked into the room. The OES is on the same floor in this building. The reality of such an interference was that the OES Director learned who we were interviewing and could report back to anyone. Your Grand Jury had to contact the acting CAO and he informed the OES Director that the Grand Jury was scheduled to have that room.

2. Technology and Financial Support

Technology is a necessity to work in the modern world. Your Grand Jury received Microsoft Office 365. Everyone, including those Jurors are familiar with Microsoft 365 had difficulty using this outdated version. The Wi-Fi was problematic as we did not get any Wi-Fi until over five weeks into our term.

Although hardly technology, the physical key situation was faulty. We received seventeen keys for the office for nineteen members and only four keys to the front door of the building. It took more than six weeks to get our badges to work on the door locks in the building.

The County provided a multi-functional copier (MFC) for our office. This MFC only had one function working and was not otherwise useful as it connected to a county server that was not secure. After several attempts to get this to work, by jurors with experience in such tasks and failed attempts to contact IT, we had to resort to purchasing a \$300 scanner for all the documents. We were disparaged publicly at the May 6th, 2025, Board of Supervisor's Meeting for doing so. We did not believe in our extremely limited time we could expect to wait any longer.

There has been no clear guidance or communication on the process of managing our budget. Your Grand Jury decided early in our term to form a Treasury Committee for the sole purpose of better understanding our own finances and doing our best to operate as a fiduciary over the funds provided by your tax dollars via the County General Fund. During an initial non-confidential meeting with attorneys from the County Counsel's Office we were specifically told that we were permitted to use our limited budget to purchase refreshments for our weekly Grand Jury meetings. In addition, Tuolumne County Court CEO Hector Gonzalez also informed us that the budget funds could be used for that purpose. Later during a meeting with Roger Root (assistant Chief Administrative Officer at the time), what was and was not covered in the budget for the Grand Jury was clarified.

Here is a transcript of the email received in response to our questions.

August 6, 2024

Q: *How hard and fast are the Budget Categories? (Are we able to push dollars from one category to another if needed)?*

Root: *You can move money from one Category (object) to another with ease. I recommend charging to the correct location and I will do budget transfers quarterly to keep the areas balanced. If you feel a category is missing, please let me know.*

Future Grand Juries are highly encouraged to continue implementing a Treasury Committee and dig further into even greater detail than we did, in an effort to stay even more on top of their financials.

3. Information

While space and technology are necessities, information is the real issue before any Grand Jury. Without access to information there can be no report. When the Grand Jury begins to investigate a Tuolumne County Agency and that very agency could block, hinder, or delay information, the public loses.

a. Documentation

To complete our investigation, we required documentation from the County. Specifically, we asked for information about the number of current and past members of the Executive Confidential Bargaining Group. We received an email from the County stating:

Unfortunately, I am checking in to let you know that I am unable to get the requested information. I have worked with the [others] to try and find a way to obtain this information from the system, and there is not a way to do so with any degree of accuracy. The issue is twofold—the Enterprise Resource Planning system (ERP) the County uses for... ..positions and payment does not house historical information, and not all of those positions were filled for the entirety of a year. Even by attempting to get the information by position, I would have to know the specific timeframes within a year (which differ by each individual position), I'm looking for in order to get data.

I have been trying for more than a week to get this to you, and it is frustrating that I am unable to produce what you requested, but at this time I do not have the ability to get it.

The remainder of that email goes on to state that this interviewee had requested software that would have fixed this and other problems.

b. Necessary Legal Support

Your Grand Jury also needed legal support to know what our rights were and what steps we could take to accomplish the mission given to us by the Legislature and the Court. Generally, the Office of County Counsel would represent the Grand Jury. However, when your Grand Jury began investigations into senior county officials, including those in the CAO's office and the Board of Supervisors, County Counsel had a conflict, as that office represents those agencies. The next attorney provided would be the District Attorney. However, the Grand Jury made attempts to interview all Department Heads and the District Attorney is a Department Head. If the Grand Jury interviewed her, she would have a conflict; if the Grand Jury did not interview her, it would create the appearance of a conflict by singling her out.

Therefore, whichever choice your Grand Jury made, and that choice is still confidential, we would need a different attorney.

