

Former registrar concerned about county voting systems

By JAMES FOLMER Editor Highland Community News Jan 9, 2019 Updated 16 hrs ago



Former San Bernardino County Registrar of Voters Michael Scarpello shakes hands with Tim Prince, president of the San Bernardino Democratic Luncheon Club, after his address on Friday, Jan. 4.

Highland Community News photo by James Folmer

The former registrar of voters for San Bernardino County shared his concerns about this year's elections and whether the county will be prepared for the major changes planned for the 2020 election with Democrats meeting last Friday in San Bernardino.

"I'm always happy to talk about elections, whether it's Democrats or Republicans," Scarpello said. "I think it's important for people to be informed about the process."



He declined to talk his departure from the county post, although it has been reported that he was concerned about the lack of investments in the election process by the Board of Supervisors. When asked what he is doing now, he said, "Exploring my options."

Scarpello said he got into the business "kind of by accident" 19 years ago during Florida's "hanging chad" controversy during the election between Al Gore and George W. Bush that had to be resolved by the U.S. Supreme Court.

"The entire industry was pretty antiquated, to be honest with you," he said. "It needed a lot of improvement."

He worked for seven years as elections manager in Douglas County in Omaha, Nebraska, as director of elections for the county of Denver for seven years and as San Bernardino County's registrar of voters from August 2011 until he was ousted on July 19, 2018.

In Denver, after a controversial election 2006, he rebuilt the organization from the ground up.

"I brought a lot of those ideas here," he said.

Scarpello and his staff developed new processes for voter registration, revised the organizational structure, website, voter information guides and ballots, and upgraded the technology infrastructure.

He also introduced the nation's first ballot "selfie" program, where voters can pose with their "I have voted" stickers after casting ballots.

"We re-engineered our ballot-counting process, resulting in 50 percent faster Election Night results," he said.

His staff also developed an innovative election analytics program used to predict voter turnout, calculate ballot orders, consolidate underused polling places, develop delivery schedules and balance workloads.

"That helped us be much more efficient and return hundreds of thousands of dollars to the county coffers that they could use in other ways," he said.

He did this while reducing his permanent staff from 52 to 24. By the time he left, he had a staff of 28. It was the smallest registrar of voter's office in the state and probably the smallest per capita in the country, Scarpello said.

And some candidate ballot designations were questionable. Ballot designations are often controversial, he said.

"I can't tell you how many times in my tenure I was threatened by candidates," Scarpello said. "But we stood firm and we followed the law."

Although he felt the controls he imposed would keep the office running smoothly, he was concerned about last year's performance.

The office didn't report candidate filings every day, something the supervisors had to correct. There were incorrect press releases and misprinted ballots for the city of Yucaipa.

"They incorrectly identified one of the candidates as a council member," he said. "Most surprisingly, they didn't re-issue the ballots."

The county reduced early voting hours by 20 percent, he said, and cut after-hour voting in San Bernardino. Previously, the office was open from 7:30 a.m. to 5:30 p.m. so voters could cast ballots before or after work. In the November election, the hours remained 8 to 5.

In the June election, while Scarpello was still in office, he tried to implement a plan to have voters confirm their signatures on registration forms if they didn't match the ballots. The Legislature implemented the process statewide before the November election.

The county canceled his plans for more drop-off locations for mail ballots and his plans for a new mail ballot sorting machine, he said.

Scarpello said he had arranged to buy an old sorting machine from San Diego County, which bought new ones.

"After I left, that machine was never installed," he said, "and it's sitting on a pallet in a warehouse somewhere."

The county also canceled his plans to let voters track the status of their ballots. He introduced that system in 2009 in Denver, the first of its kind in the country. The company that developed the plan wanted to establish a foothold in California, and Scarpello negotiated a deal where it would provide the service free in San Bernardino County.

"The bad news is that the Legislature has now mandated that service, and now the county is going to have to pay hundreds of thousands of dollars for that service they could have had for free," Scarpello said.

There was no evidence that the county balanced the books by checking to see if the number of signatures at the polls matched the number of ballots counted, he said. Scarpello said he is frustrated and concerned that many of his reforms have been scrapped, especially with the challenges area for California's election process.

"First off, the primary election has been moved from June to March," he said, "which is a huge deal in the elections business. You have to wipe out all of your timelines and redraw them."

The county will need new contracts for ballot printing and for the voter information guides.

“The elections equipment we have is obsolete,” he said. When that equipment is replaced, new procedures will need to be implemented.

The voter registration system has been run by the same company since 1985 and Scarpello said the company no longer plans to provide service in California.

Other counties are moving to a new voting model, where voters can go to centers any time 10 days before the election — another process he introduced in Denver. Five California counties conducted pilot programs in the November election and many more, including Los Angeles County, will use the new model in 2020.

“San Bernardino has the choice of going to that vote center model,” he said.

Scarpello said there’s no question the new system will increase turnout and voter convenience.

Los Angeles is already holding public meetings on the new system. He hasn’t seen any such activity here.

https://www.fontanaheraldnews.com/news/save-cards-offer-immediate-aid-to-victims-of-catastrophic-loss/article_aa04d2e0-14f3-11e9-a332-d7db691041d0.html

SAVE cards offer immediate aid to victims of catastrophic loss in San Bernardino County

Jan 10, 2019 Updated 1 hr ago



In addition to putting out fires, local firefighters provide comfort to families who experience catastrophic loss by offering immediate financial assistance through SAVE gift cards. (Contributed photo by San Bernardino County Fire Department)

A young family stands helplessly at the curb as firefighters battle a blaze that has engulfed their home. They're alive, but heartsick as they watch their life and memories go up in flames before their eyes.

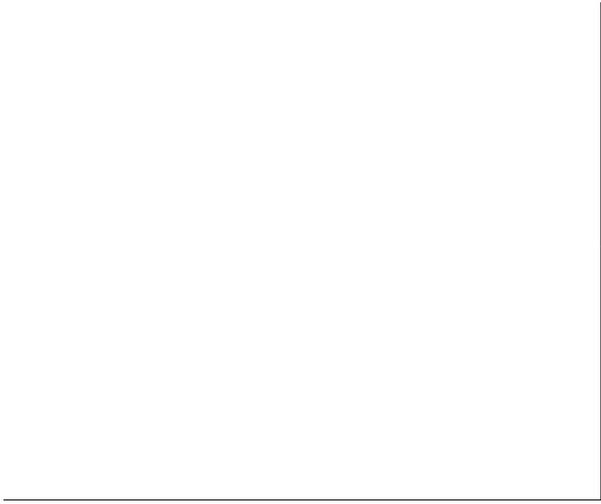
As the first responders, it is firefighters who are called upon to provide comfort to such a family on the worst day of their lives. Now, a partnership which began this past July called Supplying Aid to Victims of Emergency (SAVE) allows firefighters to help those victims take the first step toward healing.

Funded by the California Fire Foundation through private donations, SAVE lets incident commanders on scene of a disaster offer immediate financial assistance to victims who suffer a substantial property loss.

"When someone loses their home in a fire or disaster, they're sometimes only left with the clothes on their back -- they don't know where to turn," said San Bernardino County Professional Firefighters Local 935 President Jim Grigoli. "As San Bernardino County firefighters, we're in a unique position to offer a little extra assistance to victims of fire or disaster in the communities we serve."

Under the innovative program, all S.B. County Fire battalion chiefs carry \$100 Mastercard SAVE gift cards on calls that threaten significant property damage. If the property loss is judged to be greater than 25 percent of total value, the chief is authorized to immediately issue a SAVE card to the individual or family affected by the disaster. At a time when victims may have lost credit cards, IDs and other essentials, the SAVE card allows them to purchase medicine, a hot meal, clothing or maybe a place to stay the night.

“Our job as firefighters requires that we have a personal investment in the outcome of every call -- we want to be there to provide whatever support we can for disaster victims,” said Fire Chief Mark Hartwig. “We can’t restore all that they have lost, but a SAVE card can help victims feel less alone during that first 24 hours of the difficult process of recovery.”



The SAVE program was developed in partnership with the California Fire Foundation, a 501(c)(3) non-profit foundation dedicated to providing comfort and support to fallen firefighter families and the communities they protect. The California Fire Foundation continues to raise funds and seek additional sponsorships to bring SAVE cards to more communities and, eventually, increase the face value of the cards.

The San Bernardino County Fire Protection District is a multi-hazard response agency, providing professional fire, rescue and EMS service, as well as fire prevention, investigation, public education and household hazardous waste disposal. Specialty programs within the agency include training, wildland fire suppression (hand crews, dozer operations, etc.), helicopter-rescue/firefighting/transport, Hazmat emergency response, technical rescue (USAR) and escalated threat (terrorism, etc.). The agency also features a Type 3 incident management team, comprising County Fire members who assemble to manage major incidents.

San Bernardino County Fire operates 67 fire stations, including 49 with full-time career firefighters. It is the largest fire district in the United States, covering an area of 19,278 square miles and a population over 1 million. County Fire serves rural communities, towns and larger cities (including Fontana), responding to 166,544 calls countywide in 2017.

“Firefighters do what we do because of a desire to serve,” said Brian K. Rice, chair of the California Fire Foundation and a retired Sacramento Metro firefighter with more than three decades of service. “By offering SAVE cards to those who have lost so much, San Bernardino County Professional Firefighters Local 935 and San Bernardino County Fire are able to continue providing comfort and support after the fire is out.”

STR Rules Might Address Yurts, Tents

BY HEIDI FRON Reporter | Posted: Thursday, January 10, 2019 9:00 am

As promised, Scott Rindenow kept the subject of Short Term Rental (STR) units on the agenda of the Lake Arrowhead Municipal Advisory Council (LAMAC), which met Jan. 3 to address STR issues and other topics of concern to the community. At the meeting, Rindenow was re-elected as chairperson of the council, and Michelle Ambrozic was named as vice chair.

This month's discussion of STR units focused on a first draft of revisions to the ordinance currently in force through the County of San Bernardino. A redline copy of the early draft is available at www.mountain-news.com. At the MAC meeting, comments from attendees focused on the absence of important revisions, such as prohibiting STRs that are too close to each other and limiting the number within a given area.

A new issue arose as a result of the county's need to have the ordinance cover all geographical locations even though they have varying needs and concerns. For example, residents of Joshua Tree are concerned about the use of yurts and tents as STR units.

"These are areas that vastly need improvement," Rindenow stated. "The Big Bear ordinance has big teeth; this one has baby teeth, and we need big grownup teeth." Rindenow emphasized that the council and the county need comments from the community specifying what the public would like to see in the ordinance.

Philip M. Salazar, Code Enforcement Supervisor, and Andy Wingert of Code Enforcement, both need to hear from the mountain communities, and will be invited to attend a future LAMAC meeting, Rindenow noted.

"How can we allow law enforcement people to do their jobs and enforce the rules? We need to address the number of STRs that are in proximity to each other," Rindenow stressed. "We need to stop these problems before they get worse."

Lewis Murray, district representative to Janice Rutherford, San Bernardino County Second District Supervisor, explained that it is necessary to go through a particular process in order to change an ordinance. "We fell into this one head first, without a plan," Murray said. "When the county has an ordinance and you want to change it, the county has to go through that process."



A representative from the new nonprofit, Friends of Lake Arrowhead Mountain Communities, explained to the Municipal Advisory Council on Jan. 3 that the group is looking closely at how low-flying aircraft affect the air, water and other natural resources as planes follow the new flight paths over the lake.

Murray also noted that the STR ordinance affects all of the tourist areas, including Wrightwood, Mount Baldy, Angeles Oaks, Grass Valley Lake, and as far east as Joshua Tree. “Those communities will be affected, and we need their input, too.”

Later in the meeting, Lake Arrowhead resident Linda Berry voiced a widespread concern: “How long will this take? Six months?” The audience burst out in laughter, understanding Berry’s point that six months is a very conservative estimate for such a process. “Is there a way to expedite a provisions for STR units to be 1,000 feet apart?”

Murray’s reply was further evidence that the process will be a long one. “In Joshua Tree, people are concerned because the ordinance might have to include yurts, tents and mobile homes. I don’t know if we can do separate ordinances for each area. We probably have to be consistent throughout the County. Only cities can do their own ordinances.”

Initially, Andy Wingert is working on putting together the ordinance revisions. The Planning Commission must review the proposed revisions and would hold a public hearing. “The revised ordinance has to be airtight before it goes to the Board of Supervisors,” Murray advised, “to avoid lawsuits.”

Murray provided a list of recommendations that Rutherford’s office has received from the Rim of the World communities, along with ideas that other municipalities have generated. (See related article in this issue of the Mountain News.) Murray encouraged people to submit their suggestions to him at Lewis.murray@bos.sbcounty.gov.

County Compiles STR Suggestions

Posted: Thursday, January 10, 2019 9:00 am

ROTW RECOMMENDATIONS

Separation of 1,000 feet between STRs.

A meet-and-greet by the homeowner or property manager to review rules and regulations, confirm number of people and vehicles, and have occupants sign an agreement.

No STR allowed where primary access is off an access road.

One car parking per three guests.

No more than one property operating as an STR per person (i.e., per property owner).

No hot tubs, spas or pools allowed at vacation rentals.

Require permission from Homeowners Association (HOA) prior to receiving a permit from the county.

Providing snow plow or snow removal for the property.

Reduce the number of guests to no more than a specific number per home. A limit of 8 to 12 has been suggested. The current allowance is 16 to 20 if parking is sufficient and the unit meets a square footage requirement.

A sign in the window identifying the home as an STR, with allowed number of cars, guests, and the hotline number.

No STRs allowed at all.

IDEAS FROM OTHER AREAS

No single-family home rentals; multi-family units only, but not condominiums or apartments.

Fund a full-time enforcement arm using increased fees and Transient Occupancy Taxes (TOT).

Limit the number of days per year a homeowner can rent the unit.

Owners must be present and staying on the property while renting out the unit.

Limiting STR units to primary residences only. Hosts must state they live there full time and are gone no more than 90 days per year.

MORE SUGGESTIONS

Submit your suggestions to Lewis.murray@bos.sbcounty.gov.



Lewis Murray is taking further suggestions.

Management Companies Solve Short-Term Rental Woes

by Christian Shepherd Reporter | Posted: Thursday, January 10, 2019 9:00 am

A property manager in Lake Arrowhead believes the lack of accessibility to homeowners who use vacation rental websites, such as Airbnb and VRBO, have worsened the trash and noise problems caused by short-term rentals in the community.

