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## **No Charges Have Been Filed Against the Fire Safe Council in Year-Long Investigation by Nevada County District Attorney - Stalling Tactics Are Damaging the Council and Wasting Public Funds**

**by Steve Eubanks, Vice Chair of the FSC  
and retired Forest Supervisor of the Tahoe  
National Forest**

*It gives me absolutely no pleasure to be writing more opinion pieces about the actions or lack of actions by the Nevada County District Attorney. But having been on the Board of the Fire Safe Council of Nevada County for 6 years and actively involved in many of the excellent FSC programs, I am greatly disturbed by the damage that is being done to the reputation and personal life of the FSC Executive Director and to the functioning of the FSC as an organization and its ability to reduce the risk of wildfire in the county. In my career in the federal government, I would have been rightfully embarrassed if I had been responsible for lack of due diligence that treated people as the DA is treating us. There is simply no excuse for his investigation not having ended long ago. That is what prompted me to write the following.*

It has now been over 16 months since the District Attorney (DA) of Nevada County stormed the home and office of the Executive Director of the Fire Safe Council (FSC) and seized all personal and organization phones, computers and extensive paper files. During this past year, after requests from the FSC to have their operating equipment returned, the DA has refused saying they need more time due to the complexity of the case.

### **Let's look at some important facts:**

- On the day that the equipment was confiscated, the Executive Director provided passwords for full access to all information and has continued to cooperate fully.

- The investigation appears to have been based on faulty information from former FSC employees. Those employees were fired for cause. The resulting Grand Jury report based on those accusations was completely debunked by the FSC Board with sharing to the public.
- No attempts were made by the DA to contact the FSC Board for clarification of facts before issuing a search warrant and initiating an expensive and fruitless investigation.
- Nevada County had previously completed a forensic audit of the FSC that covered the time of the supposed impropriety and the audit had found no such problem.
- After the Grand Jury report, the FSC had hired a new Director of Finance who was able, while working with an outside auditing company, to examine financial records in detail and ensure finances had been appropriately managed. Those same records are in the files confiscated by the DA's office.
- The case is not complex at all. The DA has all the extensive financial records that fully disclose every aspect of the FSC's operations.

#### **Results of Year Long Investigation - No Charges Filed:**

- No charges have been filed thus one can safely conclude that no incriminating evidence has been found by the DA's office.
- Other law enforcement organizations familiar with this case have suggested that an audit of the records could and should have been done by Nevada County within a matter of weeks if they were truly interested in timely handling and appropriate treatment of the accused.

#### **Impacts of Investigation - Wasted Thousands of Public Dollars and Damaged Finances/Reputation of FSC and Executive Director**

- The refusal of the DA to return phones, computers and files has created extreme difficulty for the FSC to manage existing grants, past grants, apply for new grants and even for the Executive Director to file her own taxes and has created severe economic hardships for the Executive Director and FSC.
- The DA appears to be stalling - hoping to avoid the embarrassment of his office wasting tens of thousands of public dollars in a fruitless pursuit of specious information that should never have prompted a full-blown investigation.
- Or is he stalling as part of a purposeful strategy to force the FSC to close its doors.

#### **Next Steps - DA Needs to Formally End Investigation and Exonerate the FSC:**

- It is beyond time for the DA to admit there is no substance to any of the initial suspicions and to fully end the investigation.
- And it is critical for the DA to fully and publicly clear the Executive Director and FSC of any lingering suspicions with a public statement.
- A wishy-washy comment that he hasn't found any evidence yet is an excuse beyond the "use by" date of believability. If the DA's office has any ethics, they will end this charade.

- It is unconscionable to continue to negatively affect the lives of people involved in the FSC as well as its critical mission to help residents of Nevada County reduce fire hazard and save lives.
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And turning attention to defensible space....

## Winter Is Best Time for Pruning and Tree Removal - Reduces Impacts on Birds

Although we need more rain, these sunny winter days are great opportunities for removing and pruning your trees and bushes! Waiting until spring to remove this vegetation can cause serious difficulties for nesting birds. Hawks and songbirds nest in the spring or early summer. By removing trees now, impacts can be lessened.



But birds don't only nest in trees - many species of songbirds nest 3-5 feet off the ground in bushes. So prune those bushes too.

If you do take trees down now, be watchful as great horned owls start nesting in early winter. They often will use abandoned stick nests of other birds or will nest in tree cavities.

**By completing your winter fuel reduction projects - the birds will love you more!**

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## Suggestions from Shannon - at the FSC Office

Shannon reminds folks that Scotch Broom wrenches are available on loan for free with a \$50 deposit. When the ground is wetter, weed wrenching is easier. So don't wait.....

**Be a Winter Weed Wrencher!**

Also, Defensible Space Advisory Visits are available during the winter. Grab your neighbors and do a neighborhood visit - a great opportunity to get the gang together and boost your neighborhood and firewise community spirit.



Reflective address signs are also available - \$35 for single-sided signs and \$40 for double-sided signs. For your convenience, these can be ordered via the webpage.

[Information on Reflective Address Signs](#)

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[For More Information on the Fire Safe Council](#)

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