

Calaveras County Civil Grand Jury

Mokelumne Hill Fire Protection District Where There's Smoke, There's Fire

July 13, 2026



Photo by N. Smith.

SUMMARY

During its investigation into how the ten fire agencies of Calaveras County are using Measure A funds, Calaveras County Civil Grand Jury (CCCGJ) was made aware of issues affecting Mokelumne Hill Fire Protection District's (MHFPD) ability to respond to emergency calls in a safe and professional manner. Shortly after a declaration of no confidence was presented by the vast majority of MHFPD firefighters at the January 15, 2026 MHFPD Board of Directors meeting, CCCGJ received a citizen's complaint which outlined safety concerns, fiscal mismanagement, and a pattern of retaliatory behavior. An Occupational Safety and Health Administration (OSHA) notification of a complaint followed in March 2026.

CCCGJ corroborated several of the deficiencies listed in the OSHA notification of a complaint, namely incomplete or inconsistent documentation of qualifications and certifications, and a complete lack of an Injury and Illness Prevention Program. Several of the issues listed in the OSHA notification of complaint had also been identified during an OSHA investigation in July 2012, according to a previous CCCGJ report.

Internal communications and actions taken in public meetings corroborated firefighters' allegations of vindictive or retaliatory behavior, which was also indicated by the 2012 OSHA investigation. Other issues CCCGJ identified include incomplete policies and procedures, drug and alcohol policies not being enforced, and no rotation of officer positions within the MHFPD Board of Directors.

Because of Measure A funding, MHFPD was able to transition from a volunteer to paid full-time fire district in this fiscal year. Measure A spending and reporting requirements place the District under tighter financial scrutiny, and furthermore call on leadership to demonstrate a greater level of accountability to both taxpayers and firefighters. The recommendations in this report are aimed at improving governance by MHFPD's Board of Directors, operational effectiveness, and the safety of MHFPD's firefighters, who in turn are entrusted with the safety of their community.

GLOSSARY

CCCGJ	Calaveras County Civil Grand Jury
IIPP	Injury and Illness Prevention Program
MHFPD	Mokelumne Hill Fire Protection District
NFPA	National Fire Protection Association
OSHA	Occupational Safety and Health Administration
PPE	Personal Protective Equipment
SCBA	Self-Contained Breathing Apparatus
SOP	Standard Operating Procedures

METHODOLOGY

Calaveras County Civil Grand Jury (CCCGJ) conducted interviews with past and present Mokelumne Hill Fire Protection District (MHFPD) management, board members, and

firefighters; researched relevant national and state fire district codes and standards; reviewed MHFPD operational and financial documents; attended MHFPD Board of Directors meetings; and reviewed the notification of a complaint to OSHA, the 2012-2013 CCCGJ report and violations identified by OSHA in 2012, and related 2014 news articles.

BACKGROUND

The Mokelumne Hill Fire Protection District (MHFPD) serves an area that covers approximately 34 square miles. The District includes the towns of Mokelumne Hill and Paloma, and the surrounding areas. An elected board of five directors and an appointed Fire Chief serve the District. The current Chair of the Board of Directors has held that position for over a decade. The current Fire Chief, who was appointed in March 2026, succeeds the Fire Chief who was with the District in one capacity or another from 1963 until his retirement in June 2026.

Prior to receiving Measure A funding, MHFPD operated as a volunteer fire district with limited operational funding and resources. With the passing of Measure A, MHFPD's operating funds have increased substantially, elevating the need for greater transparency and accountability.

Measure A has strict guidelines on how funds can be spent (see 2025-2026 CCCGJ report "Taking the Measure of Measure A: Local Fire Protection Ordinance Review" for details). In summary, no less than 70% of the funds may be used for staffing, training, and personal protective equipment (PPE); no more than 30% may be used to improve or replace equipment and facilities; no more than 10% may be carried over to following years.

Any funds not used by a fire district, excluding carry-over funds, are returned to the County to be distributed among all the County's fire districts.