Even after numerous meetings where the public has voiced concerns, the complexity of the issues surrounding short-term rentals have prevented the Lake Arrowhead Municipal Advisory Council from finding a solution to the problems that come from close proximity between full-time residents and tourists.

Lake Arrowhead Municipal Advisory Council is the organization responsible for bringing residents' concerns to the county level.

At the advisory council meetings many mountain residents have voiced their discontent for the lack of enforcement of local ordinances and common courtesies among renters. Properties rented by individual homeowners are sometimes unable to address a problem with a rental as it happens.

Residents have voiced discontent for the lack of enforcement of local legislation and common courtesies among renters.

Beth Mays, property manager at Triple A Rentals, said the increase of residents filing complaints about noise issues is due to the homeowners' decision to rent their property out themselves rather than using a property management company.

"We are here, on call, anytime to dispatch maintenance people—even after hours," Mays said.

Rolf Garthoffner, owner and broker at Arrowhead Property Rentals, said the distance between individual owners and their properties sometimes prevents homeowners from resolving a problem at their rented property.

"The property owners are maybe an hour or two away, while we are just 15 minutes from our properties," Garthoffner said.

Arrowhead Property Rentals, which manages around 180 properties, has a 24-hour answering service that renters can contact should they experience any issues with the property.

Garthoffner added that the local vendors they employ to take care of tasks like housekeeping and maintenance are more likely to do the job well for a rental company because they are more accountable to



"We are here, on call, anytime to dispatch maintenance people—even after hours."

an entity that provides them repeat business rather than an individual, one-time client.

A business also provides more opportunity for homeowners to keep an eye on any damage that might have occurred during a renter's stay, Garthoffner.

Grant Dunning, owner of Arrowhead Retreats Vacation Rentals, a company that started in 2010 and manages 60 properties in Lake Arrowhead, said one of biggest advantages to using a rental management company is their experience in handling the problems homeowners and renters face.

"They will not be as accessible as a company," Dunning said. "We can handle any phone calls, repair issues, handymen. We have our own cleaning crew and trash crew so that it can all be done in a timely manner."

Dunning said the accessibility of a company such as Arrowhead Retreats Vacation Rentals provides full-time residents with a way to have their grievances addressed in a timely manner.

"If the neighbor calls with a problem, we are able to take care of it quickly," Dunning said. "There are a lot of moving parts in managing a vacation rental business. We have expertise and the staff who can handle everything from guests calling us at 10 o'clock at night because the DVD player doesn't work to giving out WiFi passwords."

Next Improvements Considered for MacKay Park

BY HEIDI FRON Reporter | Posted: Thursday, January 10, 2019 9:00 am

MacKay Park, located off State Highway 173 and Torrey Road, is the only public park in the area near Lake Arrowhead, Papoose Lake and the dam. The park currently contains a playground, small rock climbing walls for children, a barbecue and picnic area, and a gazebo. The views from the deck are stunning and picturesque.

At the Lake Arrowhead Municipal Advisory Council meeting on Jan. 3, a guest speaker was Reese Troublefield, division manager of Special Districts, which oversees the park and its development. Troublefield announced that the district has \$45,000 available for improvements “because that is all that is available each year.”

Recent improvements have been a memorial to Michael Wetzel, who perished in the Dec. 2, 2015, terrorist attack in San Bernardino. More trees have been planted, a “very popular” dog park was created and fenced, and a basketball area added. Planned are another playground and a zipline similar to the one in Big Bear.

Troublefield and his staff are seeking ideas for additional improvements, which need to be planned 18 to 20 months in advance. The district’s meetings are open to the public for input on future amenities.

As an example, Troublefield mentioned that some people would like to see turf grass, which currently does not exist because no water is available. “If you want grass, that’s where grass belongs — in a park,” Troublefield quipped. “But you need water. We are working with local agencies to determine whether we can get reclaimed water for the park.”

Troublefield noted that if, for some reason reclaimed water cannot be brought to the area, then would anyone want artificial turf? “But even that needs maintenance,” he said.

A potential amphitheater has been proposed for plays and concerts, but there are concerns about traffic in an area already burdened with vehicles towing boats on trailers for launching at the Lake Arrowhead marina, especially on summer holiday weekends. Parking and lights are other challenges along with potential noise carrying far across the adjacent communities. The pros and cons are one reason Troublefield made a presentation to the MAC, to encourage people to provide input. Michelle Ambrozic, the council’s vice chair, emphasized that residential area needs must be respected.

According to Troublefield, \$45,000 would not be enough money to get Phase 5 of improvements done for the park. “We might need a loan, which would go to the Board of Supervisors for approval.”



MacKay Park features activity areas for children, barbecue and picnic areas, a gazebo, a dog park and more. Future improvements are in the planning stages.

Grant funding might be available from the California State Parks Department, but Troublefield pointed out that the community needs to know precisely what is wanted in order to submit a specific grant request.

He added that the Rim of the World Recreation and Park District has some LAFCO authority, and could listen to residents of the community to weigh in on ideas and consider what they want.

Chairperson Scott Rindenow requested that Troublefield and Murray communicate and inform the public when the opportunity arises to provide input at the Special District's meeting.

https://www.fontanaheraldnews.com/opinion/concern-and-confusion-over-west-valley-logistics-center-should-raise/article_533d9788-14f0-11e9-9751-2b1670480560.html

Concern and confusion over West Valley Logistics Center should raise red flags

By ANDREA VIDAURRE 3 hrs ago

Narrow roads, diesel trucks, heavy construction, loud noise, and air pollution. The last few years have been difficult for Bloomington residents living near warehouses. Sadly, local leaders continue to prioritize this type of development over more housing and green zones that better serve constituents.

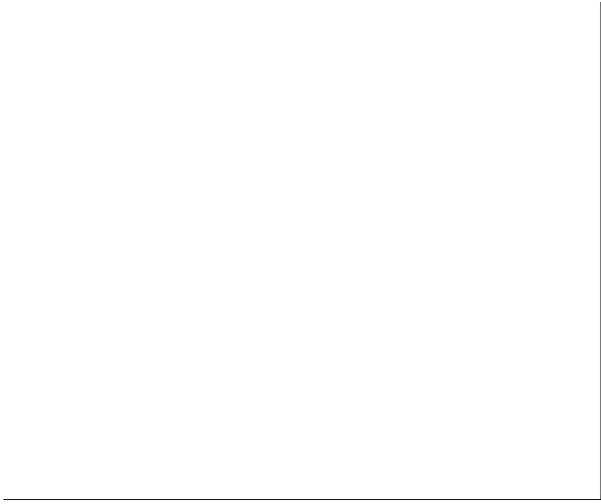
Fontana's own vision of transforming 291 acres of land into homes and schools has taken a backseat to unproven claims made by developers that the proposed West Valley Logistics Center will be good for their community. As it stands, the proposal to build seven warehouses exceeding more than 3 million square feet on the outskirts of Bloomington and Jurupa Valley is irrational because it fails to provide a robust analysis of its land use compatibility. As a result, residents, environmental justice advocates, the Fontana Planning Department and even San Bernardino County officials are pushing back against this outlandish idea.

How will thousands of new cars and diesel trucks travel through residential neighborhoods without putting people's livelihoods at risk? The West Valley Logistics Center will bring more than 6,000 vehicle trips, 2,000 of which will be diesel trucks. According to the Department of Transportation, heavy duty vehicles emit up to five times the amount of carbon monoxide per mile versus a light-duty vehicle. The original plan for this community (Valley Trails Specific Plan) is estimated to have 2,000 vehicle car trips less than the West Valley Logistics Center proposal.

Will Bloomington residents reap the alleged rewards associated with Fontana's logistics development? Recent construction of warehouses along major corridors such as Cedar and Slover avenues is proving to be more of a headache than a benefit. It's brought forth more traffic congestion and further compounded travel issues for working class families and their students. And what about truck drivers? Their trips through residential communities will make their jobs much more difficult, while risking the safety of residents.

Additionally, the project will certainly help to worsen the pre-existing pollution in the bordering communities of Bloomington, Fontana, and Jurupa Valley by adding approximately 2,000 more vehicle trips daily. The Office of Environmental Health

Hazard Assessment (OEHHA), which uses its CalEnviroScreen 3.0 tool to identify overburdened polluting areas across California, demonstrates that the tracts of land slated for the West Valley project currently sit in the 90 percentile. Pollutants like ozone (smog's main ingredient) and P.M. 2.5 (soot) are widespread there, causing damage to the lungs of people living nearby.



Fortunately, San Bernardino County's Land Use Services and Public Works are rightfully raising concerns about the proposed project. We too believe that a "widened" Locust Avenue will fail to serve as a truck route and only serve to disrupt Bloomington's rural, equestrian way of life. However, it's important that they continue to follow the lead of the community and oppose projects that endanger sensitive receptors such as homes and schools.

The West Valley Logistics Center is not good business for Fontana because there's no certainty that designated routes will have the capacity to accommodate thousands of new diesel trucks. The concerns brought forth need to be addressed before any plans can move forward. So far, we've received no answers and that's very worrying. The fate of a community cannot be based on an unclear assumption and unanswered questions from developers. It's clear from the confusion that this project is just not worth it.

(Andrea Vidaurre is the policy analyst at the Center for Community Action and Environmental Justice.)

County approves additional deputy for Sheriff's homeless outreach

By Paola Baker
Staff Writer

Posted Jan 9, 2019 at 4:41 PM

Updated Jan 9, 2019 at 4:41 PM

SAN BERNARDINO — The Sheriff's Department homeless outreach team will soon have another member after the county approved the addition of a deputy Tuesday.

The County Board of Supervisors approved a resolution to add a new deputy to the San Bernardino County Sheriff's Department Homeless Outreach and Proactive Enforcement team for its Desert region during their first meeting of the year Tuesday.

The four-member team plans on making daily contacts and providing regular assistance to the homeless in the area.

"Over the past five years, the HOPE team has rotated between the Valley and Desert region to provide assistance, and the department recognized the need to have regional services," Lt. Matt Yost said.

The resolution also expands the collaboration between the HOPE team and the Department of Behavioral Health's own Homeless Outreach Support Team to provide further mental health outreach for the homeless population in the region.

The new HOPE team deputy will cost the county between \$64,605 to \$96,346 annually, but costs will be reimbursed by DBH through its Homeless Mentally Ill Outreach and Treatment grant received from the state.

The grants are allocated to counties to provide "multi-disciplinary teams" that support intensive outreach, treatment and other services for homeless persons with mental illness. The funding extends until December of next year.

The HOPE team was created by Sheriff John McMahon in 2014 to link the homeless population with needed resources and housing all over the county. The team works to reduce calls for service for regular patrol deputies by primarily focusing on the homeless population.

The new deputy will be reassigned to a vacant position within the Sheriff's Department if the grant funding is not renewed, according to county officials.

Paola Baker may be reached at 760-955-5332 or PBaker@VVDailyPress.com. Follow her on Twitter at [@DP_PaolaBaker](https://twitter.com/DP_PaolaBaker).

LOCAL NEWS

Homeless center in San Bernardino backed by San Manuel will eventually house 115 men

'This is an important first step, but there's more to be done,' said Jacob Coin, the tribe's director of public affairs.



On Wednesday, Jan. 9, city and county officials gathered with leadership from Mary's Mercy Center and the San Manuel Band of Mission Indians to break ground on the first comprehensive center for homeless men in the central San Bernardino Valley. (Photo by Brian Whitehead, The Sun/SCNG)

By **BRIAN WHITEHEAD** | bwhitehead@scng.com | San Bernardino

It took a village, but construction on Mary's Village in San Bernardino officially is underway.

On Wednesday, Jan. 9, city and county officials gathered with leadership from Mary's Mercy Center and the San Manuel Band of Mission Indians to break ground on the first comprehensive center for homeless men in the central San Bernardino Valley.

"You drive the city, you look around, and it's almost like (the homeless population is) screaming for help," said Mike Hein, vice president of San Bernardino-based Mary's Mercy Center. "They want to be helped, some don't, but most do, and that's what we're here to do, to fulfill."

City leaders originally [approved the project](#) in July 2016, but [reversed course a month later](#) over concerns the 3rd Ward center would burden residents in the area and attract homeless people from other parts of the county seeking services.

City leaders [changed their minds again](#) that December.

Wednesday, San Manuel granted Mary's Mercy Center \$7.3 million for the facility's construction.

"This is an important first step, but there's more to be done," said Jacob Coin, the tribe's director of public affairs. "It takes the entirety of the region to address an issue like homelessness. Everybody has a part to play."

When Mary's Village is complete, it will house up to 115 homeless men for 12 to 18 months at a time.

Modeled after nearby Veronica's Home of Mercy, which serves women and children and is also run by Mary's Mercy Center, the 11-acre South Artesian Avenue facility will offer housing, job training and other wraparound services to homeless men.

Residents will live on site 24 hours a day, seven days a week, under supervision. Mary's Village will not have people coming and going, officials have said, but rather homeless men who've committed to a regimented program for a year or

“This is the beginning of a new day,” Hein said. “You can have a shelter, but that only is very temporary. You have to have transitional homes with training, case management, help for drug or alcohol problems. You have to address those issues because you have to restore (homeless men’s) dignity.

“If you do that, they’ll move forward.”

In 2018, 646 of the 2,118 individuals [counted during San Bernardino County’s annual survey of the region’s homeless population](#) were in San Bernardino, up from 491 in 2017.

Councilman Henry Nickel said Mary’s Village will be but part of the solution.

“Homelessness is a regional issue, it’s a national issue, and every other city in the region needs to be doing their part to address it,” Nickel said. “This is a great project, the type of project other cities can look to in the future to find a solution to homelessness.”

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Brian Whitehead

Brian Whitehead covers San Bernardino for The Sun. Based in Grand Terrace, he

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Authorities conduct compliance checks of 124 registered sex offenders living in Rancho Cucamonga and make six arrests

5 hrs ago

Authorities recently conducted compliance checks of 124 registered sex offenders living in Rancho Cucamonga and made six arrests, according to the San Bernardino County Sheriff's Department.

Deputies and detectives from the Rancho Cucamonga Police Department, along with state parole officers and San Bernardino County Probation Department officers, verified the home addresses of each registered sex offender and conducted parole and probation searches of those offenders who are on active felony probation or parole. The operation involved more than 20 officers who conducted 13 probation searches, 15 parole searches and 96 compliance checks of registered sex offenders.

As a result of these compliance checks, it was found that three registrants were out of compliance and had moved from their last registered address. A criminal investigation is being conducted into their current whereabouts and warrants have been issued for their arrests.