There is an agreement between Tuolumne County and Calaveras County where if there are no attorneys without conflict to assist the Tuolumne County Grand Jury, then Calaveras County Counsel's Office would provide an attorney. That is what happened. Your Grand Jury went to San Andreas to meet with our new attorney. What we learned was that the Tuolumne County Counsel and the Calaveras County Counsel were good friends. When we laid out what we were trying to acquire in the way of documentation, we were initially told Calaveras County Counsel's Office would help. However, after about one week, we were told that Calaveras County Counsel would no longer be willing to assist us in our investigation of senior Tuolumne County Officials. This refusal to be our counsel was unexpected and we were never given a satisfactory indication as to why they would not function as our counsel.

Now, again without an attorney, your Grand Jury thought we had been completely thwarted and precluded from having an attorney to speak for us. That is when we reached out to District Attorney Cassandra Jenecke about this situation. DA Jenecke informed us that, on her own initiative and several months prior, she sent her Assistant District Attorney Stephanie Novelli to the training to become counsel for your Grand Jury. Without this foresight, and Ms. Novelli's assistance, we do not know if we could have completed any of these reports. In any case, the agreement between our two counties is ineffective at providing legal support needed by the Grand Jury.

c. Full Cooperation from Employees and Board of Supervisors

The Tuolumne County Board of Supervisors should take heed and address the issues called to their attention by the Tuolumne County Civil Grand Jury and strongly encourage complete cooperation with the Grand Jury by all County employees. This has hardly been the case. We made extensive efforts to speak with every current and immediate past member of the Board of Supervisors. We were even able to speak with former members from several cycles ago.

We asked every current and former member of the Board a question about whether they were:

aware that at the beginning of the last two grand jury reports, there's a section that the foreperson has written about how poor the cooperation has been from the county for the grand jury in providing space and providing the support that the grand jury needs to do their job.

There were follow-up questions regarding the priority of the Grand Jury in the eyes of those interviewees. Here are a few of the responses we received (altered only to protect the anonymity of the speaker as required by law).

The Grand Juries back in those two times were very upset that they didn't have one dedicated room that they could go to. But they took it upon themselves to feel disrespected by that. And I thought that was pretty pompous of them.

When we asked, one interviewee responded:

Grand Juror: *"Who are we equal to anybody else? Then who should we be treated like if we're not going to be treated any different?"*

Witness: *Well, I'm not saying treat it any better or any worse. I'm saying treat it just the same. You think you should be. . .*

Grand Juror: *Just the same as a department head? Just the same as . . .?*

Witness: *Any community group. I mean, we've got lots of community groups that meet.*

Grand Juror: *A community group?*

Two current or former members of the Board of Supervisors stated that they knew there were problems with how the Grand Jury felt the County treated them, but they believed they, *"always got along with the Grand Jury."*

One current or former member of the Board of Supervisors stated they usually skip the part of the Tuolumne County Civil Grand Jury Report that addressed problems the Grand Jury had with support from the County.

"That there was a feeling that the grand jury was being more accusatory instead of just trying to uncover information."

The question then becomes, why would anyone want to serve on the Grand Jury to illuminate our government and potential flaws when the current and past members of the Board of Supervisors do not seem to care about the Grand Jury? Comparing the Grand Jury to a community group was distasteful. Calling a former Grand Jury pompous is not helpful. Of course, when any Grand Jury finds fault with something done by their government, it is going to feel accusatory. But having a current or former member of the Board of Supervisors flippantly dismiss the findings because the interviewee felt it was accusatory, is part of the problem.

Nobody is perfect. No agency is always correct. The best any Grand Jury can do is to shed light on an issue. No Grand Jury can require a change of policy, which is the function of the Executive. For multiple current or former members of the Board of Supervisors, making these comments could very well show why the Grand Jury has not been given support.

F. Retribution Toward Your Grand Jury

1. Criticisms regarding the integrity of individual Grand Jurors

Information has already come from high levels of Tuolumne County that accuses your Grand Jury of bias. It has become apparent through additional interviews that these very highly placed individuals have focused on two Grand Jurors: Clint Parish and Deb Esque.