In fiscal year 2024-2025 (July 1, 2024 through June 30, 2025) MHFPD received \$198,900 in Measure A funds and began paying their volunteer firefighters, replaced outdated PPE, and set aside 6.5% of the Measure A funds for future fiscal years.

For current fiscal year (July 1, 2025 through June 30, 2026) Measure A funds for MHFPD are estimated by the County Auditor-Controller to be \$774,106. The fire district may receive more or less than the estimate depending on sales tax revenues.

On January 15, 2026, at an open, public meeting, the MHFPD Board of Directors was presented with a declaration of no confidence in the then Fire Chief, signed by 83% of MHFPD firefighters. The following are some of the grievances and allegations that were included, as presented in the January 15 meeting:

1. Operational Negligence and Equipment Failures:

- **Failure to Commission Apparatus:** A fire engine has sat idle for years without the Chief taking any steps to provide the necessary training or certification for personnel to operate it safely. Furthermore, the vehicle remains unmarked and unnumbered, rendering it useless for active service.

- **Neglect of Life-Saving Tools:** A critical extrication tool valued at \$15,000 has sat broken on the bay floor for nearly a year. No effort has been made to repair or replace this essential life-saving equipment, directly impacting our ability to perform rescues.
- **Maintenance and Station Neglect:** Requests for apparatus maintenance consistently go unaddressed. Additionally, damage to the station and the C150 vehicle remains unresolved as the Chief has failed to follow through on insurance claims.

2. Fiscal Mismanagement and Lack of Transparency:

- **Budgetary Irregularities:** There is a documented lack of transparency in Treasurer's reports, including missing items and the improper allocation of Measure A funds toward non-compliant expenses.
- **Credit Failures:** The department's CAL-Card was locked for non-payment between December 2025 and January 2026.

3. [omitted]

4. Professional Conduct and Leadership:

- **Communication Breakdown:** There is a total lack of communication regarding the department's vision. The Chief's inability to manage finances necessitated hiring outside help, yet transparency hasn't improved.

Other grievances and allegations were presented in the January 15 Board meeting that were determined to be outside the scope of this grand jury report and omitted from the list above, including those listed under item 3.

Following the January 15 Board meeting, the MHFPD Board Chair responded to all of the above grievances as either resolved or in the process of being resolved. On January 21, 2026, the Chief asked the presenter of the list of grievances to resign from the department immediately.

In late January, CCCGJ received a citizen's complaint which alleged MHFPD operated under a sustained pattern of fiscal mismanagement, operational negligence, and potential violations of the Firefighters Procedural Bill of Rights (FBOR). Along with many of the grievances listed above, the complaint also alleged an atmosphere of intimidation and fear of retribution.

DISCUSSION

Fiscal Management

During our investigation of the Local Fire Protection Ordinance/Tax, also known as Measure A, CCCGJ was able to confirm that all fire districts, including MHFPD, used their fiscal year 2024-2025 funds in accordance with Measure A rules.

A cursory look at how fire districts were using their fiscal year 2025-2026 funds brought to our attention a possible issue with MHFPD. For fiscal year 2025-2026 (July 1, 2025 through June 30, 2026), the estimated Measure A funds available to MHFPD was revised from the original

estimate of \$480,000.00 to \$774,106.80. CCCGJ noticed that by February 28, 2026 (eight months into the fiscal year), MHFPD had spent less than 30% of the Measure A funds they were expected to receive. As specified in the Measure A rules, any funds not used in the current fiscal year are returned to the County and distributed among all fire agencies within the County. With only four months remaining in the fiscal year, CCCGJ was concerned whether MHFPD leadership fully understood the language of Measure A and had a plan for using the remaining funds in the current fiscal year.

Among the grievances presented to the MHFPD Board at the January 15, 2026 meeting was the District's CAL-Card being locked for non-payment between December 2025 and January 2026. A CAL-Card is an essential tool, enabling departments to purchase necessary supplies when the need arises. Use of the CAL-Card holds departments accountable for adherence to all State procurement laws, regulations, and authorized individual spending limits. The CAL-Card was operational in March 2026, but it was noted as recently as the May 21, 2026 Board meeting agenda that MHFPD's CAL-Card was declined at an attempted point of sale. This was also cited as an issue during the wildfires of September 2025, when the card was declined at a critical time.