A total of 65 subjects were contacted and found to be in compliance with their sex offender registration, and 50 subjects were not at home at the time of the contact.

Of the six arrests that were made, three subjects were arrested for violating their terms of parole. Two subjects were arrested for violating the terms of their probation. One subject was arrested for a misdemeanor traffic warrant. All six suspects were booked into West Valley Detention Center.

The Rancho Cucamonga Police Department will continue to monitor and conduct random compliance checks of all registered sex offenders within the city.

Volunteers sweep in to clean Joshua Tree mess

Unruly visitors have abused park amid shutdown



ACTIVIST and rock climber Rand Abbott has volunteered to clean and restock bathrooms at Joshua Tree National Park amid the federal shutdown. (Gina Ferazzi Los Angeles Times)

BY LOUIS SAHAGUN

JOSHUA TREE NATIONAL PARK, Calif. — In this high desert enclave, Rand Abbott is a well-known man of action. He's a paraplegic rock climber, a vocal lightning rod at town hall meetings, and a tireless promoter for the desert landscape and its resident creatures.

So it came as little surprise to friends two weeks ago when he volunteered to clean restrooms and remove trash that was littering Joshua Tree National Park because of a partial government shutdown over funding for President Trump's border wall.

Unfortunately, the park was in far more disarray than a one-man army could handle.

Amid reports of plundered Native American artifacts and chain-sawed Joshua trees, officials announced they would close the park entirely at 8 a.m. Thursday — the 20th day of the government shutdown. The closure, they said, would allow them to assess damage to the park and mount an intensive cleanup effort.

But then, hours before the shutdown was to occur, the National Park Service [released a statement](#) late Wednesday saying officials had averted the closure “by immediately utilizing revenue generated by recreation fees.” The funds will allow park maintenance crews to address sanitation issues, the statement said.

While Joshua Tree is famous for its otherworldly landscape of weather-beaten rocks and spindly, namesake trees, unruly visitors have turned it into a worst-case example of parkland abuse, officials say.

With no rangers in sight for roughly three weeks, visitors have fought over official campsites and driven through off-limit areas to create illegal encampments. They have littered, set illegal fires, defecated in the wild, and chopped down vegetation to drive around barriers intended to keep people out of sensitive wildlife corridors.

Abbott, one of dozens of ardent volunteers helping out in the park, figures he's spent nearly \$5,000 on bleach, rags and garbage bags and driven 702 miles while cleaning up and documenting the mess from his wheelchair.

The 55-year-old said that on Sunday, he confronted a group that had used a chain saw to cut up a Joshua tree and a pine tree for firewood.

In a separate incident, he cautioned a man who had illegally parked a pickup truck and trailer in a rocky cove frequented by bighorn sheep.

“That guy was casually brushing teeth when I pointed out that he'd run over and crushed creosote and cactus,” Abbott recalled. “He just flipped me off.”

Then, a mile up the road, Abbott said, he spotted “a pile of beer bottles beside a rock facing the highway that someone had desecrated with graffiti.”

Environmental and community groups say the conditions have reached a point of crisis.

“Given what's been going on, I'm still not sure what's actually best for the park we all cherish — closure or reopening it,” said Gayle Austin, a Joshua Tree resident and co-owner of Ink & Steel Tattoo. “It's hard not to think we're just pawns in a political chess game.”

On Tuesday, David Smith, superintendent of the 800,000-acre park, telephoned the leaders of local volunteer groups to inform them of the closure.

“Due to significant resource destruction, aggressive defiance and flagrant acts over the past week, the park is in jeopardy of being permanently damaged,” Smith said in a message left on Abbot’s phone. “So, we’re going to shut it down and lock it up at 8 a.m. on Thursday.”

“It brought tears to my eyes,” Abbott said of the message.

The park lures roughly 3 million visitors a year, and the local economy is heavily reliant on these tourists.

The sleepy, unincorporated high desert community of Joshua Tree has a population of about 9,000 and an estimated 800 unlicensed vacation rental businesses offering alternatives to traditional lodging: neighborhood homes, vintage trailers, Sherpa huts, tepees, shipping containers and camps where guests are encouraged to let their dogs run free while they sip cocktails and watch the sunset.

By noon on Tuesday, many small-business owners were making plans to adjust by reducing work hours. Owners of vacation rentals began calling prospective clients who had made reservations. Hotels posted signs in their lobbies informing guests of the impending closure.

Displays of American flags hung upside down had already triggered heated arguments over whether that symbol of dire distress was appropriate for this community of low-slung motels and artist enclaves.

Tom O’Key, a local activist and astronomer, put it this way: “There needs to be a constitutional amendment protecting our cherished public landscapes. Because right now, the worst among us are trampling the best we’ve got.”

Abbott, a veteran who was once stationed at the U.S. Marine base in nearby Twentynine Palms, said he welcomed news that the park would conduct an official cleanup.

But he said he’ll always feel the weight of protecting the national park and the economy built around it.

At a popular destination known as Lost Horse Campground, Abbott reached out with his arms as if to embrace the stark scenery.

“When I was in the Marines, the other guys took leave in Las Vegas or the Sunset Strip,” he recalled with a smile. “I’d come here, toss a sleeping bag down and stare at the Milky Way, which seemed so close I could reach up and scoop up stars.”

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OPINION

Ensuring access to the people's lands



Joshua trees sprawl along a trail in the Black Rock Campground area of northwestern Joshua Tree National Park on March 12, 2016. The popular desert park set an attendance record that year, then smashed it again in 2017.

By **THE EDITORIAL BOARD** | opinion@scna.com |

Outdoors people — those who enjoy their nature live and in situ rather than televised — are second to none in their appreciation for what rangers and other government workers do to keep our nation's wildlands pristine.

That doesn't mean they mistake the feds, or the state employees, or the county, or the city, with the wonders of the natural world itself.

It's not theirs. It's ours. The fields and streams were there for millennia before the government worker in a uniform. Smokey Bear's ancestors, while not saved from a fire by a New Mexico ranger in the Lincoln National Forest, also were not exhibited in the National Zoo for the rest of their days.

So there is wildland and then there is bureaucracy. It is good, for the protections of the nation's and world's remaining un-urban areas, that the twain have met. Rangers and their kin provide forest management, keep the waters clean by stopping those who would pollute, rescue the lost, hand out maps.

But in times of government shutdown, such as the partial one bedeviling Washington, D.C., the wildlands do not disappear, and neither should citizens' ability to visit them.

At gorgeous Joshua Tree National Park, during the nearly three weeks of shutdown, a skeleton crew of rangers and at first citizen volunteers patrolled the vast acreage and emptied the trash. But now the toilets are overflowing, four-wheelers are driving where they shouldn't and damage has been done to the park's namesake plants, so this week the park will entirely shut down for lack of staffing.

The government impasse in Washington, D.C. aside, there's no real reason for that. Visitors, many who have come from afar, are left wanting. Dozens of desert businesses that rely on tourism are hurting. Because of the vagaries of government funding, these situations will arise in the future.

Every national park — state and local ones, too — should have a volunteer brigade available to do the plumbing, pick up the litter, hand out the maps and, yes, perhaps through some kind of certification process, be on standby to protect nature and people. Neighbors of these parks who love them would be available around the country. Let's deputize them so that the failures of government don't

BUSINESS

Jobs fair Monday as Rialto bottling facility looks to hire nearly 50

Niagara Bottling is looking for mechanics, production workers and more.



Niagara Bottling is looking to hire about 47 new employees and will host a career fair Monday, Jan. 14 at its Rialto facility, the company said in a statement. Bring your resumes. (Courtesy of Niagara Bottling)

By **JACK KATZANEK** | jkatzanek@scng.com |

PUBLISHED: January 10, 2019 at 8:44 am | UPDATED: January 10, 2019 at 8:44 am



Niagara Bottling is looking to hire about 47 new employees and will host a career fair Monday, Jan. 14 at its Rialto facility, the company said in a statement.

The event will be from 2 p.m. to 5 p.m. at Niagara’s plant at 1401 North Adler Ave. The company is looking for maintenance mechanics, quality assurance personnel, shipping and receiving staff and production workers, among others.

Applicants are asked to bring resumes and must be at least 18 years old, with a high school diploma or the equivalent.

Find more information at [the company’s career site online](#).

Tags: **business**, **Jobs**, **Top Stories IVDB**, **Top Stories PE**, **Top Stories RDF**, **Top Stories Sun**



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Jack Katzanek

Community

Curt Hagman Selected Chairman of the San Bernardino County Board of Supervisors

By **Press Release**- January 9, 2019TAGS: COUNTY OF SAN BERNARDINO CURT HAGMAN IEHP OMNITRANS ONT SANBAG SCAG

Curt Hagman Selected Chairman of the San Bernardino County Board of Supervisors

[Ontario, CA](#) – The Board of Supervisors, on Tuesday, confirmed Supervisor Curt Hagman as Chairman of the Board of Supervisors for the next two years.

Following the nomination and unanimous selection as the new Chairman, Supervisor Hagman commented, “It is an honor to have been unanimously selected by my colleagues to lead San Bernardino County into the future. I’d like to say a special thank you to Supervisor Lovingood for doing such an amazing job over the last two years. In that time frame we have hired a new CEO, a new board member, the unemployment in the County is at a record low, and homeownership rates are up to say the least. Our region is an attractive place to live, work, and travel and I look forward to continuing to grow San Bernardino County. ”

Related Story – [Dawn Rowe Named to San Bernardino County Board of Supervisors](#)

“I would be remiss if I didn’t mention Ontario Airport,” Hagman said. “It is San Bernardino County’s most important economic driver, and passenger and freight numbers continue to increase every quarter. Ontario is now in the number one position for exports and now we need to focus on imports.”

“I commend the board for selecting Supervisor Gonzales to serve as Vice Chair,” Hagman said. “Like me, Josie has made strengthening the economy of our County a chief priority. I am excited about working with Vice Chair Gonzales to continue our progress in pursuit of a stronger San Bernardino County. To my colleagues, on my board we should celebrate how far we have come as a County and continue to work together to achieve goals, address challenges and develop the strategies that will make a lasting, positive impact in our communities.”

The role of a Chairman is to serve as the Board’s general executive agent by presiding over meetings of the Board, signing contracts approved by the Board, and working with the Chief Executive Officer to set the Board’s agenda.

Along with supervisorial duties, Supervisor Hagman also serves on the following boards and organizations: Board Director [Southern California Association of Governments \(SCAG\)](#) Regional Council; [Inland Empire Health Plan \(IEHP\)](#); OmniTrans; [San Bernardino County Associated Governments \(SANBAG\)](#); Commissioner of [Ontario International Airport Authority \(OIAA\)](#); Chairman of SCAG FirstNet Subcommittees and California State Military Reserves.

1/9/2019

Curt Hagman Selected Chairman of the San Bernardino County Board of Supervisors – InlandEmpire.us

Supervisor Hagman earned a Bachelor of Arts Degree in Psychology at UCLA. He and his wife Grace have two children: Jonathan, a recent graduate of UCLA and officer in the Army National Guard, and Elizabeth, a student at Ayala High School. Mr. Hagman's experience in local and state government, and as a small business owner, has provided him insight into the issues facing his constituency.

Hagman selected as chairman of Board of Supervisors

Press release Jan 9, 2019 Updated 31 min ago

San Bernardino County supervisors on Tuesday confirmed Supervisor Curt Hagman as board chairman the next two years.

Following the nomination and unanimous selection as the new chairman, Hagman said, "It is an honor to have been unanimously selected by my colleagues to lead San Bernardino County into the future. I'd like to say a special thank you to Supervisor (Robert) Lovingood for doing such an amazing job over the last two years.

"In that time frame we have hired a new CEO, a new board member, the unemployment in the county is at a record low, and homeownership rates are up to say the least. Our region is an attractive place to live, work, and travel and I look forward to continuing to grow San Bernardino County.

"I would be remiss if I didn't mention Ontario Airport," Hagman added. "It is San Bernardino County's most important economic driver, and passenger and freight numbers continue to increase every quarter. Ontario is now in the No. 1 position for exports and now we need to focus on imports."

He also praised the board for selecting Supervisor Josie Gonzales as vice chairwoman.

"Like me, Josie has made strengthening the economy of our county a chief priority," he said.

The role of a chairman is to preside over meetings, sign contracts and work with the chief executive officer to set the board's agenda.

Hagman also serves on the following boards and organizations: Board Director Southern California Association of Governments (SCAG) Regional Council; Inland Empire Health Plan (IEHP); OmniTrans; commissioner of Ontario International Airport Authority (OIAA); chairman of SCAG FirstNet Subcommittees and California State Military Reserves.

Hagman earned a bachelor's degree in psychology at UCLA. He and his wife Grace have two children: Jonathan, a recent graduate of UCLA and officer in the Army National Guard, and Elizabeth, a student at Ayala High School in Chino Hills.

Hagman is the former mayor of Chino Hills and served in the California Assembly as a Republican from 2008 to 2014.

In his first race for District 4 on the county board, he lost to Gloria Negrette McLeod in the June 2014 primary, but defeated her in the November election with just less than 53 percent of the vote. In this year's June primary, he was re-elected, defeating McLeod with just more than 53 percent of the vote.

Hagman selected Board of Supervisors chairman

By Staff Reports

Posted Jan 9, 2019 at 4:45 PM

Updated Jan 9, 2019 at 8:08 PM

SAN BERNARDINO — 4th District Supervisor Curt Hagman is the new chairman of the county Board of Supervisors.

Hagman, who served as vice chair last year, was unanimously selected to the position Tuesday during the Board's first meeting of the year. 5th District Supervisor Josie Gonzales will serve as vice chair.

"It is an honor to have been unanimously selected by my colleagues to lead San Bernardino County into the future," Hagman said in a statement. "I am excited about working with Vice Chair Gonzales to continue our progress in pursuit of a stronger county."

Hagman, who was re-elected to a second term on the Board in December, succeeds 1st District Supervisor Robert Lovingood in taking on the key county role. Lovingood praised Hagman for his "proactive" role in pushing economic development forward.

"With the overall economic activity we're seeing in this county, Curt has continued to be very proactive in development, as I have," said Lovingood, whose district includes the Victor Valley. "I look forward to continuing our work for the next two years."

Hagman, in turn, gave a "special thank you" to Lovingood, noting how the county increased homeownership rates as it cut unemployment, hired a new CEO and gained a new Board member in 3rd District Supervisor Dawn Rowe during Lovingood's tenure as chair.

“To my colleagues on my board, we should celebrate how far we have come as a county and continue to work together to achieve goals, address challenges and develop the strategies that will make a lasting, positive impact in our communities,” Hagman said.

