

# REPORT TRANSMITTAL AND REQUEST FOR RESPONSES - FORMAT

May 21, 2007

Gualala MAC  
c/o William McCarthy  
P.O. Box 433  
Gualala, Ca. 95445

RE: Report Titled WASTE NOT . . . WANT NOT  
Dated: May 3, 2007

Enclosed is a courtesy copy of the above report by the 2006/2007 Mendocino County Civil Grand Jury. 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. Public release will occur two (2) days after the date of this letter.

Response to Grand Jury Reports is not an option, but is required pursuant to Penal Code §933.05 (copy enclosed). Penal Code §933.05 also requires your response to the Findings and Recommendations contained in the report be in writing within **60 days** for elected officials and **90 days** for appointed officials. The Penal Code is specific as to the format of responses. The enclosed Response to Grand Jury Report Form should be used.

Please provide one hard copy and one digital copy of the response to: The Presiding Judge, Superior Court, and Foreperson, Mendocino County Grand Jury.

Your responses should follow the following format :

## ***Findings***

I (we) agree with the findings numbered:

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I (we) disagree wholly or partially with the Findings numbered:

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( attach a statement specifying any portions of the Findings that are disputed; include an explanation of the reasons therefore. )

**Recommendations**

- Recommendations numbered: \_\_\_\_\_ have been implemented. (attach a summary describing the implemented actions.)
  
- Recommendations numbered: \_\_\_\_\_ have not yet been implemented, but will be implemented in the future. (attach a time frame for implementation)
  
- Recommendations numbered: \_\_\_\_\_ require further analysis. (attach an explanation and the scope and parameters of an analysis or study, and a time frame for the matter to be prepared for discussion by the officer and/or director of the agency or department being investigated or reviewed; including the governing body of the public agency when applicable. This time frame shall not exceed six (6) months from the date of publication of the Grand Jury Report)
  
- Recommendations numbered: \_\_\_\_\_ will not be implemented because they are not warranted and/or are not reasonable. ( attach an explanation.)

Date: \_\_\_\_\_ Signed: \_\_\_\_\_

Total number of pages attached: \_\_\_\_\_

Your responses are public records. The clerk of the public agency affected must maintain a copy of your response. Should you have any questions, please contact me at 463-4320 or at the above address.

Sincerely,

[ Current Foreperson ] \_\_\_\_\_, Foreperson

## RESPONSES TO GRAND JURY REPORTS

### SUMMARY OF PC 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.

# RESPONSE PROCEDURE TO GRAND JURY REPORTS

The governance of responses to Grand Jury Final Report is contained in Penal Code § 933 and § 933.05. Responses must be submitted within 60 or 90 days. Elected officials must respond within sixty (60) days. Governing bodies (for example: the Board of Supervisors) must respond within ninety (90) days. Please submit all responses in writing and digital format to the Presiding Judge, the Grand jury Foreperson and the CEO's office.

**Report Title :** \_\_\_\_\_ **Report Date :** \_\_\_\_\_

Response by : \_\_\_\_\_ Title : \_\_\_\_\_

## **Findings**

I (we) agree with the findings numbered:

\_\_\_\_\_

I (we) disagree wholly or partially with the Findings numbered:

\_\_\_\_\_

( attach a statement specifying any portions of the Findings that are disputed; include an explanation of the reasons therefore. )

## **Recommendations**

Recommendations numbered: \_\_\_\_\_ have been implemented. ( attach a summary describing the implemented actions. )

Recommendations numbered: \_\_\_\_\_ have not yet been implemented, but will be implemented in the future. ( attach a time frame for implementation )

Recommendations numbered: \_\_\_\_\_ require further analysis. ( attach an explanation and the scope and parameters of an analysis or study, and a time frame for the matter to be prepared for discussion by the officer and/or director of the agency or department being investigated or reviewed; including the governing body of the public agency when applicable. This time frame shall not exceed six (6) months from the date of publication of the Grand Jury Report )

Recommendations numbered: \_\_\_\_\_ will not be implemented because they are not warranted and/or are not reasonable. ( attach an explanation. )

Date: \_\_\_\_\_ Signed: \_\_\_\_\_

Total number of pages attached: \_\_\_\_\_