



COUNTY OF MENDOCINO

Executive Office

TOM MITCHELL
CHIEF EXECUTIVE OFFICER

ALISON GLASSEY
ASST CHIEF EXECUTIVE OFFICER

501 Low Gap Road, Room 1010
Ukiah, CA 95482-3734

Email: ceo@co.mendocino.ca.us
Website: www.co.mendocino.ca.us

Office: (707) 463-4441
Facsimile: (707) 463-5649

July 22, 2009

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

Re: Response to the 2008/2009 Grand Jury's Final Report:
Big Changes Needed or Get a Whiff of This: A Report on the Mendocino County Sheriff's
Evidence Facility

Dear Judge Mayfield:

Enclosed is the Board of Supervisor's official response to the findings and recommendations, as specified within the above mentioned report. If applicable, the report may also include the responses provided from select County departments and their respective Grand Jury Response forms.

The Mendocino County Board of Supervisors approved their response at their Board Meeting of July 21, 2009.

Sincerely,

A handwritten signature in blue ink, appearing to read "Hunter Alexander".

Hunter Alexander

Enclosures

cc: Grand Jury

Grand Jury Report
RESPONSE FORM

Grand Jury Report Title : *Big Changes Needed or Get a Whiff or This: A report on the Mendocino County Sheriff's Evidence Facility*

Report Dated : *May 13, 2009*

Response Form Submitted By:

Mendocino County Board of Supervisors
501 Low Gap Road, Room 1070
Ukiah, CA 95482

Response MUST be submitted, per Penal Code §933.05, no later than: Aug 11, 2009

Required Responses (see final section of attached report):
Board of Supervisors (All Findings; All Recommendations)

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:
1-5, and 7-9
- 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.
6

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

- The following Recommendation(s) have 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:

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)

2

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:

1

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

Number of Pages attached: Five (Combined Response Report)

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) to the County's Executive Office:
alexandr@co.mendocino.ca.us

Second Step: Mail all originals to Mendocino County Executive Office for delivery to the Mendocino County Courts and Mendocino County Grand Jury

Printed Name: Jeanine B. Nadel

Title: County Counsel

Signed: 

Date: 7-23-09

Grand Jury Report

RESPONSE FORM

Grand Jury Report Title : *Big Changes Needed or Get a Whiff or This: A report on the Mendocino County Sheriff's Evidence Facility*

Report Dated : *May 13, 2009*

Response Form Submitted By:

Mendocino County Chief Executive's Office
501 Low Gap Road, Room 1010
Ukiah, CA 95482

Response MUST be submitted, per Penal Code §933.05, no later than: Aug 11, 2009

Required Responses (see final section of attached report):

Mendocino County Chief Executive's Office
(All Findings; All Recommendations)

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:
1-5, and 7-9 _____
- 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.
6 _____

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

- The following Recommendation(s) have 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:

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)

2

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:

1

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

Number of Pages attached: Five (Combined Response Report)

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) to the County's Executive Office:
alexandr@co.mendocino.ca.us

Second Step: Mail all originals to Mendocino County Executive Office for delivery to the Mendocino County Courts and Mendocino County Grand Jury

Printed Name: Mr. Tom Mitchell

Title: Chief Executive Officer

Signed: 

Date: 1/23/2009

THOMAS D. ALLMAN
Sheriff-Coroner



Undersheriff Gary Hudson

Captain Kurt O Smallcomb
Field Services

Captain Tim Pearce
Corrections

County of Mendocino Office Of The Sheriff-Coroner

July 6, 2009

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

RE: Response to Report of the May 13, 2009 Grand Jury
Big Changes Needed or Get a Whiff of This:
A Report on the Mendocino County Sheriff's Evidence Facility

Dear Judge Mayfield:

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

Big Changes Needed or Get a Whiff of This: A Report on the Mendocino County Sheriff's Evidence Facility

The Grand Jury requires me to respond to All Findings and Recommendations.

Findings

1. The Mendocino County evidence facility is located in Ukiah and serves the Sheriff's Office, District Attorney's Office, California Highway Patrol and federal agencies.

Sheriffs Response:

The Evidence Facility serves as the main evidence depository for the Mendocino County Sheriff's Office. The other agencies listed above store a very limited amount of evidence at the facility.

2. Ventilation of the facility is inadequate to prevent strong pervasive odors, including those from stored marijuana and human remains.

Sheriffs Response:

I agree with the findings. New methods of improving the ventilation are being researched and grant opportunities are being investigated.

3. There is no overhead sprinkler fire suppression system.

Sheriffs Response:

I agree with the findings. Smoke alarms and fire extinguishers are maintained at the site.

4. An abundance of evidence from closed cases awaits appropriate disposal.

Sheriffs Response:

I agree with the findings.