Hagman will serve in his new role on the Board by presiding over meetings, signing contracts approved by the Board and working with the county CEO to set agendas, among other duties.

Lawsuit challenges appointment of new 3rd District supervisor

By JAMES FOLMER Editor Highland Community News Jan 9, 2019 Updated 16 hrs ago



Laura Welch swears in Dawn Rowe as the other supervisors watch on Dec. 18.

Courtesy photo

An advocacy group has filed suit asking the courts to overturn the appointment of the new Third District supervisor, alleging violations of the California open meeting law.

I.E. United, a group formed in 2017, filed petition for a writ of mandate asking the court to reject the appointment of Dawn Rowe, who was selected on Dec. 19 to fill the seat vacated by James Ramos, who was elected to the state Assembly.

Rowe, a former field representative for Rep. Paul Cook, an Apple Valley Republican, was selected out of 48 applicants. She served on the Yucca Valley Town Council from 2010 to 2014.

The suit names the four sitting supervisors as defendants, alleging they violated the Ralph M. Brown Act when they narrowed the field to 13 semifinalists. They had candidates answer 10 questions and each supervisor endorsed two apiece. Applicants who received two or more endorsements were granted live, public interviews.

They did not disclose which supervisors endorsed which candidates.

I.E. United's press release says, "The board violated the Brown Act by privately meeting, using seriatim communication and a secret ballot, to select a list of 13 finalists to be interviewed and considered for the vacant Third District supervisor position.

"When alerted to this violation, the board failed to take the necessary curative action that would have removed the unfair advantage — a board interview — it had conferred on the candidates who benefited from the secret winnowing of the applicant pool to 13 finalists."

After the 20-minute interviews on Dec. 11, supervisors narrowed the field to five finalists and were expected to make the selection on Dec. 13. However, that morning Ruth Musser Lopez of Needles made the initial Brown Act allegation.

Supervisors delayed action until Dec. 18, scrapped their earlier actions and interviewed the five finalists plus Chris Carrillo, a former chief of staff for Ramos and an East Valley Water District director.

Rowe was selected unanimously.

“This is why Inland residents distrust our elected officials,” writes Michael Gomez Daly, executive director of I.E. United. “We pay each supervisor over \$150,000 a year. From the beginning, not once did they consider the residents of District 3. Rather they considered how to avoid cutting into their own holiday vacations.”

A hearing on the suit is scheduled for 8:30 a.m. Monday, March 4, in front of San Bernardino Superior Court Judge David Cohn in Department 26.

Gang prosecutor resigns over posts

San Bernardino County official made offensive comments on social media.



MICHAEL SELYEM became the subject of an investigation in June. (Jennifer Cappuccio Maher Sun)

BY ALEJANDRA REYES-VELARDE

A lead gang prosecutor in the San Bernardino County district attorney's office has resigned, six months after an investigation was launched into offensive comments he made on social media.

Michael Selyem stepped down on Jan. 2, according to an announcement Tuesday from the district attorney's office.

As part of an agreement with the county, Selyem will be paid through April 26, the San Bernardino Sun reported. His annual pay is \$155,168.

The district attorney's office began investigating Selyem in late June after the office received complaints about rants targeting U.S. Rep. Maxine Waters (D-Los Angeles), former First Lady Michelle Obama, Mexican immigrants and the victim of a police shooting. Selyem was placed on administrative leave July 9.

In a news conference at the time, then-Dist. Atty. Michael Ramos said he was offended by Selyem's postings.

"As the district attorney, I was really concerned with comments regarding officer-involved shootings, because we handle those cases, as you know, on a daily basis," Ramos said. "To make any comments ... impacts the ability for us to ensure the integrity of this office."

The Sun, which first reported the investigation into Selyem's comments, detailed his remarks. He described Waters as "loud-mouthed," using a sexist slur, adding, "You would think someone would have shot [her] by now."

The newspaper also reported that Selyem wrote in a profanity-laced online argument that a civilian shot by police "got exactly what he deserved.... You reap what you sow."

The Sun noted that another post under Selyem's name on Facebook included a meme of a smiling Mexican man wearing a sombrero, with the words, "Mexican word of the day: Hide."

Selyem joined the district attorney's office 12 years ago. Following the investigation, an assistant district attorney was assigned to look at cases he had handled in the gang unit, although Ramos said at the time there was no indication Selyem showed any bias in his cases.

The county's current district attorney, Jason Anderson, who was sworn in Tuesday, could not immediately be reached for comment.

Kimberly Fuller, a spokeswoman with the district attorney's office, said she did not know whether any disciplinary action was taken against Selyem or why it took six months for him and the county to reach an agreement on his departure.

On Wednesday, San Bernardino County Public Defender G. Christopher Gardner said he felt an ethical duty to review cases his attorneys handled that were prosecuted by Selyem. Public defenders reviewed nearly 500 cases spanning several years but found no issues, Gardner said.

"We asked attorneys [to review] some cases they had in the past with him," Gardner said. "We didn't see any issues where we thought our clients suffered because of his racist views."

Spokesman David Wert said San Bernardino County was not commenting on Selyem's resignation.

Top San Bernardino County Gang Prosecutor Who Sent Profane Posts on Michelle Obama, Immigrants Resigns

POSTED 7:03 PM, JANUARY 9, 2019, BY ASSOCIATED PRESS

KT5



Michael Selyem, lead attorney for the Central Hardcore Gang Unit at the San Bernardino County District Attorney's Office is seen in a photo posted to his LinkedIn page.

A San Bernardino County prosecutor who posted crude and profane insults about U.S. Rep. Maxine Waters, Michelle Obama and others to social media has resigned.

A San Bernardino County spokeswoman tells the San Bernardino Sun that Michael Selyem voluntarily resigned on Jan. 2.

The county gang prosecutor was suspended in July after revelations that he had made crudely offensive online remarks about Waters, Obama, Mexican immigrants and a victim of a police shooting.

Civil rights leaders demanded Selyem's ouster, questioning whether he could be objective when dealing with black and Latino defendants.

County Public Defender G. Christopher Gardner says his office reviewed more than 500 cases Selyem prosecuted but found no conflicts.

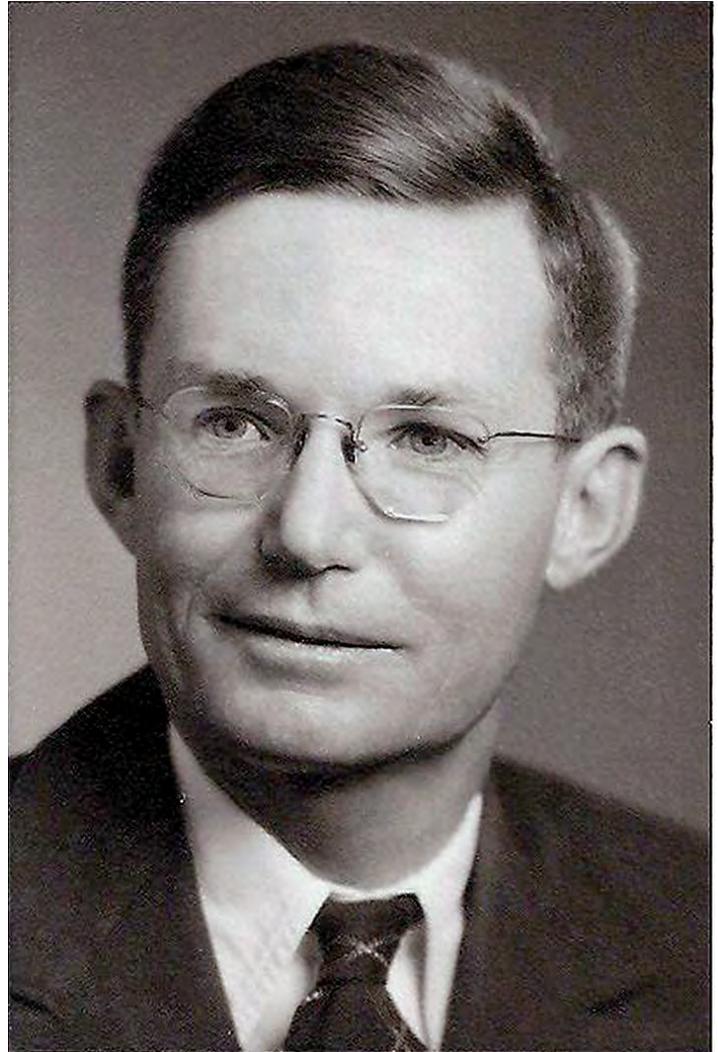
Newly seated District Attorney Jason Anderson has told civil rights leaders there's no place for prejudice in his office.

The unsung hero of the asistencia-estancia

Paul Prado for the Highland Community News 15 hrs ago

Redlands historian Tom Atchley says George Beattie would most likely be the name connected with the rebuilding the Asistencia-San Gabriel Mission Estancia in Redlands.

After all, Beattie, a resident of Highland, was a member of the Redlands School District and the county's historian.



Horace Hinckley was the architect that was the mastermind that completion of the renovations of the Redlands Asistencia-Estancia, on Barton Road.
courtesy of Tom Atchley



“They would probably think about George Beattie, who helped get it founded and provided the research for its construction,” said Atchley.

However, it was the expertise, ingenuity and tenacity of Redlands civil engineer Horace Hinckley that saw the construction of the asistencia-estancia that we see today.

“People don’t usually think about him (Hinckley) when they think of the asistencia,” said Atchley.

The Hinckley name has been a prominent name in Redlands since the late 1880s.

According to Atchley, Hinckley went to Stanford and received a civil engineering degree.

He then went to Cornell University, where he received a master’s in civil engineering, in 1930.

The Great Depression had just started. Hinckley was managing several projects for the water conservation district.

“He built pedley walls in Redlands and Riverside,” said Atchley.

Pedley walls are cobblestone walls that are wired together. These walls can bend and flex when an area is flooded. If water gets underneath them, they just fall into that space. The water was not going to take them out.

“The walls were not built from concrete, or they would have been washed away,” said Atchley.

“From his work on building the pedley walls, the WPA (Works Progress Administration) was looking for someone to be in charge of the rebuilding of the Redlands asistencia-estancia,” said Atchley.

“They hired Hinckley as the civil engineering manager to be in charge of the project.”

Hinckley was responsible for the making of the adobe, the design and layout of the new building.

Hinckley decided, with Beattie, that they would make something practical during the re-build, because they were under the impression that it was an asistencia, according to Atchley.

“Together they built a fairly large chapel, a gift shop, living quarters for a caretaker, a kitchen and a courtyard and a museum for artifacts,” Atchley said.

“In getting the construction started and clearing the site, Hinckley found that one of the main buildings from the original asistencia was where Barton Road was.

“They weren’t going to move the road because it had been in use since the 1880s.

Barton Road ran right through where part of the asistencia used to be.

“Hinckley got San Bernardino County to buy the property with the inducement of the Redlands Chamber of Commerce and the San Bernardino County Historical Society,” said Atchley.

Beattie was Hinckley’s main adviser. He instructed Hinckley on how things should be built.

To add authenticity to the complex, Hinckley brought in three men from Taos, New Mexico.

According to Atchley, these men were experts in the making of adobe bricks.

Hinckley went down to see Mission San Luis Rey and saw its asistencia called Pala.

Hinckley decided to fashion a bell tower for the asistencia-estancia after the one at Pala.

The bottom bell came from the Santa Fe Railroad yard and the upper bell came from McKinley Grammar School in Redlands. Hinckley acquired the smaller bell after the demolition of McKinley School in 1937 at Olive Avenue and Center Street, according to Atchley.

“Most people don’t know that there’s a Model T truck frame in the bell tower,” said Atchley. “I think that’s pretty ingenious. You needed to have a gap and a curve on the top. It couldn’t be a normal frame, yet it had to be strong to hold up all that weight.

Atchley believes Hinckley was a remarkable man.

“Hinckley is an unsung hero in the sense that he got the actual rebuilding of that asistencia-estancia done,” said Atchley.

“He renovated the architecture on the inside and brought in the men that knew how to do the work. There is nothing at the asistencia that mentions Hinckley’s name,” said Atchley. “Yet, he’s the guy that got the construction going and got the job done.”

Atchley believes that there should be something to memorialize Hinckley’s efforts at the asistencia. Hinckley was mainly known for his contributions with water rights.

“Redlanders recognize Hinckley’s significant contributions by naming the Mentone water filter plant after him,” said Atchley.

Hinckley started rebuilding the Asistencia-San Gabriel Mission Estancia in 1933 and completed it 1937 or 1938.

If you know anything about the rich history of Highland, please contact me at (909) 816-0318.

https://www.fontanaheraldnews.com/news/inland_empire_news/union-pacific-railroad-company-must-pay-million-in-settlement-of/article_caf9a146-1436-11e9-8b33-9fec8c18263a.html

Union Pacific Railroad Company must pay \$2.3 million in settlement of civil environmental case

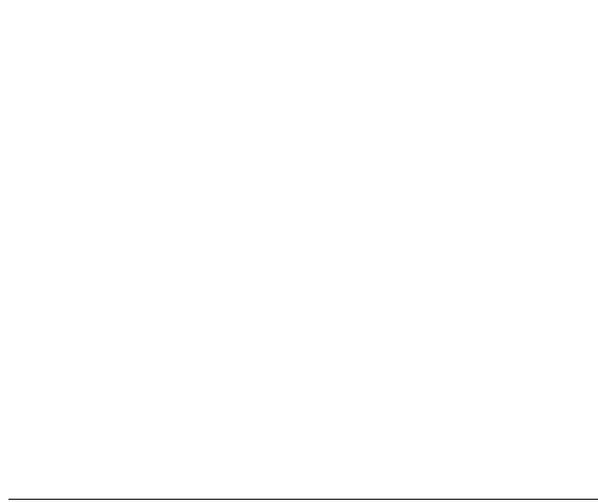
5 hrs ago

San Bernardino County District Attorney Jason Anderson announced on Jan. 7 that as part of a multi-jurisdiction prosecution, Placer County Superior Court Judge Alan Pineschi has ordered Union Pacific Railroad Company to pay more than \$2.3 million in the settlement of a civil environmental case.

In addition to monetary penalties, Union Pacific will also implement a new environmental compliance assurance program at the company's respective yards in San Bernardino, Placer, Nevada, and San Joaquin counties. This new program will designate a compliance officer to monitor and report on Union Pacific's training and compliance at these facilities. This resolution was a direct result of the work of local regulatory agencies as well as the California Department of Fish and Wildlife.

