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J. KIRK ANDRUS, District Attorney
Siskiyou County District Attorney's Office
311 Fourth Street, Room 204
P.O. Box 986
Yreka, CA 96097
Telephone: (530) 842-8125
Facsimile: (530) 842-8137

FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF SISKIYOU

OCT 25 2016

BY: W. Chan
DEPUTY CLERK

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF SISKIYOU**

THE PEOPLE OF THE STATE OF CALIFORNIA
Plaintiff,

vs.

RONALD DEAN LARUE
DOB: 04/06/1954

AND WAYNE GARLAND GRIGSBY
DOB: 06/06/1958

AND DAVID DWAYNE TOMS
DOB: 08/18/1959

Defendants.

SOCK CRM
No. 16-1422-1

**MISDEMEANOR
COMPLAINT**

RECEIVED
OFFICE OF DISTRICT ATTORNEY

OCT 26 2016

YREKA

The People of the State of California upon oath of SISKIYOU COUNTY DA
BUREAU OF INVESTIGATION upon information and belief complain against the
defendants above named for committing the following crimes at and in the County of
Siskiyou:

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Count 1

False Statement or Representation in a Record, Report and Other Document:

On or about October 2, 2015, in violation of **Health and Safety Code section 116730(a)(1)**, misdemeanor, defendant Ronald Dean LaRue did knowingly make a false statement or representation in an application, record, report and other document submitted, maintained, or used for the purposes of compliance with the California Safe Drinking Water Act (Health and Safety Code, Division 104, Part 12, Chapter 4, commencing with section 116270), to wit a September 2015 monthly summary report of public water system coliform monitoring submitted for purposes of compliance with Health and Safety Code section 116375 and California Code of Regulations, Title 22, section 64423.1.

[1 yr.]

Count 2

False Statement or Representation in a Record, Report and Other Document:

On or about September 28, 2015, in violation of **Health and Safety Code section 116730(a)(1)**, a misdemeanor, defendant Ronald Dean LaRue, did knowingly make a false statement or representation in an application, record, report and other document submitted, maintained, or used for the purposes of compliance with the California Safe Drinking Water Act (Health and Safety Code, Division 104, Part 12, Chapter 4, commencing with section 116270), to wit an August 2015 monthly summary report of public water system coliform monitoring submitted for purposes of compliance with Health and Safety Code section 116375 and California Code of Regulations, Title 22, section 64423.1.

[1 yr.]

Count 3

False Statement or Representation in a Record, Report and Other Document:

On or about July 27, 2015, in violation of **Health and Safety Code section 116730(a)(1)**, a misdemeanor, defendant Ronald Dean LaRue, did knowingly make a false statement or

1 representation in an application, record, report and other document submitted, maintained, or
2 used for the purposes of compliance with the California Safe Drinking Water Act (Health and
3 Safety Code, Division 104, Part 12, Chapter 4, commencing with section 116270), to wit a
4 June 2015 monthly summary report of public water system coliform monitoring submitted
5 for purposes of compliance with Health and Safety Code section 116375 and California Code
6 of Regulations, Title 22, section 64423.1.

7 [1 yr.]

8
9 **Count 4**

10 **False Statement or Representation in a Record, Report and Other Document:**

11 On or about January 13, 2015, in violation of **Health and Safety Code section 116730(a)(1)**,
12 a misdemeanor, defendant Ronald Dean LaRue, did knowingly make a false statement or
13 representation in an application, record, report and other document submitted, maintained, or
14 used for the purposes of compliance with the California Safe Drinking Water Act (Health and
15 Safety Code, Division 104, Part 12, Chapter 4, commencing with section 116270), to wit a
16 December 2014 monthly summary report of public water system coliform monitoring
17 submitted for purposes of compliance with Health and Safety Code section 116375 and
18 California Code of Regulations, Title 22, section 64423.1.

19 [1 yr.]