OSHA

Shortly thereafter, CCCGJ learned that MHFPD recently received a notification of complaint letter from the Division of Occupational Safety and Health Administration (OSHA) noting the following alleged conditions "which may be a violation of the Safety Orders found in Title 8 of the California Code of Regulations":

1. **OSHA 2300** - Unqualified Personnel Assigned to Emergency Incidents. Personnel without verified Firefighter 1 certification, documented competency training, or driver/operator qualification are being assigned to live fire incidents and emergency responses.
2. **OSHA 2982** - Improper Training Documentation/Record Integrity.
3. **OSHA 5144** - Respiratory Protection Non-compliance. There is no documented Self-Contained Breathing Apparatus (SCBA) fit testing program and no verified respiratory medical clearance process.
4. **OSHA 5192** - PPE Inspection and Maintenance Deficiencies. Structural firefighting PPE lacks documented annual inspection, cleaning, contamination control, and lifecycle tracking consistent with NFPA 1851 and NFPA 1971 standards.
5. **OSHA 3297** - Apparatus Mechanical and Testing Concerns. Fire apparatus are operated despite mechanical reliability concerns.
6. **OSHA 3203** - Injury and Illness Prevention Program Deficiencies.

CCCGJ visited MHFPD on May 4, 2026, to review certification documentation, policies, equipment logs, and training materials, including those MHFPD sent in their 14-day response to OSHA. The visit was conducted with the then Assistant Fire Chief (former Fire Chief) and the Board Chair. The following are the results of our visit:

1. Certification documentation was incomplete, and the verification for qualifications and

certifications was inconsistent, despite those qualifications being listed on a roster sent to OSHA. Because that documentation was either missing or nonexistent, unqualified personnel may have been assigned to emergency responses.

2. Required documentation in the training logs and personnel files was found to be incomplete, inconsistent, and/or absent.
3. SCBA training, fit testing, and verified respiratory medical clearance consistently lacked documentation and verification.
4. No documentation was provided for PPE inspection, maintenance, or fitment guidelines, or an exposure control plan.
5. Fire apparatus was not operational.
6. Injury and Illness Protection Program (IIPP) documentation was absent. Only a photo of the cover of an IIPP binder was sent as part of MHFPD's response to OSHA. Upon CCCGJ's May 4 visit, the binder was found to contain no IIPP documentation, and MHFPD did not have an IIPP manual. This was confirmed by the current Fire Chief.

Additionally, CCCGJ requested a copy of the MHFPD roster sent to OSHA and a current roster of personnel noting certifications for firefighter, driver/operator, and Emergency Medical Responder (EMR) and Emergency Medical Technician (EMT). MHFPD provided four conflicting rosters to CCCGJ. The certifications noted on the roster provided to OSHA on March 14, 2026, were missing from the personnel files at the fire house. The former Fire Chief, who was officially retroactively reassigned to Assistant Chief at the April 16, 2026 Board meeting, was omitted from the four rosters provided to CCCGJ and the roster provided to OSHA, despite being a paid employee during that period according to the District's financial records.

During its investigation, CCCGJ also made multiple inquiries regarding the date the former Chief assumed the role of Fire Chief. However, the requested information was not provided by those with whom we spoke. It is unclear whether this is another example of personnel records being incomplete and/or poorly maintained.

A CCCGJ report published in 2012-2013 also referenced an OSHA onsite inspection of MHFPD which led to the District being cited for 20 violations. The alleged conditions from the 2026 OSHA notification of complaint are similar to the following violations from the July 2012 OSHA investigation:

- Did not provide a medical evaluation to determine the employee's ability to use a respirator
- Did not provide effective Heat Illness training
- Did not establish and implement an effective control of hazardous substances
- Did not establish, implement, and maintain an effective Injury and Illness Prevention Program (IIPP)

According to an August 5, 2014, article in *Calaveras Enterprise*, each violation carried a fine of

\$18,000 to \$25,000, and if any were willful, which they appeared to be per an OSHA inspector, they could have carried a fine of up to \$70,000 each. OSHA settled on a lesser fine of \$1,500 with the expectation the District would fix the issues.