According to the District Attorneys' complaint, Union Pacific mishandled hazardous wastes, mishandled materials stored in aboveground storage tanks, maintained inaccurate hazardous material business plans, and was responsible for spills of hazardous substances (including petroleum) over an eight-year period. This settlement resolves the allegations made in the District Attorneys' complaint.

"This settlement with Union Pacific Railroad Company corrects prior deficiencies and also helps prevent similar issues in the future. I wish to emphasize that Union Pacific Railroad was cooperative and professional throughout our investigation and prosecution as we worked with them to achieve a fair resolution regarding these matters," said Anderson. "This settlement also requires Union Pacific to improve their staff training as well as management of their respective facilities."



Under the settlement, Union Pacific must pay \$2 million in civil penalties and \$313,432 to reimburse the costs of the investigation. Union Pacific must also hire and pay for the environmental compliance officer to strengthen the companies' environmental protection programs.

This case was prosecuted by Deputy District Attorney Rick C. Lal of the Consumer and Environmental Protection Unit of the San Bernardino County District Attorney's Office in conjunction with other District Attorneys' Offices in California.

For family, justice delayed

By **Matthew Cabe**

Staff Writer

Posted Jan 9, 2019 at 6:04 PM

Updated Jan 9, 2019 at 7:46 PM

The cases involving the 2015 death of Julian Kilgore in Apple Valley have lingered in court since jurors convicted two men of his murder more than two years ago.

VICTORVILLE — On Aug. 6, 2015, Mari Kilgore missed a call from her 23-year-old son, Julian.

She was outside with her grandson and had left her phone inside her home. That Thursday evening was “gloomier” than most, she recalled this week.

Back inside, Kilgore tried calling her son back, but he didn’t pick up. She started scrolling through her Facebook page because she’s “always on Facebook.”

“In hindsight, that’s when everything was happening,” she said.

Julian Kilgore was shot and killed that night. His friend, Richard Fenton, was also shot, but he survived what San Bernardino County Deputy District Attorney Jason Wilkinson said was a residential robbery.

Wilkinson served as prosecutor on cases against Arieon Shoulders, 25, and Richard Nedd, 24, that began in May 2016 in Victorville. Shoulders was arrested the day after Julian Kilgore’s death. Nedd was arrested on Sept. 30, 2015, after San Bernardino County Sheriff’s Department officials named him and Rayvon Tarpley suspects following further investigation.

Tarpley, 25, was shot and killed in Adelanto a week before Nedd’s arrest during a separate incident that authorities described as accidental. Wilkinson told the Daily Press on Wednesday he believes Tarpley was the shooter during the robbery that resulted in Julian Kilgore’s death.

Shoulders and Nedd were convicted of murder and other felony charges in September 2016 by separate juries in one trial. At the time, Mari Kilgore expressed gratitude to those who worked on her son's case. Sentencing was scheduled for December of that year. Soon, she thought, her family's painful ordeal would bring justice for her son.

The cases, however, have languished in court for more than two years. Multiple sentencing hearings were vacated, defense attorney Susan Slater was appointed to a commissionership and Victor Stull, the presiding judge, died in February 2018.

Shoulders and Nedd also qualified for a so-called Franklin hearing, which introduces evidence related to the maturity level of defendants who are under 23 years of age at the time of a crime committed that may bring a life in prison sentence, according to Wilkinson.

Assuming they are eventually sentenced, that evidence could shorten the time Shoulders and Nedd serve before they're eligible for parole, but the evidence-gathering process remains ongoing, Wilkinson said.

"My stance is I want them to do the time that they should under the penal code," he said.

There's also a more recent element: Senate Bill 1437.

Signed in September by former California Gov. Jerry Brown, SB 1437 limits a prosecutors' ability to use what's called the "felony murder rule" to charge accomplices with homicide.

Under the amended law, Wilkinson said prosecutors must prove a defendant either was the killer, aided and abetted the killer or acted with reckless endangerment to human life.

Supporters of the new law said the "felony murder rule" was used disproportionately against women, young people and minorities, but law enforcement agencies and victim advocacy groups worried changes to it would allow people who commit crimes that led to a death to go free without accepting responsibility, according to a Sacramento Bee report.

Combined, the circumstances now surrounding the cases filed after Julian Kilgore's death have prolonged proceedings and brought several motions filed since Shoulders and Nedd were convicted, court records show.

San Bernardino County Public Defender Kellie Byward and defense attorney Reginald Taylor — who represent Shoulders and Nedd, respectively — could not be reached for comment Wednesday.

Wilkinson, however, said their motions argue the defendants weren't the shooter, didn't have an intent to kill, weren't "major participants" and didn't act with reckless endangerment to human life.

A separate motion for a new trial argued that none of the aforementioned was proven at trial, according to Wilkinson.

For Mari Kilgore, though, each factor has widened the gap between her family and the justice sought. She has focused her attention on what she sees as the unfairness in "the finality of death."

"We don't repeatedly get opportunities to petition death or make a plea to the court or lawmakers to change the outcome of that horrific night," Mari Kilgore said. "Without judge or jury, we were forced to accept a life sentence of grief."

Julian Kilgore was living with Fenton at the time of the robbery. He was shot multiple times outside the house they shared in the 21000 block of Nisqually Road in Apple Valley.

His daughter, Makayla, who was 3 at the time, was inside the house while he was gunned down outside. She is now 7 years old.

At the time of his death, Julian Kilgore was a budding music producer and rapper who went by JB Yung Majick. His sister, Krystin Kilgore, said his beats are still used in rap songs today.

In separate interviews, Mari and Krystin Kilgore both described Julian Kilgore as a genuinely caring person who accepted everyone. They said he was goofy and had a natural talent for music.

“I feel like how people are so easily famous right now, that would have been him because he actually had craft,” Krystin Kilgore said of her brother. “That’s the part that sucks. Yeah, his music is still there, but he would’ve been 20 times better and probably somewhere bigger.”

Mari Kilgore, whose relationship with her son was occasionally strained due in part to some of his life choices, said she saw a positive change in him after Makayla was born. She finds unfairness there, too.

“My granddaughter lives without her daddy, my daughter lives without her brother and I continually live without my son,” Mari Kilgore said. “As victims of crime, our pain takes a back seat in the gamesmanship of restoring justice.”

Shoulders and Nedd are due back in a Victorville courtroom Thursday for a hearing to address the new-trial motion. Wilkinson, however, said the hearing will likely be continued to allow his office time to rebut certain petitions submitted on behalf of the defendants.

“It’s my belief were going to come back in the next 60 days,” he said.

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Hesperia City Council greets new year with new roles

By **Rene Ray De La Cruz**

Staff Writer

Posted Jan 9, 2019 at 5:02 PM

Updated Jan 9, 2019 at 5:02 PM

HESPERIA — The City Council's first meeting of the new year was brief, with much of the discussion focused on appointing new roles for Council members, city staff and community representatives.

During Tuesday's meeting, three newly elected by-district Council members that won their seats in November appointed residents to several city-run commissions and committees.

Mayor Pro Tem Bill Holland, who represents District 2, appointed businessman Cody Leis to the Planning Commission, retired deputy sheriff Bob Stine to the City Council Advisory Committee and Hesperia Recreation and Park District board member Kelly Gregg to the Public Safety Advisory Committee.

Councilman Cameron Gregg, who represents District 3, appointed James Blocker to the Planning Commission, former Hesperia Council candidate Brigit Bennington to the City Council Advisory Committee and newly elected Hesperia Recreation and Park District board member Shawna Lupton to the Public Safety Advisory Committee.

Councilman Jeremiah Brosowske, who represents District 4, appointed attorney Kerrie Justice to the Planning Commission, Mark Kirk to the City Council Advisory Committee and Anthony Rhoades to the Public Safety Advisory Committee.

Blocker, Rhoades and Stine came up short in previous Council election bids.

In November, Rhoades lost his bid for a seat on the Hesperia Unified School Board and Bennington lost her bid for a Council seat against Brosowske.

After being appointed to the Council last year, Brosowske appointed Kirk to the City Council Advisory Committee. Kirk is the former chief of staff for then-county Supervisor Gary Ovitt. Kirk was acquitted during the eight-month San Bernardino County Colonies case.

The Council planned to select primary and alternate liaisons to various outside agencies and to the Development Review Committee for one year beginning this month. But when it came to appointing liaisons for the DRC, Holland asked that no appointments be made.

"I believe for the Council to sit in on the DRC and pre-DRC meetings are in fact a conflict of policy and code," Holland said.

Brosowske, who served as liaison on the DRC with former Councilman Paul Russ, agreed with Holland's decision, saying that it was hard for people with "everyday jobs" to attend the meeting, which is usually scheduled during the weekday.

Russ, who lost his November election bid against Cameron Gregg, suggested last year that a Council member should attend the DRC meetings in order to "streamline" the development process.

The Council voted 4-1 to attend the DRC meetings through the end of the year, with Bird dissenting and expressing his concern that the move was "too intrusive" by the Council.

The primary and alternate liaisons to various outside agencies include:

League of California Cities

- Primary - Gregg,
- Alternate - Holland

League of California Cities Inland Empire/Desert Mountain Divisions

- Primary - Gregg
- Alternate - Holland

Mojave Desert Air Quality Management District

- Primary - Councilwoman Rebekah Swanson
- Alternate - Gregg

San Bernardino County Transportation Authority

- Primary - Holland
- Alternate - Swanson

San Bernardino County Solid Waste Task Force

- Primary - City Management Analyst Julie Ryan
- Alternate - Brosowske

Victor Valley Economic Development Authority

- Primary - Swanson
- Alternate - Brosowske

Victor Valley Transit Authority

- Primary - Mayor Larry Bird
- Alternate - Swanson

Victor Valley Wastewater Reclamation Authority

- Primary - Bird
- Alternate - Holland

Hesperia Chamber of Commerce Liaison

- Primary - Bird
- Alternate - None

Hesperia Chamber of Commerce 2034 Committee

- Primary - Gregg
- Alternate - City Spokeswoman Rachel Molina

Tri-Agency Committee

- Primary - Gregg
- Alternate - Swanson

City Council Advisory Committee

- Primary - Brosowske
- Alternate - Swanson

Public Safety Advisory Committee

- Primary - Gregg
- Alternate - Brosowske

The next Council meeting is scheduled for 6:30 p.m. on Jan. 22 at Hesperia City Hall, 9700 Seventh Ave. For more information, call 760-947-1000 or visit www.cityofhesperia.us.

Reporter Rene Ray De La Cruz may be reached at 760-951-6227, RDeLaCruz@VVDailyPress.com, Twitter [@DP_ReneDeLaCruz](https://twitter.com/DP_ReneDeLaCruz)

https://www.highlandnews.net/news/lilburn-takes-the-gavel-once-more/article_8be05930-145b-11e9-a91b-7f9fc1bec02c.html

FEATURED

Lilburn takes the gavel once more

By JAMES FOLMER Editor Highland Community News Jan 9, 2019 Updated 35 min ago

Penny Lilburn, who served as Highland's mayor from 2007 to 2010, took the gavel again Tuesday night.

In a typically quick decision by the City Council, she was unanimously approved as mayor and Larry McCallon was unanimously approved as mayor pro tem. There were no other nominees.

Nothing was said about Jesse Chavez, who served as mayor pro tem in 2018. Often, the mayor pro tempore — Latin for “for the time being” — is seen next in line for the mayor's chair. However, Chavez has dissented from the majority in the past year. He opposed the council's stand against sanctuary cities and the city's plan to put Burrtec Waste Industries payments on property tax bills. Lilburn emphasized that being mayor is largely ceremonial.

“Just a reminder that the mayor has no more power than any other council member,” she said. “They just get to run the meetings, attend public events and represent the City Council.”

The council quickly moved on to the business of the night, approving a \$20,000 contract with Engineering Resources of Southern California of San Bernardino to design the Elder Gulch storm drain.

The area east of Church Street and north of Greenspot Road experienced flooding in 2010, Principal Project Manager Dennis Barton told council. The flooding affected Arroyo Verde Elementary School.

The San Bernardino County Flood Control District has secured a \$3 million Federal Energy Management Agency grant to complete the \$10.3 million project.

It will replace a reinforced concrete box and drainage channel with a new open channel with a 100-year storm capacity from south of Greenspot Road to the confluence with Plunge Creek.

The council also approved a \$49,814 supplemental agreement with KOA Corp. for the Highland/Redlands Regional Connector Project, which will create a Class 1 protected bike lane along Boulder Avenue and Orange Street from Arroyo Verde to Citrus Valley High School.

That includes a \$20,000 fee to the California Department of Fish and Wildlife for a 2081 Incidental Take Permit because the route crosses part of the Santa Ana River Wash Habitat Conservation Plan. Because it disturbs habitat for the endangered slender-horned spineflower, it must be mitigated.

It was assumed that the Habitat Conservation Plan would be complete by the time construction begins, but the San Bernardino Valley Water Conservation District says that won't be the case.

More than three-quarters of the \$4.6 million bikeway project is funded by a federal Active Transportation Program grant. Construction is expected to begin in October. Construction a new Orange Street bridge across Plunge Creek is expected to start in October 2020.

NEWS > CRIME + PUBLIC SAFETY

On his first day, Sheriff Chad Bianco removes Moreno Valley station commander



Capt. David Kurylowicz, the commander of the Riverside County sheriff's Moreno Valley station, was placed on paid administrative leave on Jan. 8, 2019, by new Sheriff Chad Bianco. (Courtesy of Riverside County Sheriff's Department)

By **BRIAN ROKOS** | brokos@scng.com | The Press-Enterprise

PUBLISHED: January 9, 2019 at 6:49 pm | UPDATED: January 10, 2019 at 6:54 am



Hours before [Chad Bianco was sworn in](#) Tuesday as Riverside County sheriff, he placed openly gay Capt. David Kurylowicz, who had accused Bianco of making homophobic statements, on paid administrative leave. Bianco has denied making any such statements.

Sheriff's spokesman Sgt. Chris Willison confirmed that Kurylowicz had been removed as commander of the Moreno Valley station and that Lt. Dave Lelevier has taken Kurylowicz's place.

But otherwise, Willison would not comment on the situation. It wasn't known if the move to place Kurylowicz on leave was rooted in Bianco's successful 2018 election campaign to defeat Sheriff Stan Sniff, who was publicly supported by Kurylowicz.

Kurylowicz did not respond to two requests for comment for this story.

Kurylowicz and Bianco had argued loudly at an event in February 2018 about

In an audio recording [posted on the blog Right on Daily](#), Kurylowicz is heard complaining that Bianco is calling him a liar.

