

2011-2012 GRAND JURY

JUR-2011-2012-001

REPORT

Investigation into the Code  
Enforcement System: Codes,  
Cannabis and Confusion

**SHERIFF**

**RESPONSE**



Rec'd 6/19/12

**OFFICE OF THE SHERIFF**  
**TRINITY COUNTY**

101 Memorial Drive, P.O. Box 1228  
Weaverville, CA 96093  
(530) 623-2611

**BRUCE HANEY, Sheriff/Coroner**  
**KEN LANGSTON, Undersheriff**

June 7, 2012

**RECEIVED**

JUN 14 2012

TRINITY COUNTY  
SUPERIOR COURT

*Reviewed*  
*[Signature]*  
*6/15/12*

James P. Woodward, Presiding Judge  
P.O. Box 1258  
11 Court Street  
Weaverville, Ca. 96093

Dear Judge Woodward,

The following is a response to the Trinity County Grand Jury Report entitled, "Codes, Cannabis and Confusion", dated 2011/20112.

**RECOMMENDATION 1:**

The Planning Department in cooperation with the Sheriffs' Office should develop "System" policy and procedures documentation including at minimum:

- a) concise "Officer" job description.
- b) clear definition of the chain of command for the "Officer".
- c) requirements for initial and ongoing "Personnel" training.
- d) "Personnel" safety procedures (including officer backup requirements and equipment checklist).
- e) processing procedures for code violations that define the progression from increasing fines and to prosecution by the District Attorney in the event of non-compliance.
- f) definition of a hearing system that handles appeals.
- g) procedures for collecting fines.

**RESPONSE 1:**

- a) The job description listed on pages 9, 10 and 11 of the Grand Jury Report provides a comprehensive and concise description of the duties of the Code Enforcement Officer/Deputy Sheriff. Unless members of the Grand Jury can provide specific language that they determine should be added I feel the current job description is more than adequate.
- b) The chain of command is also clearly defined under the section titled "Reports To" on page 9 of the Code Enforcement job description.



- c) The Code Enforcement Officer/Deputy Sheriff assigned to Code Enforcement has attended a 40 hour code enforcement officer training at the Sacramento Regional Public Safety Training Center. Additional training opportunities will be considered as they become available.
- d) Officer safety is always our primary concern. Many county code related investigations can be safely conducted by the Code Enforcement Officer and a member of the Trinity County Planning Department. In cases related to reported code violations and the cultivation of marijuana it is required by the Sheriffs' Office that a minimum of two sworn deputies (one being the Code Enforcement Officer) respond to conduct the investigation. The Code Enforcement Officer provides the Trinity County Sheriffs' Office Dispatch Center the location of the investigation upon arrival thus allowing backup units to respond if requested. The Code Enforcement Officer/Deputy Sheriff is fully equipped with all standard law enforcement equipment and weaponry.
- e) The progression and processing of code violations and the fines and penalties attached to such violations is determined by the District Attorney's Office, Planning Department and County Counsel not the Sheriffs' Office.
- f) The hearing and appeals process is not handled by the Code Enforcement Officer or the Sheriffs' Office.
- g) Collecting fines is not handled by the Code Enforcement Officer or the Sheriffs' Office.

#### **RECOMMENDATION 4:**

In the future, it would be more efficient to rely on less senior peace officers for backup support. The safety of the "Officer" can be enhanced by using a marked patrol vehicle. The Sheriffs' Office in cooperation with the Planning Department should budget funds to provide

- a) a marked vehicle to substantially enhance safety.
- b) additional equipment (e.g. laptop computer, efficient measuring devices).
- c) cost effective and time efficient support for the "Officer" on visits during the months of marijuana harvest season. A pool of peace officers could be provided by part-time and retired peace officers or reserve deputies.

#### **RESPONSE 4:**

- a) I agree with the recommendation that officer safety could be enhanced with a marked patrol vehicle but with the current state of the Sheriffs' Office patrol fleet this is not possible. Additional funding to provide the Code Enforcement Officer with a marked unit would be greatly appreciated.
- b) The Code Enforcement Officer does have a laptop computer and efficient measuring devices.
- c) When I took office my plan was to build a robust Reserve Deputy Program but due to the lack of funding I have only been able to put three Reserve Deputies in place at this time. As mentioned in Response 1, during the marijuana season we require a minimum of two sworn deputies to enter marijuana gardens. Additional funding for sworn deputies to assist the Code Enforcement Officer would be greatly appreciated.

#### **RECOMMENDATION 5:**

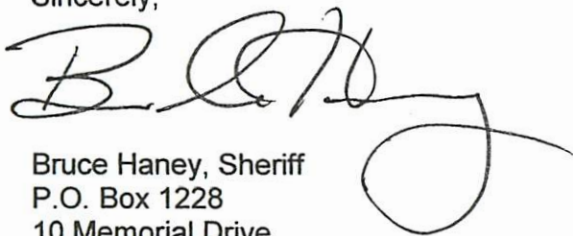
The current "Officer" should be recognized for the "Officer's" pioneering effort. Provide the "Officer" ongoing code enforcement training consistent with other law enforcement agencies in the state.

#### **RESPONSE 5**

I appreciate that the Grand Jury recognizes that code enforcement is new territory for the Trinity County Sheriffs' Office and the work being pioneered by the Code Enforcement Officer. To our knowledge there is not another law enforcement agency in The State of California that has a

Code Enforcement Officer/Deputy Sheriff. Though Deputy Sheriffs' routinely assist Code Enforcement Officers in their counties the position is regularly assigned to the building and planning departments, therefore, training does not currently exist for sworn Code Enforcement Officers.

Sincerely,

A handwritten signature in black ink, appearing to read 'B. Haney', with a large, stylized loop at the end.

Bruce Haney, Sheriff  
P.O. Box 1228  
10 Memorial Drive  
Weaverville, Ca. 96093  
(530) 623-3740

Cc: Wendy Tyler, Trinity County Administrative Officer