5. Current shelving is inadequate for efficient evidence storage.

Sheriffs Response:

I agree with the findings. New shelving was purchased in 2008 with asset seizure funds to improve the storage of evidence. Purchase of additional shelving is being researched.

6. Evidence refrigerators are outdated. They are not energy efficient and lack adequate seals to contain odors.

Sheriffs Response:

I do not agree with these findings. We are using energy efficient frost free refrigeration units. Seals have been inspected and replaced if necessary.

7. There is no generator or secondary source for electrical back-up.

Sheriffs Response:

I agree with the findings.

8. Evidence is recorded in a card file. Staff reported that computer files are not backed up.

Sheriffs Response:

I agree with the findings. New computer programs are being researched.

9. The building is privately owned and rented to the County for \$3,000/month.

Sheriffs Response:

I agree with the findings.

RECOMMENDATIONS:

The Grand Jury recommends that:

1. the County relocate the evidence facility or negotiate with the building owner to:
 - a. upgrade the ventilation system; (Finding 2)

Sheriffs Response:

I will discuss this recommendation with the CEO's Office.

- b. install an overhead sprinkler fire suppression system. (Finding 3)

Sheriff's Response:

I will discuss with the CEO and the building owner.

2. The Sheriff's Department:

- a. install a space saving storage system; (Finding 5)

Sheriff's Response:

I am currently researching grant opportunities.

- b. secure energy efficient refrigeration units with hermetically sealed doors; (Finding 6)

Sheriff's Response:

Refrigeration currently meets this criteria.

- c. provide a secondary source of power for emergencies; (Finding 7)

Sheriff's Response:

I am currently researching grant opportunities.

- d. install back-up systems for electronic and hard copy information that would be kept at a secure off-site location; (Finding 8)

Sheriff's Response:

I am currently researching grant opportunities.

- e. assign staff, on a part-time basis, to assist with disposal of released evidence. (Finding 4)

Sheriff's Response:

Due to current Board of Supervisors staffing restrictions, we are unable to accomplish this recommendation at this time.

Sincerely,



Thomas D. Allman
Sheriff-Coroner

**BIG CHANGES NEEDED or GET A WHIFF OF THIS:
A Report on the Mendocino County Sheriff's Evidence Facility**

May 13, 2009

Summary

The Grand Jury visited the evidence facility located in Ukiah that serves the Sheriff's Department, District Attorney's Office, California Highway Patrol and federal agencies. We found that numerous improvements are needed to the systems that provide ventilation, fire suppression, back-up power, refrigeration and evidence storage. We noticed an abundance of evidence from closed cases that is awaiting proper disposal.

Background

California Penal Code §925 states *The Grand Jury shall investigate and report on the operations, accounts, and records of the officers, departments, or functions of the county...* On November 13, 2008, the Grand Jury undertook this charge and toured the multi-agency evidence room in Ukiah.

Methods

The Grand Jury toured the facility and interviewed personnel on site.

Findings

1. The Mendocino County evidence facility is located in Ukiah and serves the Sheriff's Office, District Attorney's Office, California Highway Patrol and federal agencies.

Required Response: Mendocino County Board of Supervisors

The Mendocino County Board of Supervisors agrees with this finding.

Required Response: Mendocino County Chief Executive's Office

The Mendocino County Chief Executive's Office agrees with this finding.

Required Response: Mendocino County Sheriff

The Evidence Facility serves as the main evidence depository for the Mendocino County Sheriff's Office. The other agencies listed above store a very limited amount of evidence at the facility.

2. Ventilation of the facility is inadequate to prevent strong pervasive odors, including those from stored marijuana and human remains.

Required Response: Mendocino County Board of Supervisors

The Mendocino County Board of Supervisors agrees with this finding, per the Sheriff's response below.

Required Response: Mendocino County Chief Executive's Office

The Mendocino County Chief Executive's Office agrees with this finding, per the Sheriff's response below.

Required Response: Mendocino County Sheriff

I agree with the findings. New methods of improving the ventilation are being researched and grant opportunities are being investigated.

3. There is no overhead sprinkler fire suppression system.

Required Response: Mendocino County Board of Supervisors

The Mendocino County Board of Supervisors agrees with this finding.

Required Response: Mendocino County Chief Executive's Office

The Mendocino County Chief Executive's Office agrees with this finding.

Required Response: Mendocino County Sheriff

I agree with the findings. Smoke alarms and fire extinguishers are maintained at the site.

4. An abundance of evidence from closed cases awaits appropriate disposal.

Required Response: Mendocino County Board of Supervisors

The Mendocino County Board of Supervisors agrees with this finding.

Required Response: Mendocino County Chief Executive's Office

The Mendocino County Chief Executive's Office agrees with this finding.