“I’m not calling you a liar but I’m telling you that I won’t believe anything you say,” Bianco says.

Responds Kurylowicz: “You say you’re a man of integrity; prove it.”

During that argument, Kurylowicz told the Desert Sun newspaper, Bianco said there would be no place for “people like you” in the department, which Kurylowicz believed to be an anti-LGBTQ statement.

Then on Sept. 20, Kurylowicz spoke during the public comment period at the Palm Springs City Council meeting, where he told council members that he has been married to his husband for more than 16 years.

“I happen to be the target of a very vicious and vile attack by a candidate who is applying for the top police position for our county,” Kurylowicz said. “I am concerned for my community. As a gay man, I’ve faced ridicule and public humiliation by the Bianco campaign for my lifestyle. My husband has also faced similar troubles.

“If this person is willing to do this to me – a veteran police officer for 26 years – I’m worried about what is going to happen with my community. It is real, and it is happening to me,” Kurylowicz said, his voice breaking.

Kurylowicz did not provide any specific statements to the City Council that Bianco said to support his claim, Palm Springs Mayor Pro Tem J.R. Roberts said in an interview with television station KMIR (NBC Palm Springs). Roberts also said Sniff and Kurylowicz met with City Councilman Geoff Kohrs leading up to the meeting.

Kurylowicz told KMIR that he considered himself a victim of cyberbullying. Kurylowicz also told the Desert Sun that he believed that the Bianco campaign was directing Right On Daily, where sheriff's deputies and others make anonymous posts, some of them mocking Kurylowicz.

Bianco, in an interview with KMIR in September, said one of his brothers is gay and that he would never make homophobic statements. Bianco accused Sniff's campaign of being behind Kurylowicz's statements and added that his own campaign had no connection to Right On Daily, which supported Bianco.

"The current sheriff has absolutely nothing to stand on, so this is where we're going to take this campaign. Not about how we're going to better the community, not about how we're going to better the department. Let's say Chad is a homophobe ... let's just make it up," Bianco told KMIR.

Two messages were sent to Sniff seeking comment.

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Brian Rokos

Brian Rokos writes about public safety issues such as policing, criminal justice, scams, how law affects public safety, firefighting tactics and wildland fire danger

Transparency law fought with lawsuits, shredders

As new public-access legislation takes effect, police agencies defend destroying internal affairs files.

BY LIAM DILLON AND MAYA LAU

SACRAMENTO — Just as a landmark police transparency law is going into effect, some California police agencies are shredding internal affairs documents and law enforcement unions are rushing to block the information from being released.

The new law, which begins to unwind California's strictest-in-the-nation protections over the secrecy of law enforcement records, opens to the public internal investigations of officer shootings and other major uses of force, along with confirmed cases of sexual assault and lying while on duty. But the lawsuits and records destruction, which began even before the law took effect Jan. 1, could tie up the release of information for months or years, and in some instances, prevent it from ever being disclosed.

"The fact that police unions are challenging this law is on some level not surprising," said Peter Bibring, director of police practices at the American Civil Liberties Union of Southern California, one of the principal supporters of the new law. "They have a long history of fighting tooth and nail against transparency."

Before this year, the public couldn't access police disciplinary records outside of a courtroom.

The same prohibitions, which were first put into place four decades ago after a push from police unions, applied to prosecutors as well. California was the only state in the nation where that was the case.

Supporters of the new law, [which then-Gov. Jerry Brown signed in the fall](#), argued that more transparency was necessary to increase trust in law enforcement. The measure [squeaked through the Legislature in the final days of its session](#) over the objection of police labor groups, which contended that the confidentiality laws prevented unwarranted intrusion into officers' lives.

In the weeks before the law took effect, some police departments destroyed records that otherwise could have become public, though the agencies asserted that the purges had no

connection to the change. California law says departments must keep investigations of officer shootings for five years with various retention requirements for other records.

Last month, the Inglewood Police Department [shredded records of more than 100 police shooting investigations and other internal affairs cases](#) dating from 1991 through 2016.

City officials said the decision wasn't made in response to the new law, but rather that the documents took up valuable space and were being kept longer than required.

The Long Beach Police Department has also come under scrutiny for destroying two decades' worth of internal affairs files in December, but officials there said the move was part of a two-year-long effort to streamline records retention practices and had nothing to do with the new law.

Long Beach Police Department Cmdr. Erik Herzog said officials were careful to preserve all records related to current employees, officer shootings, in-custody deaths and allegations that could result in criminal charges, no matter how old. The 325 cases that were purged, which spanned from 1978 through 2001, were internal affairs records pertaining to former employees and may have included cases involving lying by officers, he said.

Some use-of-force and internal affairs documents from 2013 were also shredded as part of a routine purge separate from the larger records review.

It's unclear how many other police agencies might have destroyed internal records before the transparency law took effect.

Bibring, the ACLU official, called agencies that are shredding records "rogue departments."

"The departments that are frantically shredding records are the departments that are openly trying to thwart the intent of the Legislature," he said.

Bibring singled out Inglewood, which has a long history of police misconduct, [including intervention by the U.S. Department of Justice](#) after a series of shootings in 2008.

"The act clearly suggests that the department's records show mismanagement or cover-ups of police misconduct," he said.

But David Swing, police chief in Morgan Hill and president of the California Police Chiefs Assn., said he wasn't surprised that police agencies were reexamining how long they should be keeping internal records because the new law makes public activities that have long been kept private.

"That's a sweeping change," said Swing, whose organization backed the legislation. "It's going to create some questions about how it's applied."

The shredding of misconduct records has a history in California. The 1978 law that inaugurated California's police secrecy provisions [was written in response](#) to the Los Angeles Police Department's shredding of 4 tons of personnel records after the

information was subpoenaed in court. The law added requirements for law enforcement agencies to preserve records but also shielded them from public view.

The recent records destruction has caught the attention of California Atty. Gen. Xavier Becerra, whose office [issued a bulletin to law enforcement agencies in the state](#) instructing them to preserve all records that might be disclosed under the law.

But the bigger fight over the law looks to be in the courtroom. Last week, the California Supreme Court [shot down a challenge to the new law](#) from a police union in San Bernardino County, which argued that it only applies to incidents that occur in 2019 or later.

That decision, however, has not prevented police unions from seeking relief in other courts around the state.

On Dec. 31, a Los Angeles Superior Court judge issued a temporary stay preventing the Los Angeles Police Department from releasing records under the new transparency law that pertain to events before Jan. 1. The order came as part of a lawsuit by the Los Angeles Police Protective League, which argued that the measure, if applied retroactively, would violate officers' privacy rights. A hearing is scheduled for Feb. 5.

Other unions could follow suit.

“It is possible that numerous lawsuits will be pursued by peace officer labor organizations in local courts throughout the state to prevent public agencies from releasing confidential information which is prohibited by law,” said a statement from Mike Rains, an attorney representing the San Bernardino union, in response to the Supreme Court's decision not to hear the case.

Some departments have argued that complying with the law, even if it only applied to records generated after Jan. 1, would be a significant burden on staff resources.

The Los Angeles Police Department would have to hire additional staff and acquire expensive computers and software to fulfill requests under the new law, Chief Michel Moore said in a December letter to the law's author, Sen. Nancy Skinner (D-Berkeley). Moore expressed concern that if the law were applied retroactively, some of his staff would be diverted from assignments to handle voluminous requests that could involve the painstaking work of redacting and converting reel-to-reel tapes, floppy discs and other outdated media.

The Los Angeles County Sheriff's Department is requesting additional personnel to comply with the law.

Skinner said it was “very disappointing” that agencies destroyed records rather than allowing them to become public. Still, she said she wasn't surprised by the lawsuits and plans to wait until cases are resolved before considering any changes to the law.

“Clearly since these agencies want to go the litigious route, let's see how the courts opine,” Skinner said.

She said her intent was for the new law to apply to any records in a department's possession.

But if a court decided otherwise, Skinner believes the rules will provide a needed boost to transparency surrounding police activities.

"Certainly it is still a victory to give the public access even if it is prospective to help build community trust for effective law enforcement," she said.

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THE CALIFORNIA REPORT

Police Records Law: Burlingame Cop Fired for Asking Woman to Trade Sex for Help With Charges



LISTEN 4 min



Then-Burlingame police Officer David Granucci is seen at an Oct. 17, 2011, City Council meeting, where he accepted a 'lifesaving award' for helping a man who was choking at a restaurant. Granucci was fired June 29, 2018, after an internal investigation found he abused his police authority to solicit sex from a woman after she was arrested under suspicion of DUI. (Via Burlingame City Council)

Updated Monday, 11:59 p.m.

In one of the first releases of records under a new state law designed to show how police officers are disciplined for major offenses, documents show the Burlingame Police Department fired a veteran officer last year after it found he offered to help a woman charged with DUI if she had sex with him.

The former officer, David W. Granucci, 45, was later found to have made similar proposals to two other women, one who engaged in a sexual affair with him, according to the documents. He had been a Burlingame police officer since 2000, and had previously worked for the Hayward Police Department.

Police Secrets Revealed



- *Lines Drawn in Fight Over Historic Unsealing of Police Records*
- *Got a tip?*
- *Full series*

Reporters with KQED and the Bay Area News Group obtained the records under a new police transparency law sponsored by state Sen. Nancy Skinner, D-Berkeley. The law, which took effect Jan. 1, represents a big change for police in the Golden State, which for decades had enjoyed the most restrictive laws in the nation, making access to information about officers misconduct and discipline all but impossible. Similar bills had died in the Legislature several times over the past 20 years.

The law requires any agency that employs sworn officers to publicly release records of discipline related to official dishonesty and sexual misconduct on duty. It also requires release of all investigations into the use of force involving a firearm and any force that results in serious bodily injury, including disciplinary records stemming from such cases.

“The public is entitled to know about abuses of the extraordinary power they give to police officers, and (the new law) finally allows them to see evidence of these abuses — evidence that is essential in order for the public to hold police officers, and their departments, accountable,” said David Snyder, executive director of the San Rafael-based First Amendment Coalition, an open government group.

'Using His Police Authority'

According to the discipline records released by Burlingame police, the unidentified woman with the drunken driving charge was arrested in March 2018. The documents do not indicate whether Granucci was the arresting officer. But he obtained her phone number and address, then went to her house the following day and solicited sex while "using his police authority, by offering to assist her with her DUI case," according to a summary of an internal affairs investigation. She rejected Granucci's advances and reported him to police.

The Police Department put Granucci on administrative leave when he showed up to work the next day, the records say. He was fired more than three months

later by then Police Chief Eric Wollman, who recently retired. Granucci could not be reached for comment Monday.

Bay Area Leading Fight To Make Police Records Public



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The internal investigation found that Granucci violated 12 department rules, including exercising his authority wrongly, disclosing investigative information, and discrediting his department. Wollman gave the investigation's findings to the San Mateo County District Attorney's Office, which declined to file criminal charges.

San Mateo County Chief Deputy District Attorney Al Serrato wrote in an email that his office looks at police-abuse cases closely because of the positions of authority that officers hold. But he added, "We ultimately determined that there were no chargeable violations that we could prove beyond a reasonable doubt" concerning Granucci.

'Enhanced Transparency'

New Burlingame Police Chief Michael Matteucci wrote in an email that "we take our obligations to the public seriously including the newly enhanced transparency requirements under state law." He added that the department "will not have further comment on the merits of these cases."

A police expert said Burlingame's firing of the officer for attempting to manipulate the woman into sex was in keeping with how departments across

the country handle such matters.

"Extorting sexual favors in return for failing to carry out one's official duties are certainly offenses that routinely lead to termination in law enforcement agencies nationwide," said Tom Nolan, a former Boston police lieutenant turned academic. Nolan also said that in many instances such as the one involving Granucci, criminal charges are filed.

New State Laws Reduce Secrecy Around Police Misconduct, Shootings



Some police unions are pushing back on the new law, arguing that it should not apply to records about disciplinary cases filed before Jan. 1.

One prominent attorney for police unions, Michael Rains of Pleasant Hill, made a failed, last-minute attempt to block the law from taking effect in mid-

December. The state Supreme Court refused to hear Rains' argument that the law does not require the release of records showing misconduct that occurred before Jan. 1.

But the fight might not be over. A Los Angeles County Superior Court judge issued an injunction on New Year's Eve barring the LAPD from releasing similar records until a hearing is conducted next month concerning the law's retroactivity.

Rains did not respond to emails and phone calls seeking comment on Monday. A statement on his law firm website says "it is possible that numerous lawsuits will be pursued by peace officer labor organizations in local courts throughout the state to prevent public agencies from releasing confidential information which is prohibited by law."

But news media and First Amendment groups have scoffed at the claim that the law does not apply to old records, and the Legislature's intent is clear.

It "can and should be applied retroactively," a lawyer representing the First Amendment Coalition, the Los Angeles Times, the California News Publishers Association and KQED wrote in a brief to the Supreme Court, adding that "the understanding and intent" of state lawmakers was that the new law was to be applied retroactively to existing disciplinary records in officers' personnel files.

UC Berkeley graduate student reporters Susie Neilson and Josh Slowiczek contributed to this story.

This story was reported in collaboration with the Bay Area News Group and Investigative Studios, an independent nonprofit news organization affiliated with the Investigative Reporting Program at UC Berkeley.

SPONSORED BY

Newsom hints at a more hopeful budget

Governor alludes to ‘an interesting surplus’ as he gets set to unveil his spending proposal for California.

BY JOHN MYERS

SACRAMENTO — Gov. Gavin Newsom will unveil a lengthy blueprint for California government spending on Thursday, with promised money for healthcare, low-income housing and education riding on whether he sees boom or bust times on the horizon.

State officials use that economic forecast to calculate expected tax revenues. It is also a key component in gauging the size of what’s believed to be a substantial windfall — as much as \$15 billion in unexpected discretionary revenues through next summer due to a still-booming economy. The question is how long these good times will last.

Newsom piqued the curiosity of state Capitol watchers on Tuesday when he described a soon-to-be-revealed decision he made in preparing his first budget as governor.

“I’m about to announce an interesting surplus,” he told reporters during an event to announce new wildfire prevention efforts. “That will be a little more interesting than the one you’re reading about, writing about.”

With so much of the money collected by the state dedicated to things few governors would tinker with — those controlled by either constitutional mandate or political consensus, including bond obligations and prison spending — the bonus cash stands out as the most likely source of funding for much of Newsom’s ambitious agenda. The funding plan could also bring into view a sharp contrast with his predecessor, the preternaturally cautious former Gov. Jerry Brown.