Clint Parish is a member of the Grand Jury who is a local attorney. Between 2016 – 2019 he had a contract with Tuolumne County for indigent defense services. When the Public Defender could not accept a case because of a conflict, it was assigned to Mr. Parish or another attorney on that panel. There were two other attorneys on that panel, first was Scott Gross, who is currently the Tuolumne County Public Defender appointed by the Board of Supervisors and married to County Counsel. The other attorney on that conflict panel was David Beyersdorf, now a Tuolumne County Superior Court Judge. Mr. Parish made it clear at the beginning of our term that he previously had a contract with Tuolumne County. The Judge who appointed Mr. Parish to the Grand Jury also knew that Mr. Parish had that contract.

These highly placed Tuolumne County officials have indicated that Mr. Parish is biased because the contract was terminated when the County created the Office of Conflict Counsel and made the job a county position, for which Mr. Parish did not apply. In fact, Mr. Parish recused himself from the report on the jail and detention facility. He did so to protect the integrity and credibility of those reports.

The second Grand Juror to receive criticism was Deb Esque who worked for Tuolumne County in the Veteran's Service Office, which fell under Health and Human Service. Mrs. Esque recused herself from any investigations involving that department. Mrs. Esque retired from Tuolumne County during the term of this Grand Jury. Just like Mr. Parish, at the beginning of our term Mrs. Esque made it clear where she worked. There was no investigation into Tuolumne County Veteran's Service Office. Your Grand Jury made a conscious choice not to investigate anything to do with the Tuolumne County Veteran's Service Office to avoid any kind of appearance of conflict. However, according to those who want to criticize your Grand Jury, it is enough that she was a county employee to cast aspersions on the work your Grand Jury has completed.

The rules of any Grand Jury require a super-majority to agree on any topic of investigation. The same rule applies for reports; every report published requires a super-majority approval. Therefore, no one or even two jurors may make any determination for the Grand Jury. Do not let these attempts at disparaging your Grand Jury prevent you from seeing the facts that we have provided.

2. Criticisms Regarding the Grand Jury Budget

At the May 6, 2025, Board of Supervisor's meeting, several Tuolumne County employees challenged your Grand Jury based on the Budget. Not only was false information provided to the public during this meeting, but some of the information was provided by individuals without a working knowledge of the information. In addition, individuals who had actual knowledge or access to the correct information sat silent and failed to provide accurate information.

For example, at the May 6, 2025, Board meeting, Acting CAO Roger Root stated,

Some of the examples this year I'll give you, they purchased some of their own technology equipment without permission. They purchased furniture and they've been providing food for their meetings, which is something that's going to be part of the guidelines that we don't do. We don't do it for our staff who come to work for eight hours a day. So we're not going to continue doing that for the grand jury...

The reality is that your Grand Jury had to purchase a scanner for about \$300. Your Grand Jury also purchased a secure file cabinet for about \$300. Except for Thanksgiving week, Christmas week and Memorial Day week, your Grand Jury met every week after work hours. This comment from Acting CAO Roger Root was particularly surprising as he has normally been very helpful.

When we met non-confidentially with Tuolumne County Counsel early in our term, County Counsel told us that we could purchase food from our budget and to list it as "refreshments." County Counsel was sitting right next to Roger Root and refrained from mentioning that she gave us the advice that we could bill this exactly as we did.

Next, the Deputy County Administrator stated, in open session, before the Board and the public:

All I can say is we work closely with them, we meet with them regularly, we're in communication with them regularly. One of the things we do is share what their budget is, how they're trending as far as their expenses, just like we do, you know, with all other departments. They're doing the same thing. And yeah, they have an obligation to live within their means.

At our meeting following this Board of Supervisor's meeting, we discussed these statements. Not one time did the Deputy County Administrator meet with the Grand Jury Treasury Committee or the Grand Jury as a whole. Nor did the Deputy County Administrator meet with your Grand Jury to discuss our budget. The only meeting with anyone from that office was when Acting CAO Roger Root met and indicated we were spending in accordance

with our budget. This quote was not the Deputy County Administrator saying she tried to keep us informed or had regular communication with us. This was the Deputy County Administrator stating to everyone that they worked, “closely with” us, and met with us, “regularly.” That is simply not true. The Board of Supervisors must rely on their senior employees when making policy. The Board of Supervisors cannot make good policy with false information.

