

County of Mendocino
Grand Jury
www.co.mendocino.ca.us/grandjury

Post Office Box 939
Ukiah, CA 95482
grandjury@co.mendocino.ca.us

**Grand Jury Report Transmittal
(With Instructions and Response Form for Required Respondents)**

Chief Gerry Gonzalez
City of Willits
125 E Commercial St # 150
Willits, CA 95490-3146

Date: May 24, 2011

RE: Report Titled: DOING THE BEST WE CAN, WITH WHAT WE GOT

Dated: March 31, 2011

Your response to the attached report by the 2009/2010 Mendocino County Civil Grand Jury is required pursuant to Penal Code §933.05 (enclosed). Penal Code §933.05 also requires that your response to the Findings and Recommendations contained in the report be in writing and be submitted within **60 days for individual responses from elected county officers or agency head** or within **90 days for governing bodies** (including such entities as school boards, city councils and the Board of Supervisors).

Penal Code §933.05(f) specifically prohibits disclosure of the contents of this report by a public agency or its officers or governing body prior to the release to the public. The report will be released to the public and posted on the grand jury website two (2) or more days after the date of this letter.

The Penal Code is specific as to the format of responses. Complete and sign the enclosed Response Form and attach any additional comments as required.

Should you have any questions after reviewing the enclosures, please contact me at grandjury@co.mendocino.ca.us or at the address above.

Sincerely,

Katharine Wylie

Katharine Wylie
Foreperson
Mendocino County Grand Jury

For Your Information

SUMMARY OF PENAL CODE 933.05

Penal Code § 933.05 provides for only two (2) acceptable responses with which agencies and/or departments (respondents) may respond with respect to the **findings** of a Grand Jury report :

1. The respondent agrees with the finding.
2. The respondent disagrees wholly or partially with the findings, *in which case the respondent shall specify the portion of the finding that is disputed and shall include an explanation of the reasons therefore.*

Penal Code § 933.05 provides for only four (4) acceptable responses with which agencies and/or departments (respondents) may respond with in respect to the **recommendations** of the Grand Jury.

1. The recommendation has been implemented, with a summary regarding the implemented action.
2. The recommendation has not yet been implemented, but will be in the future, with a timeframe for implementation.
3. The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis, with a timeframe for the matter to be prepared for discussion by the officer or head of the agency/department being investigated or reviewed, including the governing body of the public agency when applicable. ***This timeframe shall not exceed six (6) months from the date of publication of the Grand Jury Report.***
4. The recommendation will not be implemented because it is not warranted or is not reasonable, with a detailed explanation therefore.

However, If a finding and/or recommendation of the Grand Jury addresses **budgetary** or **personnel** matters of a county agency/department head and the Board of Supervisors shall respond if requested by the Grand Jury, but the response of the Board of Supervisors shall address only those budgetary or personnel matters over which it has some decision making authority. The response of the elected agency or department head shall address **all** aspects of the findings or recommendations affecting his or her agency/department.

**Grand Jury Report
RESPONSE FORM**

RE: Report Titled: *Doing the Best We Can With What We Got*

Report Dated: March 31, 2011

Response Form Submitted By:

Chief Gerry Gonzalez
City of Willits
125 E Commercial St # 150
Willits, CA 95490-3146

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:
2,3,4,5,6,7,8,10,11,12,13,14,15,16,17,18,19,20,21,22,23,24,25,26,27
- 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.
1, 9

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:
2
- 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
3

- 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)

1

- 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:

4

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: Gerardo "Gerry" Gonzalez

Title: Chief of Police

Signed: 

Date: 7/18/11

Mendocino County Grand Jury Report

“DOING THE BEST WE CAN, WITH WHAT WE GOT”

Willits Police Department Response

Narrative Summary of Required Responses to Grand Jury Findings:

1. I partially disagree with Finding #1, as it relates to staffing. The staffing at the time of the Grand Jury visit consisted of one Chief of Police, four Sergeants, seven police officers, one reserve officer, one community services officer, one part-time officer (960-hour annuitant), four full-time dispatchers, and three part-time dispatchers. We currently do not have an actual vacancy as the position mentioned as vacant was not filled during the previous budget year after an officer on probation was released from employment. Due to budgetary reasons, this position was not filled during the 2010-2011 fiscal year and no funding was allocated for this position. During the Grand Jury’s visit, we did have one of the seven allocated police officer positions out on a non-duty related medical issue. That individual did return to work but subsequently went out on a duty-related injury.
9. I partially agree with Finding #9 , While no actual funded position vacancy existed at the time of the Grand Jury visit an experienced officer would be preferred to an inexperienced officer should an opening come up as more field training time would be required with an inexperienced officer. A Police Officer in field training cannot work on the street as a solo beat officer while in the training program.

Narrative Summary of Required Responses to Grand Jury Recommendations:

2. At the time of the Grand Jury visit, recommendation #2 had already been implemented. The Willits Police Department currently has one 960-hour annuitant (retired) officer who currently assists with prisoner transportation, investigations, general patrol when needed, and during the school year, has served as the School Resource Officer after the previous one became unable to complete the position. This officer will return to this capacity but is constrained by Public Employee Retirement System (PERS) rules governing the amount of hours a retired annuitant can work for a public agency. The Willits Police Department would be open to explore the addition of more retiree employees provided that budgetary concerns could be addressed.

3. Recommendation #3 has not yet been implemented, but will be implemented in the future. With reference to Finding #20, the Willits Police Department sign that fell down during a previous wind storm will not be put up. Upon closer examination, it was decided not to re-install the old sign as it would most likely fall again. The Police Department currently working with Crawford Signs out of Ukiah to erect a monument sign at the entrance of the City Hall/Police Department Parking lot as well as affixing an additional glass door decal sign to the entrance of the Police Department.
1. Recommendation #1 requires further analysis. Currently, the City of Willits has brought a balanced budget forward where existing positions from last year's budget were brought back with no lay-offs or employee concessions factored in. The Police Department has applied for a Federal COPS (Community Oriented Policing Services) Police Officer grant, which, if funded, would provide a full-time position with no local match required for the first three years of the grant. While more police officer positions would be preferred, the Department recognizes the budgetary constraints placed on the City and was content not to have endured lay-offs like other agencies in Mendocino County experienced during the last budget process.
4. Recommendation #4 will not be implemented because it is not warranted and/or are not deemed reasonable. While the Willits Police Department concurs with the Grand Jury, we do not have the authority to require the county of Mendocino General Services Department to consult with an outside engineer. As such, this recommendation is not deemed reasonable. The continued leaking roof does pose a trip and fall risk to employees having to navigate the various buckets in the hallways and in the records room put out to catch water during the rainy season.