

**Grand Jury Report
RESPONSE FORM**

RE: Report Titled: *Are We Having Fun Yet*

Report Dated: March 15, 2011

Response Form Submitted By:

MCSO
589A Low Gap Road
Ukiah CA 95482

Response MUST be submitted, per Penal Code §933.05, no later than: July 24, 2011

I have reviewed the report and submit my responses to the FINDINGS portion of the report as follows:

I (we) agree with the Findings numbered:

1, 3, 21, 38, 37

I (we) disagree wholly or partially with the Findings numbered below, and have ***attached, as required,*** a statement specifying any portion of the Finding that are disputed with an explanation of the reasons therefore.

39 partially, 40 partially

I have reviewed the report and submit my responses to the RECOMMENDATIONS portion of the report as follows:

The following Recommendation(s) have been implemented and ***attached, as required,*** is a summary describing the implemented actions:

The following Recommendation(s) have not yet been implemented, but will be implemented in the future, ***attached, as required*** is a time frame for implementation:

GRAND JURY REPORT

- The following Recommendation(s) require further analysis, and attached as required, is an explanation and the scope and parameters of the planned analysis, and a time frame for the matter to be prepared, discussed and approved by the officer and/or director of the agency or department being investigated or reviewed: (This time frame shall not exceed six (6) months from the date of publication of the Grand Jury Report)
-

- The following Recommendations will NOT be implemented because they are not warranted and/or are not deemed reasonable, attached, as required is an explanation therefore:
-

I have completed the above responses, and have attached, as required the following number of pages to this response form:

Number of Pages attached: 2

I understand that responses to Grand Jury Reports are public records. They will be posted on the Grand Jury website: www.co.mendocino.ca.us/grandjury. The clerk of the responding agency is required to maintain a copy of the response.

I understand that I must submit this signed response form and any attachments as follows:

First Step: E-mail (word documents or scanned pdf file format) to:

- The Grand Jury Foreperson at: grandjury@co.mendocino.ca.us
- The Presiding Judge c/o: sally.nevarez@mendocino.courts.ca.gov
- The County's Executive Office: angeloc@co.mendocino.ca.us

Second Step: Mail all originals to:

Mendocino County Grand Jury
P.O. Box 939
Ukiah, CA 95482

Printed Name: Kurt O. Smallcomb

Title: Captain, Field Services Commander

Signed: 

Date: 8-26-2011

THOMAS D. ALLMAN
Sheriff-Coroner



Captain Kurt O. Smallcomb
Field Services
Captain Tim Pearce
Corrections

County of Mendocino Office Of The Sheriff-Coroner

August 23, 2011

Honorable Cindee Mayfield, Presiding Judge
Superior Court of California
County of Mendocino
County Courthouse
Ukiah, Ca 95482

RE: Response to Report of the Grand Jury

Dear Judge Mayfield:

Attached and enclosed please find my responses to the Grand Jury's report entitled:

Are We Having Fun Yet?
A Report on Mendocino County Festival Fees and Temporary Permits
March 15, 2011

The Grand Jury requires me to respond to Finding #s 1, 3, 21, 37 - 40.

Findings

1. Several departments in Mendocino County are involved in issuing permits and collecting fees. The principal departments responsible are: Mendocino County Treasurer-Tax Collector, Planning and Building Services, Environmental health Division, and Mendocino County Sheriff's Office.

The Mendocino County Sheriff's Office agrees with this finding.

3. Mendocino County Sheriff's Office staff could not recall that any citation has ever been issued for a festival or event that was held without a permit.

The Mendocino County Sheriff's Office agrees with this finding.

21. A permit is required at a public gathering if an admission fee is charged.

The Mendocino County Sheriff's Office agrees with this finding.

37. The Mendocino County Sheriff's Office (MCSO) may provide law enforcement services for private events. If the deputy is assigned during regular scheduled time, the event coordinator is

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Ukiah, California 95482-3734

707-463-4411
Fax 707-468-3404

charged the actual cost. If the deputy is assigned to the event during his day off, then reimbursement is at overtime rate. According to MCSO staff, this arrangement does not compromise public safety.

The Mendocino County Sheriff's Office agrees with this finding.

38. The Mendocino County Sheriff's Office does not allow deputies to provide private security services.

The Mendocino County Sheriff's Office agrees with this finding.

39. For events where liquor is sold, the Mendocino County Sheriff's Office reviews the Alcohol Beverage Control (ABC) applications and checks the applicant's background for temporary Liquor Sales.

The Mendocino County Sheriff's Office (MCSO) disagrees partially with the findings. The MCSO only conducts the most basic check of the applicant. A very basic check is completed on the ABC applicant to:

- Make sure they have no outstanding warrants
- Make sure they are not on parole or probation
- Make sure that they have not had multiple contacts with law enforcement.
-

A complete in depth personnel background is not completed on ABC Applicants.

40. The Mendocino County Sheriff's Office was charging \$176 to process the ABC application for alcohol sales. Veterans and no-profit organizations are not exempt from this fee. At the time of the Grand Jury review, the fee schedule is being revised and has not been implemented.

The Mendocino County Sheriff's Office partially agrees with the finding. New fees have been approved and scheduled. ABC license reviews for non-profits and one day events will now be \$13.00. This became effective July 1, 2011 after a recent Board of Supervisors review of previously existing ABC fees.

Should you or the Grand Jury have questions about any of my responses, please do not hesitate to contact me or Captain Kurt Smallcomb.

Sincerely,



Thomas D. Allman
Sheriff-Coroner

cc: Finley Williams, Grand Jury Foreman
Kendall Smith, Chair - Board of Supervisors
Carmel Angelo, County CEO
Jeanine Nadel, County Counsel
Captain Kurt Smallcomb, Field Operations Commander