“Fear of recession has become the accepted mantra” in Sacramento, said Chris Hoene, executive director of the California Budget & Policy Center, a nonprofit that advocates for programs to help those in the state living in poverty. “We’re already seeing a difference in approach with this governor.”

Newsom’s advisors did little during the nine-week transition between governors to dissuade lawmakers or advocacy groups from believing an evolution in budgeting was in store. In the week leading up to Monday’s inauguration, a series of proposals were revealed for new investments in programs for children and families: expanded early

childhood education services, longer workplace leave with pay for new parents and greater access to tuition-free community college.

Most of the documents on Newsom's budget plans, leaked to news outlets over the last week, lack details on what the programs would cost. But a plan to expand education programs, including full-day kindergarten and infant or toddler childcare, was pegged at \$1.8 billion. Much of that money, according to a document obtained last week by The Times, would be a one-time expense. Newsom would expand classroom facilities and training programs for childcare workers — the kind of spending that would lay the groundwork for enhanced programs. Actual growth in the programs would wait until the future.

“That kind of step-by-step staging is what's needed,” Hoene said. “I think we are seeing some smart policymaking in these early plans.”

On Tuesday, Newsom continued his focus on one-time expenses by proposing \$10 million for a long-term effort to move California's 911 system from decades-old analog technology to more reliable digital-based communications. He told reporters that full funding of the conversion would come in the future through a new dedicated fee on phone bills, a plan likely requiring legislative action.

Newsom's approach is not completely at odds with that of Brown, who famously constrained his tax revenue projections and then insisted to lawmakers that any windfall created by the miscalculation shouldn't be construed as money to pay for long-term government commitments.

In his inaugural speech, the new governor signaled what sounded like a new middle-ground approach.

“We will be prudent stewards of taxpayer dollars, pay down debt and meet our future obligations,” Newsom said. “But let me be clear: We will be bold. We will aim high, and we will work like hell to get there.”

Education advocates are counting on that promise of audacity. The largest single share of state general fund spending each year — more than a third of such expenditures in the budget enacted last summer — are earmarked to K-12 schools and community colleges. But California's three-decade-old law prioritizing public school funding sets only a minimum level, not goals for additional spending.

“There's an opportunity now to do something very significant,” said Kevin Gordon, a longtime education lobbyist. “The expected revenues could help break the back of this mentality that schools should only get the bare minimum [required by law].”

Successive years of strong tax revenues helped the state in recent times pay back most of the legal obligations to schools dating back to cuts enacted during the Great Recession. But Gordon pointed out that a number of school districts have raised a red flag of financial distress.

Newsom's "heart's in the right place when it comes to focusing on early education," Gordon said. "But it sets those kids up for failure if they go into an underfunded K-14 system."

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Times staff writer Phil Willon contributed to this report.

OPINION

California's other fiscal time bomb



California's other fiscal time bomb

By **MARC JOFFE** |

PUBLISHED: January 10, 2019 at 8:23 am | UPDATED: January 10, 2019 at 8:23 am

California's state and local agencies have \$187 billion in unfunded retiree health care and other benefit liabilities that threaten to crowd out public services, such as public safety and education, that Californians expect government to provide.

Fortunately, state and local officials have more options to manage these other post-employment benefits than they do for public pensions. It's urgent that they start exercising these options.

The estimated \$187 billion in unfunded liabilities comes from a Reason Foundation review of audited financial statements published by the state, University of California system and several hundred local governments, including counties, cities, school districts, community college districts and other special districts for the 2017 fiscal year.

The bulk of the unfunded liabilities are carried by the state —\$88 billion— and a handful of large agencies, such as Los Angeles County, with \$25 billion in unfunded post-employment benefits, and the University of California system, with \$19 billion.

Perhaps the biggest impact is being felt by the Los Angeles Unified School District, which is struggling with declining enrollment and long-term budget issues. Lower enrollment means reduced state aid.

Since post-employment benefit costs are relatively fixed, they become an increasing burden as the school district's revenue falls. In the case of Los Angeles schools, post-employment benefit costs for retired teachers and staff amount to \$700 per student annually and consumed 4 percent of the district's total revenue in 2017, according to data in the district's own audited annual financial report.

Unlike pensions, other post-employment benefits, including healthcare coverage, are not covered by the California Rule, which locks in an employee's ability to continue accruing benefits under current or more generous terms.

If an employee's pension benefit is now growing at 3 percent of his or her salary for each year of service, the California Rule requires that this benefit growth rate continue.

By contrast, state law provides no similar floor for other post-employment benefits, so they can be altered or abolished by each government, although such

Of course, terminating retiree benefits without notice is not the desired outcome and one that can and should be avoided through sound public policy.

This means that governments should pay for other post-employment benefits as they are earned, a practice known as pre-funding, and that the benefits promised to government workers should be sustainable. Fortunately, there are several avenues for more responsible policy.

Many agencies constrain other post-employment benefit liabilities by asking retirees to pay a portion of their own health insurance costs.

Agencies such as L.A. Unified that currently make the full premium payment should consider introducing a retiree responsibility component, especially for higher-income retirees who can afford to pay for a portion of their own benefits.

Further cost savings can also be achieved by reducing or eliminating coverage for a retiree's dependents.

It is usually less costly to provide retiree health benefits to people over 65 because this group is eligible for Medicare.

Governments that offer other post-employment benefits should limit benefits for their retirees over the age of 65 to the cost of Medicare wraparound policies that cover gaps in federal coverage for things like prescriptions and deductibles.

Medicare expansion or single-payer health care policies could greatly reduce or eliminate state and local other post-employment benefit liabilities but these programs would be shifting the costs elsewhere and could have more serious fiscal downsides for taxpayers.

For example, a California single-payer plan passed by the state Senate in 2017 was estimated to cost \$400 billion annually.

Unfunded post-employment benefit obligations represent a growing burden on public agencies. While federal or state health care legislation might someday help resolve the problem, such changes would be controversial and costly. Rather than hope for a bailout, governments now facing large unfunded post-employment benefit obligations should look toward realistic reforms.

Pre-funding, requiring retirees to pay for a portion of their own benefits, and limiting dependent coverage are the most sensible paths to start digging out of the \$187 billion hole facing taxpayers and future retirees.

OPINION

Climate activists versus affordable housing



Photo courtesy Kaiser Health News

By **SUSAN SHELLEY** |

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In what may signal the beginning of the end of alarmism over climate change, a group of civil rights activists is suing the California Air Resources Board. The issue is CARB's plan to reduce greenhouse gas emissions by effectively limiting new housing construction. The lawsuit says this is driving up the cost of housing, worsening poverty and particularly victimizing minority communities.

The Global Warming Solutions Act of 2006 (Assembly Bill 32), signed by Gov. Arnold Schwarzenegger, committed California to a goal of reducing statewide greenhouse gas emissions. The California Air Resources Board was required by AB 32 to write "scoping" plans every five years detailing how the specified GHG reduction targets would be met.

The 2017 scoping plan includes "guidelines" for new housing that the lawsuit calls "staggering, unlawful and racist."

The group that is suing is called The Two Hundred. It's a Bay Area organization made up of longtime civil rights advocates who have spent decades fighting against discrimination. They say CARB's new GHG housing provisions have a "disparate effect on minority communities," which is illegal and unconstitutional.

CARB's provisions "increase the cost and litigation risks of building housing," intentionally worsen traffic congestion and raise fuel and electricity costs, the activists contend.

The lawsuit says CARB's scoping plan calls for new housing in "California's existing communities (which comprise 4 percent of California's lands)." The idea is to reduce "vehicle miles traveled" by limiting sprawl. But the civil rights activists say this is leading to resegregation of California's urban areas as older affordable housing is demolished to make way for high-density housing that is unaffordable.

A better solution, the group says, is to build homes on land that is outside the current urban boundaries, but CARB's 2017 scoping plan is preventing that. Its "guidelines" are helping to block new housing developments.

CARB tried unsuccessfully to get the lawsuit thrown out. Fresno County Superior Court Judge Jane Cardoza issued an order in October allowing it to go forward.

Unless there's a settlement, the courts will decide whether "California's climate change policies, and specifically those policies that increase the cost and delay or reduce the availability of housing, that increase the cost of transportation fuels

Not to mention their impact on everybody else.

There are four “GHG Housing Measures” at issue. They attempt to limit “vehicle miles traveled,” set a “net zero” GHG standard for new housing developments and add a “CO2 per capita” measurement to local “climate action plans.” There’s also a set of policies to encourage “vibrant communities.”

CARB says these “GHG Housing Measures” are only “guidelines,” but the lawsuit calls them “unlawful underground regulations” that were imposed without a formal rulemaking process.

Something else that CARB skipped, the lawsuit charges, is the legally required economic analysis that “accounts for the cost of these measures on today’s Californians.”

Yes, civil rights activists are demanding that climate regulations meet the law’s required standard of cost-effectiveness.

But California’s climate regulations can’t meet any standard of cost-effectiveness.

As the lawsuit explains it, “California’s reputation as a global climate leader is built on the state’s dual claims of substantially reducing greenhouse gas emissions while simultaneously enjoying a thriving economy. Neither claim is true.”

The statewide economic growth numbers are misleading, the lawsuit says, because the averages are boosted by capital gains in the wealthy Bay Area tech sector, while most of the state struggles with low wages and high costs. And while Californians were paying too much for housing, fuel and electricity in order to achieve greenhouse gas reductions, other states actually had greater GHG reductions without doing anything.

“California’s climate policies guarantee that housing, transportation and electricity prices will continue to rise while ‘gateway’ jobs to the middle class for those without college degrees, such as manufacturing and logistics, will continue to locate in other states,” the lawsuit states.

This is something new in California. Civil rights activists are attempting to hold climate activists accountable for worsening the housing crisis and increasing poverty.

Maybe it’s the political climate that’s changing.

SCIENCE FILE

Winter is shorter, and that's a problem

It poses serious risks for the state, including greater flood risk and a longer fire season.



TIOGA LAKE, near Yosemite National Park, is fed by snowmelt. A recent study finds that snowpacks in the Western U.S. have begun melting away earlier in the year, a change that could jeopardize water resources, flood control, fire management and winter recreation. (Mark Boster Los Angeles Times)



A SNOWY ROAD leads to the lake at South Lake Tahoe, Calif. Snowmelt is a vital California resource. (Gary Coronado Los Angeles Times)

DEBORAH SULLIVAN BRENNAN

Across the mountains of the West, the landscape of winter is changing.

Deep snowpacks that held fast through winter, then melted in a torrent each spring, are instead seeping away earlier in the year. The period of winter weather is shrinking too, with autumn lasting longer and spring starting earlier.

The findings by Amato Evan, a professor of atmospheric and climate science with [Scripps Institution of Oceanography](#), show changes to Western hydrology that could jeopardize water resources, flood control, fire management and winter recreation.

His results were published last month in the Journal of Applied Meteorology and Climatology and presented at the American Geophysical Union Fall Meeting in Washington.

Aerial photos and snow surveys illustrate how levels vary from year to year. But Evan's study looked not only at how much snow there is, but also how it accumulates and then runs off.

Climate models have predicted the snowpack would diminish earlier in the season and melt more gradually as the planet warms. Evan affirmed those projections through an analysis of data from 1982 through 2017.

“There are theoretical models that say as the planet continues to warm, this is what should happen; snow melts earlier in the year, and doesn’t melt as fast as it does in the springtime,” he said. “We went back to the mathematics, and said, that’s actually exactly what we’re seeing.”

The readings come from 400 snow telemetry sensors across the West. They’re made of cushions filled with antifreeze that compress and expand as snow accumulates and melts, and sensors that record the changes. The data are hard to work with, though, because there’s so much day-to-day variation in storms and snow levels at each site.

“If you’re interested in climate, all those little blips obscure how that is changing over the last four decades,” Evan said.

To address that, Evan devised a mathematical formula to cut through the noise of the data and reveal trends in snowfall and melting. The calculations showed how the whole system was shifting because of higher temperatures.

“If we use the mathematical analysis, it tells you more about physical processes,” he said.

Dan Cayan, a Scripps researcher who studies climate effects on water, wildfire, health and agriculture and was not involved in the study, said those changes could upend water management systems in the West.

“Of course snowpack has traditionally been used as an extra reservoir in the Western states, and particularly in California,” he said. “It has some really nice properties, in that it doesn’t melt off until the latter spring and early summer, when there are a lot of water needs, particularly with our agricultural landscapes.”

Moreover, he said, California’s water system is designed to harness powerful storms that pose both risks and benefits.

“Water resources and water hazards are intimately tied together in California,” Cayan said.

Western mountains have historically released their water after winter storms have passed, but with snowmelt and storms occurring at the same time, the risk of floods increases. The near collapse of the [Oroville Dam](#) in February 2017 illustrates the kinds of dangers California could face with earlier runoff.

“We’re getting snowmelt at a time when a big storm which has both rain and snow could happen, and could overwhelm the flood control capacity of a given reservoir in that earlier season,” he said. “So that’s a feature of climate change that is really a threat, that water managers are going to have to contend with.”

Catastrophic wildfires are another peril of the changing regimen. Snowmelt dampens the risk of wildfire for [California’s forests](#) during spring and early summer. If it runs off sooner, that could leave those woodlands parched and fragile.

“When snow melts earlier in the year ... that means the soils dry out earlier in the year,” Evan said. “That means those forest ecosystems become drier. So in a sense, we can

lengthen the fire season.”

Early snowmelt also poses problems for tourism, particularly for mid- and lower-elevation ski resorts, and threatens part of the state’s natural heritage, Cayan said.

“The snowpack is such an iconic feature, for many reasons,” he said.

The study’s findings show that the pace of [climate change](#) is now catching up to projections, and can be seen on the ground, Evan said.

“Some of these results really have only been seen in modeling studies,” he said. “The fact that we can see them now in observations means that climate change in the Western U.S. is not something we will see in the next 50 years. It’s something that’s happening now. We can see it right now.”

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Deadline for wildfire aid is extended

Woolsey and Hill blaze victims have until month's end to seek FEMA grants.



FIREFIGHTER Adam Rodriguez tackles a hotspot at a Malibu Hills home in November. Victims of the Los Angeles County and Ventura County fires may be eligible for grants, rental assistance or home repair help. (Al Seib Los Angeles Times)

BY ALEJANDRA REYES-VELARDE

Federal officials have extended until Jan. 31 the deadline for California wildfire survivors to register for federal aid.