Many fire agencies, under NFPA guidelines, designate a firefighter or fire officer other than the chief to be an in-house Health and Safety Officer (HSO). The HSO is responsible for making sure staff get the necessary training and that records are properly kept and up to date. They also oversee exposure reporting, medical evaluations, fitness and wellness regimes, and administration of the agency's IIPP. MHFPD does not have a Health and Safety Officer.

Ethics, SOPs, and Bylaws

CCCGJ was able to corroborate through interviews, internal communications, and actions taken in public Board meetings some of the firefighters' allegations of vindictive or retaliatory behavior. For instance, in January 2026, the then Fire Chief demanded the resignation of a whistleblower after staff's grievances were brought to the Board. We also corroborated some instances of preferential treatment in disciplining staff.

A climate of fear and vindictiveness was also mentioned in relation to the 2012 OSHA investigation, where the inspector noted firefighters' reluctance to speak to them about problems within the District. In 2014, the District entered a settlement with a former MHFPD Board member and firefighter who claimed to have been forced off the Board by the then and current Board Chair, demonstrating to this grand jury that there is a history of retaliatory behavior that has persisted for some time and has been a financial liability to the District in the past.

This environment may discourage open communication, hinder organizational improvement, and negatively impact firefighter safety, operational effectiveness, and public trust. For this reason, it is standard operating procedure and required by California State law that all elected board members and staff complete biennial ethics training and harassment prevention training (SB 1343, AB 1825, and AB 1234). CCCGJ was not provided any documentation to show that ethics training or harassment prevention training were completed by staff or the Board.

During our investigation, multiple instances were brought to our attention demonstrating that MHFPD's Stand Down policy has not been enforced. The Stand Down policy states "No member of the district will respond to, or in any way participate in, any district operations or training activity while under the influence of any drugs or alcohol." Stand Down policies follow the chain of command, but in a district with proper checks and balances, if anyone witnesses inappropriate behavior or perceived impairment, they should feel comfortable going to any supervisor to address their concerns. Not observing the policy presents a possible liability for the District if someone who is perceived to be impaired is allowed to assist in or command an emergency response. This, again, was a finding in the CCCGJ 2012-2013 report, indicating a history of behavior.

CCCGJ found that despite a zero-tolerance drug and alcohol policy in MHFPD's Standard Operating Policies [sic], or SOPs, this policy has not consistently been enforced, and we could find no evidence that anyone received drug and alcohol testing at the time of hiring or onboarding, nor randomly as per standard procedure.

In addition to policies not consistently being followed, we found the SOPs provided by the District to CCCGJ to be incomplete and missing sections, and they had not been updated to meet current standards in some time. The drug and alcohol policy, as well as other policies and SOPs, were written by the Board of Directors instead of firefighting staff or an expert on fire agency operations, which is not typical as Boards may not necessarily have the expertise in operations to write SOPs for a fire agency. It is standard practice that fire agencies use outside experts, such as LEXIPOL, to draft their Standard Operating Procedures, which are then brought to command staff for review and approval. Finally, the amended draft is presented to the Board for adoption.

The current Board Chair has held the position for over a decade. The Board of Directors bylaws state that officer positions (chair, secretary, and treasurer) are for a term of one year, but they do not say anything about holding a position for consecutive terms. In practice, if no one else vies for an officer position, the incumbent is able to continue holding that position indefinitely, potentially resulting in consolidation of power in one individual, instead of the Board being a collaborative effort with a shared division of labor.