Required Response: Mendocino County Sheriff

I agree with the findings.

5. Current shelving is inadequate for efficient evidence storage.

Required Response: Mendocino County Board of Supervisors

The Mendocino County Board of Supervisors agrees with this finding.

Required Response: Mendocino County Chief Executive's Office

The Mendocino County Chief Executive's Office agrees with this finding.

Required Response: Mendocino County Sheriff

I agree with the findings. New shelving was purchased in 2008 with asset seizure funds to improve the storage of evidence. Purchase of additional shelving is being researched.

6. Evidence refrigerators are outdated. They are not energy efficient and lack adequate seals to contain odors.

Required Response: Mendocino County Board of Supervisors

The Mendocino County Board of Supervisors disagrees with this finding, per the Sheriff's response below.

Required Response: Mendocino County Chief Executive's Office

The Mendocino County Chief Executive's Office disagrees with this finding, per the Sheriff's response below.

Required Response: Mendocino County Sheriff

I do not agree with these findings. We are using energy efficient frost free refrigeration units. Seals have been inspected and replaced if necessary.

7. There is no generator or secondary source for electrical back-up.

Required Response: Mendocino County Board of Supervisors

The Mendocino County Board of Supervisors agrees with this finding.

Required Response: Mendocino County Chief Executive's Office

The Mendocino County Chief Executive's Office agrees with this finding.

Required Response: Mendocino County Sheriff

I agree with the findings.

8. Evidence is recorded in a card file. Staff reported that computer files are not backed up.

Required Response: Mendocino County Board of Supervisors

The Mendocino County Board of Supervisors agrees with this finding.

Required Response: Mendocino County Chief Executive's Office

The Mendocino County Chief Executive's Office agrees with this finding.

Required Response: Mendocino County Sheriff

I agree with the findings. New computer programs are being researched.

9. The building is privately owned and rented to the County for \$3,000/month.

Required Response: Mendocino County Board of Supervisors

The Mendocino County Board of Supervisors agrees with this finding.

Required Response: Mendocino County Chief Executive's Office

The Mendocino County Chief Executive's Office agrees with this finding.

Required Response: Mendocino County Sheriff

I agree with the findings.

The Grand Jury recommends that:

1. the County relocate the evidence facility or negotiate with the building owner to:
 - a. upgrade the ventilation system; (Finding 2)
 - b. install an overhead sprinkler fire suppression system. (Finding 3)

Required Response: Mendocino County Board of Supervisors

The Recommendations will not be implemented because they major upgrades are not deemed reasonable at this time due to lack of financial resources. Long range planning for replacement of criminal justice facilities was initiated in 2007.

Required Response: Mendocino County Chief Executive's Office

The Recommendations will not be implemented because they major upgrades are not deemed reasonable at this time due to lack of financial resources. Long range planning for replacement of criminal justice facilities was initiated in 2007.

Required Response: Mendocino County Sheriff

I will discuss this recommendation with the CEO's Office.

2. the Sheriff's Department:
 - a. install a space saving storage system; (Finding 5)
 - b. secure energy efficient refrigeration units with hermetically sealed doors; (Finding 6)
 - c. provide a secondary source of power for emergencies; (Finding 7)
 - d. install back-up systems for electronic and hard copy information that would be kept at a secure off-site location; (Finding 8)
 - e. assign staff, on a part-time basis, to assist with disposal of released evidence. (Finding 4)

Required Response: Mendocino County Board of Supervisors

These recommendations require further analysis. Existing refrigeration units are adequate, and the Sheriff's Office is seeking grant opportunities for other various upgrades. The current fiscal crisis does not permit any increases in staffing.

Required Response: Mendocino County Chief Executive's Office

These recommendations require further analysis. Existing refrigeration units are adequate, and the Sheriff's Office is seeking grant opportunities for other various upgrades. The current fiscal crisis does not permit any increases in staffing.

Required Response: Mendocino County Sheriff

(a.,c.,d.) I am currently researching grant opportunities.

(b.) Refrigeration currently meets this criteria.

(e.) Due to current Board of Supervisors staffing restrictions, we are unable to accomplish this recommendation at this time.

Discussion

Jurors found the two staff members to be helpful, cooperative, and informative. The facility appeared to be understaffed for the scope of work and volume of evidence. The facility is inadequately equipped to ensure a healthy environment for staff, efficient evidence storage and optimal back-up of critical information.

The Grand Jury questions whether it would be the best use of public funds to make the needed capital improvements to a privately owned building rather than relocating to an alternative leased facility or constructing one that is designed for the purpose and meets *green* building standards.

Required Responses

Mendocino County Sheriff (All Findings; All Recommendations)

Board of Supervisors (All Findings; All Recommendations)

Mendocino County Chief Executive's Office (All Findings; All Recommendations)