20
21 **Count 5**

22 **False Statement or Representation in a Record, Report, and Other Document:**

23 On or about December 18, 2014, in violation of **Health and Safety Code section**
24 **116730(a)(1)**, a misdemeanor, defendant Ronald Dean LaRue, did knowingly make a false
25 statement or representation in an application, record, report and other document submitted,
26 maintained, or used for the purposes of compliance with the California Safe Drinking Water
27 Act (Health and Safety Code, Division 104, Part 12, Chapter 4, commencing with section
28 116270), to wit a November 2014 monthly summary report of public water system coliform

1 monitoring submitted for purposes of compliance with Health and Safety Code section
2 116375 and California Code of Regulations, Title 22, section 64423.1.
3 [1 yr.]
4

5 **Count 6**

6 **False Statement or Representation in a Record, Report, and Other Document:**

7 On or about November 18, 2014, in violation of **Health and Safety Code section**
8 **116730(a)(1)**, a misdemeanor, defendant Ronald Dean LaRue, did knowingly make a false
9 statement or representation in an application, record, report and other document submitted,
10 maintained, or used for the purposes of compliance with the California Safe Drinking Water
11 Act (Health and Safety Code, Division 104, Part 12, Chapter 4, commencing with section
12 116270), to wit a October 2014 monthly summary report of public water system coliform
13 monitoring submitted for purposes of compliance with Health and Safety Code section
14 116375 and California Code of Regulations, Title 22, section 64423.1.
15 [1 yr.]
16

17 **Count 7**

18 **False Statement or Representation in a Record, Report and Other Document:**

19 On or about August 7, 2014, in violation of **Health and Safety Code section 116730(a)(1)**, a
20 misdemeanor, defendant Ronald Dean LaRue, did knowingly make a false statement or
21 representation in an application, record, report and other document submitted, maintained, or
22 used for the purposes of compliance with the California Safe Drinking Water Act (Health and
23 Safety Code, Division 104, Part 12, Chapter 4, commencing with section 116270), to wit a
24 July 2014 monthly summary report of public water system coliform monitoring submitted for
25 purposes of compliance with Health and Safety Code section 116375 and California Code of
26 Regulations, Title 22, section 64423.1.
27 [1 yr.]
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Count 8

Make a False Statement or Representation in a Record, Report and other Document: On or about July 14, 2014, in violation of **Health and Safety Code section 116730(a)(1)**, a misdemeanor, defendant Ronald Dean LaRue, did knowingly make a false statement or representation in an application, record, report and other document submitted, maintained, or used for the purposes of compliance with the California Safe Drinking Water Act (Health and Safety Code, Division 104, Part 12, Chapter 4, commencing with section 116270), to wit a June 2014 monthly summary report of public water system coliform monitoring submitted for purposes of compliance with Health and Safety Code section 116375 and California Code of Regulations, Title 22, section 64423.1.

[1 yr.]

Count 9

Make a False Statement or Representation in a Record, Report and other Document: On or about March 5, 2014, in violation of **Health and Safety Code section 116730(a)(1)**, a misdemeanor, defendant Ronald Dean LaRue, did knowingly make a false statement or representation in an application, record, report and other document submitted, maintained, or used for the purposes of compliance with the California Safe Drinking Water Act (Health and Safety Code, Division 104, Part 12, Chapter 4, commencing with section 116270), to wit a February 2014 monthly summary report of public water system coliform monitoring submitted for purposes of compliance with Health and Safety Code section 116375 and California Code of Regulations, Title 22, section 64423.1.

[1 yr.]

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Count 10

False Statement or Representation in a Record, Report and other Document:

On or about April 5, 2013, in violation of **Health and Safety Code section 116730(a)(1)**, a misdemeanor, defendant Ronald Dean LaRue, did knowingly make a false statement or representation in an application, record, report and other document submitted, maintained, or used for the purposes of compliance with the California Safe Drinking Water Act (Health and Safety Code, Division 104, Part 12, Chapter 4, commencing with section 116270), to wit a March 2013 monthly summary report of public water system coliform monitoring submitted for purposes of compliance with Health and Safety Code section 116375 and California Code of Regulations, Title 22, section 64423.1.

[1 yr.]