The MHFPD Board's bylaws do not include a provision for the rotation of Board officers. Best practices by a board should include regular rotation of board officer positions to promote a diversity among leadership, to spread out duties appropriately, to strengthen accountability, to prevent burnout, and to prevent responsibility and decision-making from becoming concentrated in a single board officer over an extended period of time. Best practices also encourage the rest of the board to exercise sufficient oversight to address concerns that may expose the district to increased operational and financial risk.

The MHFPD Board's bylaws do state that in the case of the vacancy of an officer position, that position shall be "filled by a majority vote of the remaining members of the Board," but they do not state who is eligible or ineligible to fill that position. Under California law, the chair of a non-profit organization's board cannot hold secretary or treasurer positions at the same time (CA Corporation Code 9213). When an officer of the board resigns, the chair should not take over their duties. According to the code, "This restriction exists to maintain the separation of powers and fiduciary oversight."

Conclusion

Based on information gathered from the Citizen Complaint to CCCGJ, the OSHA notification of complaint, CCCGJ's investigation and multiple visits to the Mokelumne Hill fire station, the following issues were found to be of priority:

- By not fully utilizing the Measure A funds MHFPD received throughout fiscal year 2025-2026 on much needed equipment and facility repairs, training and certification, and staffing, it risks losing unused funds to other fire districts within the County.
- MHFPD's CAL-Card credit account has been locked repeatedly, hampering staff's ability to purchase gas, food, and urgently needed supplies.
- Most MHFPD firefighters lack the required qualification and certification documentation for their assigned positions, and management has not maintained appropriate

documentation within firefighter training logs and personnel files.

- There is no supporting documentation that MHFPD was inspecting or cleaning PPE to the standards required by OSHA.
- OSHA-required Injury and Illness Prevention Program (IIPP) has not been implemented. Per onsite visit, no relevant IIPP documentation was found.
- Firefighters reported a workplace environment characterized by intimidation and retaliation for raising complaints or reporting issues within the Fire District. Records verify that instances of intimidation and retaliation occurred.
- MHFPD failed to consistently uphold and enforce its Stand Down and zero tolerance policies.
- Firefighters at all levels, whether volunteer or paid staff, were not required to have a physical or drug and alcohol testing at the time of hire.
- MHFPD's Standard Operating Policies manual is incomplete and out of date.

In March 2026, MHFPD hired a new Fire Chief, who has started to spend Measure A funds for much needed training, PPE, compensation, and equipment. He has stated that he has or will implement the following changes:

- The Mokelumne Hill fire station is now staffed 24/7 with a captain, engineer, and firefighter.
- All current firefighters, including volunteer personnel, are required to maintain certifications appropriate to their assigned positions, with supporting documentation to be properly retained in their personnel files.
- All firefighters, including volunteer personnel, will complete the required physical, drug and alcohol testing, and fit testing by May 2026, and corresponding documentation is to be placed in their personnel files.
- An extractor (heavy duty washing machine) has been authorized for purchase to clean turnout gear after a fire, which is required by OSHA.
- Major repair work has been completed on the Type 3 engine.
- The broken extrication tool, sometimes referred to as Jaws of Life, has been repaired and is available for in-service use.

CCCGJ recognizes that the new Fire Chief is working to resolve these issues and utilizing Measure A funds, as required by the ordinance, with the intent that residents of the Mokelumne Hill area will receive the full benefit of those funds.

At the time of writing this report, a new Assistant Chief has been hired and the acting Assistant Chief (former Fire Chief) has retired.

FINDINGS, RECOMMENDATIONS, RESPONDENTS

Pursuant to Penal Code §933 and §933.05, the Calaveras County Civil Grand Jury requires responses within 60 days from elected county official(s), and within 90 days from governing bodies. In order to be included and published in the next CCCGJ report, invited responses must be received within 90 days.

After conducting interviews and reviewing documents, CCCGJs findings and recommendations are as follows:

F1: Mokelumne Hill Fire Protection District lacks or is deficient in the following Occupational Safety and Health Administration (OSHA)-required programs and/or required documentation thereof: Respiratory Protection Program, Exposure Control Plan, Heat Illness Protection Program, and Injury and Illness Prevention Program. This has resulted in significant health and safety risks for its firefighters, and poses a potential legal and financial liability to the District.