Another example is from County Counsel, when she stated,

Well, I think what needs to happen is that they are told clearly what their budget is, and if they are seeking to exceed it, they go to the presiding judge to get approval.

Your Grand Jury agrees. We should be told clearly what our budget is. When we were sworn in, we were given a document that showed our budget was \$43,034.00. At some point, we are unsure when, our budget was reduced to \$35,742.00. We will note that the 2023-2024 Grand Jury’s budget was also \$43,034.00. Until May 2025, when the County took over, every single one of our requests for funds was approved by the court. During her statements to the Board of Supervisors, County Counsel did not mention these facts. Nor does she mention that she, indicated we could use a portion of our budget on refreshments.

Finally, Supervisor Ryan Campbell also made statements about your Grand Jury,

And we have one fund center that, that's overspending. I know it's not. It's not. It's a different situation than if it was just a county department. But if we had a county department that was overspending by 39%, there would be hell to pay for that.

The issues with the Grand Jury Budget caused concern for your Grand Jury. We received our initial budget numbers in July 2024. Until May 2025, no one from the County advised us that roughly \$7,100 of that budget was allotted for items we had no control over. No one from the County informed us that portions of the total budget were allotted to office space, or the copier or for the bill the court would eventually send. Based on these unknown allotments, we agree with County Counsel that someone from the County should communicate with the Grand Jury about budgets. It now appears that the Grand Jury will be approximately \$3,600 over our adjusted budget, while remaining about \$3,400 under our original budget. However, this still only represents about 10%, which is far from the 39% stated at the May 6, 2025, Board of Supervisors Meeting.

The people providing this information to the Board of Supervisors or failing to include this information, may have thought that your Grand Jury was done writing reports. They may have felt that they could get away with making these statements because a Grand Jury cannot address the public after their term. As you can see, that is not the case with your 2024-2025

Grand Jury. We want the public to know that we believe the people who are supposed to be leading Tuolumne County are providing misleading information to the public and the Board of Supervisors about the work being done by the Grand Jury.

3. Criticisms Regarding the Integrity of the Grand Jury from the Board of Supervisor's Meeting

Your Grand Jury made a sincere effort to not provide the names of the “confidants,” in our report regarding Differential Treatment and Hiring Practices. The goal was not to single anyone out, but rather to illuminate the issue of morale so the County could address the perceptions created by this group. We were content with not naming the “confidants.” Then we watched the Board of Supervisor's Meeting on May 6, 2025. At that meeting the Board of Supervisors received false information and misleading information about your Grand Jury. The Grand Jury was able to see in real time why so many interviewees had concerns for the morale of Tuolumne County Employees.

What we learned from those interviewees related to Differential Treatment and Hiring Practices was that, along with people who are now former employees, both the Deputy County Administrator and County Counsel were at the top of the list of the former CAO's “confidants.” This was given to us nearly unanimously by those past and current County employees we interviewed. We don't share this information lightly or with any kind of glee. We only do so because the statement, or failure to provide accurate information, to the Board of Supervisors by these two employees is consistent with one of the elements in the Differential Treatment and Hiring Practices report. In that report, we wrote:

Individual Board of Supervisors members were also being misled during day-to-day interactions with Senior County Administration. Members of the Board of Supervisors would frequently be led to believe that Department Heads that had a particular position or view were misrepresented to the Board of Supervisors.

Your Grand Jury repeatedly heard reports of Senior County Administration “controlling the narrative” or similar statements made by county employees. Senior County Administration was repeatedly labeled as a narrative controller. For example, Members of the Board of Supervisors were told by Senior County Administration, “boy, the department heads are really angry with you...” when this statement was not true.

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Most of the examples we received from our nearly fifty interviews could potentially reveal the identity of the interviewee, which is strictly forbidden. Now we provide an example of

the Board of Supervisors being given information that is either false or misleading by the Deputy County Administrator. In addition, County Counsel had relevant information about the communication to the Board of Supervisors and did not provide it to them while the topic was being discussed.