Residents whose homes were damaged by the Woolsey or Hill fires have until that date to apply for assistance from the Federal Emergency Management Agency, officials said.

Victims of the Los Angeles County and Ventura County fires, which torched more than 100,000 acres and destroyed thousands of structures, may be eligible for grants, rental assistance or help with home repairs.

Residents can apply to receive FEMA aid [online](#) or at [Disaster Recovery Centers in Malibu and Agoura Hills](#).

The federal grants do not have to be repaid, and assistance is not taxable and does not affect eligibility for benefits such as Social Security and Medicaid, according to FEMA.

Applicants should be ready to provide their Social Security number, the address of the damaged home, a description of the damage, bank account and routing numbers and information about their insurance coverage.

Before visiting a Disaster Recovery Center in person, residents are encouraged to apply online at [DisasterAssistance.gov](#) or by phone at (800) 621-3362 between 7 a.m. and 10 p.m. daily.

In addition, Ventura County residents have until Monday and Los Angeles County residents have until Jan. 28 to apply for a state program, CalRecycle, which assists in removing debris.

Doug Beach, a manager for Ventura County's administrative and community services, said 150 homes were completely or partially burned in Ventura County, and 94 people have applied to the CalRecycle program.

As part of the program, crews assist in removing hazardous materials, such as propane tanks, before clearing away debris and, eventually, the home's foundation, he said.

Residents who don't have insurance can receive debris removal aid at no cost, and those with insurance must reimburse the state for whatever amount their insurance company covers, Beach said.

Ventura County residents can apply for the CalRecycle program at [VenturaCountyRecovers.org](#) or in person at the County Government Center between 8 a.m. and 5 p.m. Los Angeles residents can find the application [online](#).

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Trump threatens to cut fire aid

California lawmakers from both parties express alarm at tweet saying he'll halt state's FEMA assistance.

BY SARAH D. WIRE AND NOAH BIERMAN

WASHINGTON — President Trump injected new uncertainty into California's wildfire recovery efforts, tweeting early Wednesday that he has ordered the Federal Emergency Management Agency not to send more disaster funding to state officials "unless they get their act together, which is unlikely."

Neither the White House nor FEMA provided clarification, in response to emails and calls, about whether Trump's threat was bluster like other tweets he has sent making false assertions while criticizing the state's fire management, or if he has actually ordered a funding cutoff to thousands of Californians trying to rebuild after the devastating fires late last year.

The president tweeted: "Billions of dollars are sent to the State of California for Forrest fires that, with proper Forrest Management, would never happen. Unless they get their act together, which is unlikely, I have ordered FEMA to send no more money. It is a disgraceful situation in lives & money!"

He later resent the message after correcting the spelling of "forest."

Bluster or not, Trump's threat alarmed California officeholders. Politicians from both parties criticized the Twitter message, though Republicans stopped short of condemning the author and expressed sympathy for his complaints about the state's Democratic governance.

House Minority Leader Kevin McCarthy of Bakersfield, one of Trump's closest allies in Congress, whom the president calls "my Kevin," waited six hours before reacting. He issued a statement attesting that "the president and his administration understand the severity of the devastation and have delivered for Californians."

Yet he did not address in the statement whether Trump would indeed stop FEMA assistance. Nor did McCarthy say whether he'd raised the question with the president during a meeting at the White House on Wednesday afternoon on the 19-day-old partial government shutdown. Back at the Capitol later, McCarthy didn't answer when a reporter asked if he'd talked to Trump about the disaster aid.

“I will continue to work with the administration and our California Republican and Democrat elected officials to ensure that California continues to receive needed disaster-related funding,” McCarthy said in his statement.

California’s Democratic politicians blasted Trump for his threat.

For new Gov. Gavin Newsom, the latest Trump rebuke to the state came a day after Newsom had joined Washington Gov. Jay Inslee and Oregon Gov. Kate Brown in a letter asking the administration to double its investments in taking care of federal land in Western states.

In a tweet directed at the president, Newsom said the West Coast governors had “been put in office by the voters to get things done, not to play games with lives.”

Newsom also has proposed \$305 million to thin thousands of acres of forests and brush, expand emergency crews and modernize California’s 911 systems. Much of the state’s forest land is federally managed or privately owned, putting it outside the state’s authority to manage.

House Speaker Nancy Pelosi (D-San Francisco) in her own tweet called on Republicans to condemn Trump and get him to reassure Californians needing assistance. She said his “threat insults the memory” of those who died or lost property.

Few California Republicans responded to Trump. Rep. Doug LaMalfa of Richvale, whose district includes areas of Northern California scorched by the Camp fire, said he shares Trump’s frustration with the state’s land management but said the president should remember the promise he made to the people of Paradise when he visited their destroyed town in mid-November, that the federal government would help them recover.

Trump’s tweet, LaMalfa said, “came out of left field, and it didn’t really help with this situation.” He added, as if addressing Trump, “Don’t make it about FEMA and the fire victims. If you want to cut off money, cut off money for stupid things like high-speed rail or other things that the federal government sends that have nothing to do with this subject.”

Two Republicans who represent Paradise in the California Legislature — state Sen. Jim Nielsen of Gerber and Assemblyman James Gallagher of Yuba City — in a statement called Trump’s tweet “wholly unacceptable.”

Republican Rep. Tom McClintock of Elk Grove declined to criticize the president, though he contradicted the point of Trump’s tweet. The congressman said the federal government was at fault for its forest management, not California.

Both of California’s Democratic U.S. senators lambasted the president. Sen. Dianne Feinstein said in a statement, “Attacking victims is yet another low for this president.” Sen. Kamala Harris tweeted, “We should work together to mitigate these fires by combating climate change, not play politics by threatening to withhold money from survivors of a deadly natural disaster.”

In November, the Camp fire obliterated the town of Paradise, killing 86 people and destroying more than 13,900 homes in the area; and the Woolsey fire in Los Angeles and Ventura counties left three dead and leveled about 1,500 structures.

Paradise Town Councilman Steven Crowder, a Republican, called Trump's tweet "disturbing."

"I'm sure I'm not alone — we lost our home, we lost our business, we lost our community — and I don't think that anybody that's been through that would be too supportive of that tweet," he said.

Feinstein and Harris have requested \$9 billion in supplemental disaster funding from Congress. The House, newly under Democrats' control, is planning to vote on a package as soon as next week.

It was unclear what prompted Trump to write his provocative tweet, though often he does so after seeing a report on Fox News.

Before his tweet at 9:36 a.m. Eastern time, the cable network's "Fox & Friends" program — a Trump favorite — had extensive coverage of California matters. Though it didn't mention the wildfires, the show reported on Newsom's inauguration as governor on Monday, prompting mockery by the show's hosts.

"He's already inviting illegal immigrants to his sanctuary state — everybody!" one said of Newsom. Another added: "His first order of business: expanding state-run healthcare, including full coverage to 138,000 illegal immigrants."

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Times staff writer Joseph Serna in Los Angeles contributed to this report.

An Oval Office bully's threats

Asserting power he doesn't have, President Trump says he may cut off disaster aid to Californians.

In between his threats to keep the government shut for months or years if Congress refuses to fund his border wall, President Trump made time Wednesday morning to threaten to cut off disaster relief dollars to Californians whose homes were charred by wildfires last year. After complaining for the umpteenth time about the way the state manages its forests, Trump tweeted, "Unless they get their act together, which is unlikely, I have ordered FEMA to send no more money."

The threat is probably no more serious than it was the last time Trump uttered it. He has frequently shaken his fist at California and has rarely followed through.

Still, Trump's response to the fires, like his response to congressional Democrats' refusal to waste billions of dollars on a bigger, longer border wall, reflects his disturbingly authoritarian view of the presidency. Stung by criticism from California's leaders, Trump yearns to [ignore the federal law governing disaster assistance](#) and simply turn off the spigot of federal dollars. Frustrated that lawmakers won't fund his pet project at the border, Trump threatens to declare a national emergency so he can ignore the will of Congress and spend the money anyway.

Contrary to the president's criticism, California is, in fact, getting its "act together," moving to spend \$1 billion over five years to reduce fire risk and better prepare communities for the larger, more destructive fires driven, in part, by climate change. Gov. Gavin Newsom on Tuesday called for even more spending to help accelerate the thinning of dry, dense forests and brush.

Some 60% of California's forests are on federal land, however, and the U.S. Forest Service budget has been cut by more than \$2 billion since 2016. Instead of properly funding fire prevention on the federal lands where some of the most destructive fires in the state's history have raged, Trump has repeatedly railed against the "gross mismanagement" of forests in California — whatever that's supposed to mean. Trump is myopically focused on forests when some of California's largest fires have been in the brush and grasslands.

But such details apparently mean nothing to Trump. California leaders have dared to question his decisions and challenge his demands, therefore — in the World According to Trump — they do not deserve his government's support. Never mind that thousands of Californians have lost their homes and businesses and are relying on federal assistance to

rebuild their lives. Even if he doesn't carry out his threats, the fact that he would make them tells you a lot about the man who seeks to use the tremendous power of his office not to unite people, but to bully them into submission.

Euthanasia rates drop dramatically at Kern County Animal Services

BAKERSFIELD, Calif. (KBAK/KBFX) — Over the past several years, the people at Kern County Animal Services have been working towards one goal – to drop the euthanasia rates for animals that come through their doors.

And since 2010, they've made some major steps towards meeting that goal.

"We've come a long way since 2010, 2011, even 2012. Yes, it's true that we're saving – 75 percent of all of the animals that come in through county shelters now, leave our shelters alive," Nick Cullen, the director of [Kern County Animal Services](#), said.

According to the Animal Services' website, 5,448 animals were adopted in 2017.

Cullen says that over the past few years, the county has focused on increasing its adoption efforts, its spaying and neutering of animals, and its community outreach.

"The community's mindset on shelter animals has changed. The community at large, as a whole, is aware that if they're looking to adopt their next furry, four-legged family member, get it from a shelter, get it from a rescue. You're saving a life, and that's where the need is," he said.

But beyond the county's efforts, Cullen says that the partnerships that Animal Services has formed with other organizations have also been key in bringing down the euthanasia rate.

"All of the programs and people that are invested in animal welfare in Kern County, that's the reason why we're able to get to the point where we can say today, yes, the county is saving 75 percent of the animals that are coming through its doors," Cullen said.

And despite the remarkable progress that's been made over the past eight years, Cullen says there's still much more that needs to be done.

"Until that number is zero, really, we're not done with our task," he said.

A fix for California's initiative process

Direct democracy has been a mixed bag in the state. It doesn't have to be.

BY NATHAN GARDELS

California has just seated a new governor and legislature. But our state is not so much governed by these elected officials as by direct democracy. California's most consequential decisions in recent years — on taxes, budget, the environment and other issues — have been made by citizens at the ballot box through the initiative process.

Legislative measures initiated in the state's Assembly or Senate go through committees and are debated and reviewed and amended. This process, known as a "second reading," can strengthen bills and eliminate problems with them.

By contrast, the review process for citizen ballot measures is woefully inadequate and sometimes leads to the passage of initiatives that don't stand up to legal scrutiny. That's what happened with Proposition 8, which outlawed same-sex marriage, and Proposition 187, which limited public services to immigrants who are here illegally. Both measures won at the polls but were later thrown out by the courts.

Citizen legislation has also produced a dysfunctional tangle of fiscal policies. Take the seminal case of Proposition 13, passed in 1978. Because property taxes were locked down, while spending for schools and public services continued to rise, deficits were inevitable.

And there was Proposition 55, passed in 2016, which has left California with a tax system so dependent on a tiny base of wealthy taxpayers that the budget is exceedingly vulnerable to economic cycles. A mere 1% of the state's residents now pays nearly 50% of all income and capital gains taxes, the primary source of general fund revenue. That has meant that an economic downturn can lead to as much as a 25% drop in the budget.

Ballot measures have proved easy to hijack by special interests over the years, and we've seen real estate, tobacco and oil interests, as well as some unions, introduce measures aimed at protecting their spoils in the guise of the public good.

One example of this was Proposition 23 in 2010. A ballot measure misleadingly titled "The California Jobs Initiative" was sponsored by mostly out-of-state oil interests aimed at undoing legislation stemming greenhouse gas emissions. In the end, fortunately, the

public voted against the measure. But \$75 million, a record at the time, was spent by the battling sides in the campaign to sway voters to one side or the other.

Still, ballot measures are powerful tools when they work. On the up side, Californians have passed initiatives that ended gerrymandering by shifting redistricting to citizen commissions and busted partisan gridlock by requiring only a simple majority vote on budgets. Initiatives have also enacted far-reaching environmental laws to protect the coast and address climate change.

There has been some progress in fixing the initiative process, but not enough. Legislation passed in 2014 amended the state's initiative law for the first time in 40 years, requiring the secretary of state to notify the Legislature when 25% of qualifying signatures are gathered for a ballot measure. At that point legislators can seek to work with sponsors to get rid of flaws and unintended consequences or even decide to pursue the matter through legislation rather than an initiative if the sponsors agree. The Legislature is also required to hold hearings on the subject of the measure no later than 131 days before the date of the coming election.

Under the law, sponsors can withdraw their measure from the ballot by the 131-day deadline if they are able to reach a negotiated consensus on legislation. This process has already led to passage in the Legislature of a landmark minimum wage law and digital privacy legislation, both of which began as ballot propositions but were instead enacted by lawmakers.

The law could be improved, however, by requiring legislators to complete their review earlier. As it is now, the deadlines for hearings and for withdrawing a bill from the ballot are the same. If the hearings happened earlier in the process, there would be more time for legislators to negotiate compromises with ballot sponsors.

Another good next step for California would be to adopt the kind of citizen review panels already up and running in Oregon. The state impanels a randomly selected group of voters to hear from a ballot measure's proponents and opponents as well as experts on the implications of the proposed policy. The panel then presents its findings to the public through a 750-word summary published in the voter guide. When voters go to the polls, they have the advantage of being informed by the disinterested considerations of a body of their fellow citizens.

The Oregon process is funded by private foundations, a model California might initially follow. Ultimately, however, these panels should be institutionalized in the secretary of state's office as part of the regular electoral system.

As representative government is challenged around the world by disaffected citizens, more and more major decisions in democratic countries are being made directly by voters through initiatives (or referendums such as Brexit). This trend makes it all the more important to introduce additional debate and other deliberative ballast to assist citizens in making the rules that affect their lives.

Nathan Gardels is executive advisor to the Think Long Committee for California. He is coauthor with Nicolas Berggruen of the forthcoming "Renovating Democracy: Governance

in the Age of Globalization and Digital Capitalism.”