R1a: Calaveras County Civil Grand Jury recommends Mokelumne Hill Fire Protection District review all OSHA-required programs for fire districts, comply with those requirements, including required documentation, and verify compliance beginning no later than November 1, 2026, and annually thereafter.

Required Response

Mokelumne Hill Fire Protection District Board of Directors

Invited Response

Mokelumne Hill Fire Protection District Fire Chief

R1b: Calaveras County Civil Grand Jury recommends Mokelumne Hill Fire Protection District designate by September 1, 2026, a Health and Safety Officer, who is not the Fire Chief or a Board member, to make sure proper training is completed and documented, and that health and safety protocols are being followed.

Required Response

Mokelumne Hill Fire Protection District Board of Directors

Invited Response

Mokelumne Hill Fire Protection District Fire Chief

F2: Staff grievances presented to Mokelumne Hill Fire Protection District management and Board of Directors resulted in instances of retaliation and a general fear of retaliation among the staff.

R2a: Calaveras County Civil Grand Jury recommends all Mokelumne Hill Fire Protection

District Board members and staff attend biennial ethics and harassment prevention training beginning no later than September 30, 2026, in order to recognize protected activities such as reporting misconduct, fostering a "speak-up" culture, and protecting whistleblowers from adverse actions.

Required Response

Mokelumne Hill Fire Protection District Board of Directors

Invited Response

Mokelumne Hill Fire Protection District Fire Chief

R2b: Calaveras County Civil Grand Jury recommends Mokelumne Hill Fire Protection District appropriately document when biennial ethics and harassment prevention training are completed beginning no later than September 30, 2026.

Required Response

Mokelumne Hill Fire Protection District Board of Directors

Invited Response

Mokelumne Hill Fire Protection District Fire Chief

F3: Mokelumne Hill Fire Protection District's current Standard Operating Policies are incomplete and outdated, resulting in inconsistency, lack of clarity, and non-compliance in following fire industry standards.

R3: Calaveras County Civil Grand Jury recommends Mokelumne Hill Fire Protection District implement a new Standard Operating Procedures manual that conforms to fire industry standards and a new Policies and Procedures Manual by December 1, 2026.

Required Response

Mokelumne Hill Fire Protection District Board of Directors

Invited Response

Mokelumne Hill Fire Protection District Fire Chief

F4: Mokelumne Hill Fire Protection District's policies regarding the use of alcohol or drugs while on duty, on agency property, or conducting agency business are not consistently enforced, resulting in potential risk to firefighters and the community, as well as potential legal and financial liability to the Fire District.

R4: Calaveras County Civil Grand Jury recommends that all Mokelumne Hill Fire Protection District firefighters, including all leadership, paid and volunteer personnel, acknowledge and document their agreement to the Fire District's drug and alcohol zero tolerance and Stand Down policies, annually, beginning December 1, 2026.

Required Response

Mokelumne Hill Fire Protection District Board of Directors

Invited Response

Mokelumne Hill Fire Protection District Fire Chief

F5: Mokelumne Hill Fire Protection District's Board of Directors bylaws do not provide for the rotation of Board officer positions nor set limits for how many consecutive years Board members may hold officer positions, allowing for individuals to hold the same position indefinitely, which impedes the sharing of responsibility, knowledge, and accountability among all Board members.

R5: Calaveras County Civil Grand Jury recommends that the Mokelumne Hill Fire Protection District Board, in the interest of fairness and transparency of leadership, update their bylaws to include the rotation of Board officer positions by September 30, 2026.

Required Response

Mokelumne Hill Fire Protection District Board of Directors

DISCLAIMER

Reports issued by the Civil Grand Jury do not identify the individuals interviewed. Penal Code §929 requires that reports of the Civil Grand Jury not contain the name of any person or facts leading to the identity of any person who provides information to the Civil Grand Jury.

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