The purpose of the prior report included trying to prevent employees in the future from providing similar information to the Board of Supervisors. The Board of Supervisors makes decisions for the County. They must do so based on the best available information. When the Board of Supervisors relies on employees who don't provide accurate information, the decision can be affected.

Conclusion

We have pointed out many times that the basis for our reports is not a bias or grudge against the County, it was a carry-over that the previous Grand Jury could not complete. In our experience they are not to blame for the incomplete report. The blame should lie with how the County fails to support the Grand Jury. Our reports attempt to bring to light the state of Tuolumne County governance.

The criticisms of your 2024-2025 Grand Jury appear to be attempts to discredit and impugn the exceedingly difficult work of the nineteen dedicated citizens who put in well over 10,000 hours to investigate some incredibly questionable actions by Tuolumne County. We ask that if the reader ever hears a complaint about the work of your Grand Jury, to ask the simple question, "why is this person unhappy with the uncovering of these problems?"

Criticism of the 2024-2025 Grand Jury is a criticism of all future Grand Juries. Future Grand Juries, please be aware of what the senior county employees are saying about us and continue to investigate until this type of retribution is halted. All members of your 2024-2025 Grand Jury have watched the public response from our previous reports. We are delighted that so many Tuolumne County citizens are pleased not only with our work, but with our willingness to tackle this gargantuan task. Please know that each Grand Juror sacrificed so much time away from our families and work to complete these reports; we feel relieved that Tuolumne County citizens are using these reports to hold our government accountable.

We believe that this report cannot be completed without noting that former Assistant Chief Administrator and current Acting County Administrator Roger Root was the major point of contact for your Grand Jury. When we needed something, even if we did not get it, Roger Root was pro-active and accommodating. He was helpful in scheduling conference rooms for our meetings; he was the only senior County employee who met with your Grand Jury throughout our term. While this report clearly points out that there are high level Tuolumne County employees whom we feel were not working in any way to benefit your Grand Jury, Roger Root was not one of those people. Thank you, Roger, for your support.

Finally, if you feel that your 2024-2025 Grand Jury has provided useful information to the voters and public of Tuolumne County, consider volunteering and complete the application process to be on a future Civil Grand Jury.

FINDINGS

F1

It is a factⁱⁱ that Tuolumne County has failed to provide adequate office, meeting, and interview space to allow the Grand Jury to conduct confidential investigations and meet in secrecy as requiredⁱⁱⁱ.

F2

It is a fact that Tuolumne County has failed to address the treatment of the Grand Jury as identified in the 2022-2023 and the 2023-2024 Grand Juries' Cover Letters which has caused delays, sometimes fatal, for investigations by the Tuolumne County Grand Jury.

F3

It is a fact that Tuolumne County uses a poor Enterprise Resource Planning (ERP) system that does not maintain historical information for employee positions and payments which has caused the inability of the County and Grand Jury from investigating potential issues with employment.

F4

It is a fact that Tuolumne County currently uses an unworkable agreement with Calaveras County but has no adequate way to provide independent counsel for the Grand Jury when the Grand Jury is investigating any one of the many departments represented by County Counsel which has caused fatal delays in obtaining information from the County.

F5

It is a fact that several current and former members of the Tuolumne County Board of Supervisors either has an incomplete understanding of what the Grand Jury does or takes a dismissive attitude toward the work of the Grand Jury which causes morale problems for some Tuolumne County employees.

F6

In the Differential Treatment and Hiring Practices in Tuolumne County Government report issued on April 30, 2025, your 2024-2025 Grand Jury described retribution tactics and rumors being used to disparage employees and that behavior seems to exist regarding criticizing the integrity of members of the Grand Jury. It is a fact that those same tactics are still present in Senior Tuolumne County government even after the departure of the recent CAO in January 2025 and after the publication of the April 30, 2025, report. This is a condemnation on the credibility of all Grand Jury reports and continues the morale problems by Tuolumne County employees.

F7

It is a fact that Tuolumne County has failed to provide sufficient written guidance on reimbursement procedures as well as tools for the Grand Jury Treasury Committee to adequately track reimbursement breakdowns. County Counsel made a point at the May 6, 2025, Board of Supervisor's meeting that the Grand Jury needs more guidance on this topic. This failure has caused the Grand Jury to be unable to understand the budget process and resulted in the 2024-2025 Grand Jury to go over budget.