Count 11

False Statement or Representation in a Record, Report and other Document:

On or about January 15, 2013, in violation of Health and Safety Code section 116730(a)(1), a misdemeanor, defendant Ronald Dean LaRue, did knowingly make a false statement or representation in an application, record, report and other document submitted, maintained, or used for the purposes of compliance with the California Safe Drinking Water Act (Health and Safety Code, Division 104, Part 12, Chapter 4, commencing with section 116270), to wit a December 2012 monthly summary report of public water system coliform monitoring submitted for purposes of compliance with Health and Safety Code section 116375 and California Code of Regulations, Title 22, section 64423.1.

[1 yr.]

Count 12

False Statement or Representation in a Record, Report and other Document:

On or about November 29, 2012, in violation of **Health and Safety Code section 116730(a)(1)**, a misdemeanor, defendant Ronald Dean LaRue, did knowingly make a false

1 statement or representation in an application, record, report and other document submitted,
2 maintained, or used for the purposes of compliance with the California Safe Drinking Water
3 Act (Health and Safety Code, Division 104, Part 12, Chapter 4, commencing with section
4 116270), to wit a November 2012 monthly summary report of public water system coliform
5 monitoring submitted for purposes of compliance with Health and Safety Code section
6 116375 and California Code of Regulations, Title 22, section 64423.1.

7 [1 yr.]

8
9 **Count 13**

10 **False Statement or Representation in a Record, Report, and other Document:**

11 On or about November 19, 2012, in violation of **Health and Safety Code section**
12 **116730(a)(1)**, a misdemeanor, defendant Ronald Dean LaRue, did knowingly make a false
13 statement or representation in an application, record, report and other document submitted,
14 maintained, or used for the purposes of compliance with the California Safe Drinking Water
15 Act (Health and Safety Code, Division 104, Part 12, Chapter 4, commencing with section
16 116270), to wit a October 2012 monthly summary report of public water system coliform
17 monitoring submitted for purposes of compliance with Health and Safety Code section
18 116375 and California Code of Regulations, Title 22, section 64423.1.

19 [1 yr.]

20
21 **Count 14**

22 **False Statement or Representation in a Record, Report, and other Document:**

23 On or about September 7, 2012, in violation of **Health and Safety Code section**
24 **116730(a)(1)**, a misdemeanor, defendant Ronald Dean LaRue, did knowingly make a false
25 statement or representation in an application, record, report and other document submitted,
26 maintained, or used for the purposes of compliance with the California Safe Drinking Water
27 Act (Health and Safety Code, Division 104, Part 12, Chapter 4, commencing with section
28 116270), to wit a August 2012 monthly summary report of public water system coliform

1 monitoring submitted for purposes of compliance with Health and Safety Code section
2 116375 and California Code of Regulations, Title 22, section 64423.1.
3 [1 yr.]

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5 **Count 15**

6 **False Statement or Representation in a Record, Report, and other Document:**

7 On or about July 30, 2012, in violation of **Health and Safety Code section 116730(a)(1)**, a
8 misdemeanor, defendant Ronald Dean LaRue, did knowingly make a false statement or
9 representation in an application, record, report and other document submitted, maintained, or
10 used for the purposes of compliance with the California Safe Drinking Water Act (Health and
11 Safety Code, Division 104, Part 12, Chapter 4, commencing with section 116270), to wit a
12 July 2012 monthly summary report of public water system coliform monitoring submitted for
13 purposes of compliance with Health and Safety Code section 116375 and California Code of
14 Regulations, Title 22, section 64423.1.

15 [1 yr.]

16
17 **Count 16**

18 **False Statement or Representation in a Record, Report, and other Document:**

19 On or about May 3, 2012, in violation of **Health and Safety Code section 116730(a)(1)**, a
20 misdemeanor, defendant Ronald Dean LaRue, did knowingly make a false statement or
21 representation in an application, record, report and other document submitted, maintained, or
22 used for the purposes of compliance with the California Safe Drinking Water Act (Health and
23 Safety Code, Division 104, Part 12, Chapter 4, commencing with section 116270), to wit a
24 April 2012 monthly summary report of public water system coliform monitoring submitted
25 for purposes of compliance with Health and Safety Code section 116375 and California Code
26 of Regulations, Title 22, section 64423.1.

27 [1 yr.]