F8

It is a fact that although the former CAO no longer works for Tuolumne County, the county still appears to be under the influence of her 'confidants' who continue to use the same practices of intimidation and Differential Treatment used before she vacated the County. It is a fact that these kinds of 'confidants' have a negative impact on the morale of Tuolumne County employees.

RECOMMENDATIONS**R1**

The Tuolumne County Board of Supervisors should assign the CAO to find and provide an adequate and consistent meeting and interview space for future Grand Juries so that they may meet and interview in secrecy. This should be done immediately so the 2025-2026 Grand Jury may use it.

R2

The Tuolumne County Board of Supervisors should create a policy that encourages the Board and requires all senior Tuolumne County employees to read every part of every Grand Jury Report. The purpose of this is so all Board Members, Department Heads and other senior employees understand the public's view of Tuolumne County government. This should be done within 180 days.

R3

The Tuolumne County Board of Supervisors should direct County Administration to create/hire/purchase/develop an Enterprise Resource Planning system that keeps track of historical information for employees including positions and payments. This should be done within 365 days.

R4

The Tuolumne County Board of Supervisors should instruct County Counsel to find an independent attorney to function as counsel for the Grand Jury when a future Grand Jury investigates an agency or department whose attorney is County Counsel. This should be done within 180 days.

R5

The Tuolumne County Board of Supervisors should create a policy that encourages the Members of the Board and requires the Department Heads to familiarize themselves with the role of the Grand Jury. This should be done before September 1, 2025.

R6

The Tuolumne County Board of Supervisors should create a policy for disciplining Tuolumne County Employees who use retribution and rumors to disparage other employees as well as the Tuolumne County Grand Jury. This should be done within 180 days.

R7

The Tuolumne County Board of Supervisors should require the Tuolumne County Counsel to provide written and in person guidance regarding reimbursement procedures and budget management including procedures for increasing their budget, as necessary. This guidance should be ongoing and monthly, or as requested by the Grand Jury. This should be done within one month of the Grand Jury beginning their term and monthly and as requested by the Grand Jury.

R8

The Tuolumne County Board of Supervisors should independently review the employment status of Senior Tuolumne County employees who are participating in Differential Treatment as described in the Grand Jury Report Dated April 30, 2025. This should be done on an as needed basis.

ⁱ There was a report on the Detention Facilities, however since the Grand Jury was only complimentary of those facilities, there were no recommendations. Therefore, there are no responses required.

ⁱⁱ We use the term, “It is a fact,” to begin each of these findings because the Tuolumne County Board of Supervisors has attempted to interpret our previous findings as opinion and thereby only address what they consider fact. (See BOS meeting June 4, 2025)

Penal Code §933.05 does not include the term ‘opinion’ nor does it provide for a responding agency to claim a finding is opinion. The code requires the agency to state they either ‘agree,’ ‘disagree wholly’ or ‘disagree partially’ with the findings. If the agency disagrees, they are required to provide an explanation as to why they disagree.

Although it is very late in the year for our term, we should note that the findings of all our reports are based on facts, not opinion. We are not permitted to include any fact unless at least two witnesses provided us with the same information. Every fact we provided in every report we submitted to the Court for their approval and publication was supported in the manner prescribed.

For the Board of Supervisors to simply claim every portion of the report they disagree with is “opinion,” is the equivalent to calling the Grand Jury a group of liars. In the discussion on June 4, 2025, Supervisor Ryan Campbell stated:

I think that's actually. I don't mean to say actually, I think that is a good idea that we. That could possibly serve as direction to staff, that they restrict their responses to what is factual and where it's opinion, we just say that's opinion.

Our intention was not to single out Supervisor Campbell as nearly everyone present was participating in the discussion, this is just the most appropriate quote to use here.

We hope the Board of Supervisors recants from this plan to label portions of the reports as “opinion.”

ⁱⁱⁱ It is the understanding of your Grand Jury that steps have already been taken to address this finding and recommendation.