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Count 17

False Statement or Representation in a Record, Report, and other Document:

On or about March 30, 2012, in violation of **Health and Safety Code section 116730(a)(1)**, a misdemeanor, defendant Ronald Dean LaRue, did knowingly make a false statement or representation in an application, record, report and other document submitted, maintained, or used for the purposes of compliance with the California Safe Drinking Water Act (Health and Safety Code, Division 104, Part 12, Chapter 4, commencing with section 116270), to wit a March 2012 monthly summary report of public water system coliform monitoring submitted for purposes of compliance with Health and Safety Code section 116375 and California Code of Regulations, Title 22, section 64423.1.

[1 yr.]

Count 18

Possession of Concealed or Altered Records: On or about March 30, 2012, in the

violation of **Health and Safety Code section 116730(a)(2)**, a misdemeanor, defendant Ronald Dean LaRue, did knowingly have in his possession a record required to be maintained pursuant to this chapter that has been altered or concealed, to wit reports of positive results of laboratory analyses for coliform monitoring of a drinking water distribution system.

[1 yr.]

Count 19

False Statement or Representation in a Record, Report, and other Document:

On or about August 5, 2015, in violation of **Health and Safety Code section 116730(a)(1)**, a misdemeanor, defendant Wayne Garland Grigsby, did knowingly make a false statement or representation in an application, record, report and other document submitted, maintained, or used for the purposes of compliance with the California Safe Drinking Water Act (Health and Safety Code, Division 104, Part 12, Chapter 4, commencing with section 116270), to wit a

1 July 2015 monthly summary report of public water system coliform monitoring submitted for
2 purposes of compliance with Health and Safety Code section 116375 and California Code of
3 Regulations, Title 22, section 64423.1.

4 [1 yr.]
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7 **Count 20**

8 **False Statement or Representation in a Record, Report, and other Document:**

9 On or about June 5, 2015, in violation of **Health and Safety Code section 116730(a)(1)**, a
10 misdemeanor, defendant Wayne Garland Grigsby, did knowingly make a false statement or
11 representation in an application, record, report and other document submitted, maintained, or
12 used for the purposes of compliance with the California Safe Drinking Water Act (Health and
13 Safety Code, Division 104, Part 12, Chapter 4, commencing with section 116270), to wit a
14 May 2015 monthly summary report of public water system coliform monitoring submitted
15 for purposes of compliance with Health and Safety Code section 116375 and California Code
16 of Regulations, Title 22, section 64423.1.

17 [1 yr.]
18

19 **Count 21**

20 **False Statement or Representation in a Record, Report, and other Document:**

21 On or about September 9, 2013, in violation of **Health and Safety Code section**
22 **116730(a)(1)**, a misdemeanor, defendant Wayne Garland Grigsby, did knowingly make a
23 false statement or representation in an application, record, report and other document
24 submitted, maintained, or used for the purposes of compliance with the California Safe
25 Drinking Water Act (Health and Safety Code, Division 104, Part 12, Chapter 4, commencing
26 with section 116270), to wit an August 2013 monthly summary report of public water system
27 coliform monitoring submitted for purposes of compliance with Health and Safety Code
28 section 116375 and California Code of Regulations, Title 22, section 64423.1.

1 [1 yr.]

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Count 22

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False Statement or Representation in a Record, Report, and other Document:

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On or about November 7, 2013, in violation of **Health and Safety Code section**

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116730(a)(1), a misdemeanor, defendant David Dwayne Toms, did knowingly make a false

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statement or representation in an application, record, report and other document submitted,

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maintained, or used for the purposes of compliance with the California Safe Drinking Water

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Act (Health and Safety Code, Division 104, Part 12, Chapter 4, commencing with section

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116270), to wit a October 2013 monthly summary report of public water system coliform

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monitoring submitted for purposes of compliance with Health and Safety Code section

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116375 and California Code of Regulations, Title 22, section 64423.1.

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[1 yr.]

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Count 23

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False Statement or Representation in a Record, Report, and other Document:

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On or about June 4, 2012, in violation of **Health and Safety Code section 116730(a)(1)**, a

18

misdemeanor, defendant David Dwayne Toms, did knowingly make a false statement or

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representation in an application, record, report and other document submitted, maintained, or

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used for the purposes of compliance with the California Safe Drinking Water Act (Health and

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Safety Code, Division 104, Part 12, Chapter 4, commencing with section 116270), to wit a

22

May 2012 monthly summary report of public water system coliform monitoring submitted

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for purposes of compliance with Health and Safety Code section 116375 and California Code

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of Regulations, Title 22, section 64423.1.

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[1 yr.]

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Count 24

False Statement or Representation in a Record, Report, and other Document:

On or about March 3, 2012, in violation of **Health and Safety Code section 116730(a)(1)**, a misdemeanor, defendant David Dwayne Toms, did knowingly make a false statement or representation in an application, record, report and other document submitted, maintained, or used for the purposes of compliance with the California Safe Drinking Water Act (Health and Safety Code, Division 104, Part 12, Chapter 4, commencing with section 116270), to wit a February 2012 monthly summary report of public water system coliform monitoring submitted for purposes of compliance with Health and Safety Code section 116375 and California Code of Regulations, Title 22, section 64423.1.

[1 yr.]

IT IS FURTHER ALLEGED THAT all of the above-stated offenses alleged within Counts ONE through TWENTY-FOUR were discovered within the meaning of Penal Code section 803(c) on October 29, 2015 by Mr. Tony Wiedemann of the Division of California State Water Resources Control Board, Division of Drinking Water. On October 29, 2015, Mr. Wiedemann received a phone call and email from the City Manager of Mount Shasta who informed him that various entities which operate public water systems with Siskiyou County may have committed reporting violations of coliform analyses. Prior to this notification by the Mt. Shasta City Manager, the State Water Resources Control Board had no actual or constructive knowledge of the violations alleged within this complaint. The violations were not discovered earlier due to misconduct of public employees working for the City of Dunsmuir, City of Weed, McCloud Community Service District, and City of Mount Shasta, who failed to notify the State Water Resources Board of positive coliform test results after analyses of samples from their respective water systems. Instead of reporting in accordance with California state law and regulations, the public employees falsified monthly reports of coliform sampling results and forwarded these false reports to the State Water Resources Control Board. Therefore, this action has been timely commenced.

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DATED: October 21, 2016

J. KIRK ANDRUS, District Attorney

By: Martha Aker
MARTHA AKER
DEPUTY DISTRICT ATTORNEY

MA:MA
SCBOI: 16-DA-24

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DISCOVERY NOTICE TO DEFENDANT

Pursuant to Penal Code §§ 1054.3 and 1054.5, the People request counsel for the defendant to provide the following information within 15 days:

1. Names and addresses (known or reasonably accessibly by you) of persons the defense intends to call or reasonably anticipates calling as witnesses at trial, meaning who a reasonable defense attorney would objectively anticipate calling. These witnesses include but are not limited to any witnesses you have under subpoena to testify, have asked to testify, made arrangements to attend and/or testify, or have arranged to have on call to testify.

2. A description of any “real evidence” which the defendant intends to offer in evidence at trial.

3. Any relevant written or recorded statement of witnesses the defendant intends to call or reasonably anticipates calling at trial, other than the defendant, or reports of statements of those persons. As to any witness described in this discovery notice, we request disclosure of copies of any relevant statements and recordings of statements and reports of statements made to the defense team (including all counsel, investigators, and employees of those described). In the event no recording was made, a report of the statement made. If no such report has yet been made, we request that such a report be prepared and disclosed forthwith. Further, we request a complete copy of all notes taken by any defense team member present when the statement was made and any written statement prepared after the oral statement was made. “Relevant” statements include information relevant to the defendant’s guilt or innocence.

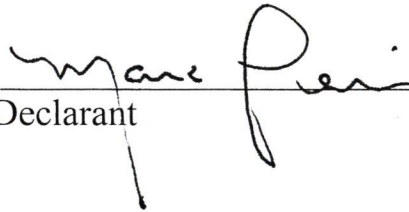
4. Reports or statements of experts made in connection with this case, including the results of examinations, tests, experiments, and comparisons which the defendant intends to offer at trial. We request disclosure of oral statements made by any defense expert to any defense team member.

Citations omitted

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I declare upon information and belief and under penalty of perjury that the foregoing is true and correct.

EXECUTED at Yreka, California, on 10-25-16


Declarant