



## BOARD OF SUPERVISORS COUNTY OF MONO

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November 6, 2012

Honorable Judge Stanley Eller  
Presiding Judge of the Superior Court  
100 Thompsons Way  
P.O. Box 1037  
Mammoth Lakes, California 93546

Re: Response to the Mono County 2011 - 2012 Grand Jury Report

Dear Judge Eller:

Please consider the following responses to the 2011 – 2012 Mono County Grand Jury Report and place this document on file as the Mono County Board of Supervisor's response to the Grand Jury Report.

### **Responses to the findings and recommendations:**

#### **Mono County Assessor's Office Investigation #11-01**

Note: As you presumably know, the office of Mono County Assessor is currently vacant (although it is being managed in the interim by a relatively-new Assistant Assessor). In the absence of such a County Assessor, the Board will provide the County's response to this portion of the grand jury report.

#### Findings:

The Board agrees with the findings.

#### Recommendations:

- (1) Reduction in the number of appraisers to four.  
The recommendation has been implemented, effective October 1, 2012.
- (2) Assessor authority over the mapping function.  
The recommendation has been implemented. Mapping is now being done by ParcelQuest. A new mapper has been hired and is currently training with the County's system.
- (3) Assessor authority over staff.

The recommendation has been implemented, within the same parameters applicable to other department heads.

- (4) Close the Mammoth Lakes branch.

The recommendation has been implemented, effective June 1, 2012.

### **Jail and Probation Department Tours**

Note: The grand jury's findings and recommendations were primarily directed to the Sheriff. As you presumably know, the Sheriff has already responded to this portion of the report pursuant to Penal Code sections 933(c) and 933.05(c), and the Board appreciates the Sheriff's response. To the extent the Board is also required to respond, the Board agrees with the grand jury's findings and has implemented its recommendations, as described in the Sheriff's response.

The Board thanks the grand jury members for their public service.

Sincerely,



Vikki Bauer, Chair  
Board of Supervisors



MONO COUNTY  
**SHERIFF**

**911**

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*Richard C. Scholl*  
Sheriff/Coroner

MONO COUNTY SHERIFF'S OFFICE

*Ralph Obenberger*  
Undersheriff

To: Honorable Judge Stan Eller  
Date: October 19, 2012  
From: Sheriff Rick Scholl

## GRAND JURY RESPONSE 2011-2012

In regards to the Mono County Grand Jury Final Report for the year 2011-2012, I would like to respond to the inquiries and recommendations from the Grand Jury. As the Sheriff-Coroner, and respondent to this report, I am responsible and accountable to the citizens of Mono County and respectfully provide my written response to the investigation and concerns expressed by the Grand Jury. I concur with the Grand Jury report and findings and address the two recommendations below.

**RECOMMENDATION 1:** The Grand Jury recommends that the Sheriff continue to work with his counterparts in other counties to identify creative methods for managing the changes that will result from AB 109 and develop coordinated responses as needed.

**RECOMMENDATION 2:** The Grand Jury recommends that the Board of Supervisors, in conjunction with the Sheriff, begin to plan for the replacement of the 911 dispatch system and the Jail control systems. This will assure timely replacement of these critical systems.

**Response 1:** The recommendation has been implemented as we are continuing to work with the State Sheriff's Association, California Department of Corrections, State Legislators, and the Governor's Office for solutions to issues brought about by realignment. There will be on-going challenges to implement all requirements of AB 109 and there will be modifications as medical needs and other requirements are realized. The Mono County Probation Department is a critical

stakeholder in the implementation of AB 109 and the new Probation Chief will be included in future discussions and to institute collaborative procedures through the Community Corrections Partnership. There is no specific timeline for completion of AB 109 issues as this will be on-going and a constantly evaluated legislative change to the management of the State's inmate population.

**Response 2:** This recommendation has also been implemented by having continual discussions with the current Board of Supervisors, County Administrative Officer, and Finance Director. The two new elected members to the Board of Supervisors were also brought up to speed on the current system as well as the future need for the new dispatch/jail control system.

The jail administrator and a jail supervisor have reviewed new systems as potential replacements; however, there is no decision as to which system would best suit our needs and no funding has been set aside for the potential costs. A specific timeline has not been determined as the current system is still operational. The target date for implementation of a new system would be approximately two years away. The best system for our needs is still under evaluation.

If the Grand Jury has any specific questions that I did not address in this letter, please don't hesitate to contact me.

Respectfully,

Rick Scholl  
Mono County Sheriff-Coroner

**STATE LAW REGARDING RESPONSE TO GRAND JURY REPORT  
(PENAL CODE SECTIONS 933 and 933.05)**

**933.** (a) Each grand jury shall submit to the presiding judge of the superior court a final report of its findings and recommendations that pertain to county government matters during the fiscal or calendar year. Final reports on any appropriate subject may be submitted to the presiding judge of the superior court at any time during the term of service of a grand jury. A final report may be submitted for comment to responsible officers, agencies, or departments, including the county board of supervisors, when applicable, upon finding of the presiding judge that the report is in compliance with this title. For 45 days after the end of the term, the foreperson and his or her designees shall, upon reasonable notice, be available to clarify the recommendations of the report.

(b) One copy of each final report, together with the responses thereto, found to be in compliance with this title shall be placed on file with the clerk of the court and remain on file in the office of the clerk. The clerk shall immediately forward a true copy of the report and the responses to the State Archivist who shall retain that report and all responses in perpetuity.

(c) No later than 90 days after the grand jury submits a final report on the operations of any public agency subject to its reviewing authority, the governing body of the public agency shall comment to the presiding judge of the superior court on the findings and recommendations pertaining to matters under the control of the governing body, and every elected county officer or agency head for which the grand jury has responsibility pursuant to Section 914.1 shall comment within 60 days to the presiding judge of the superior court, with an information copy sent to the board of supervisors, on the findings and recommendations pertaining to matters under the control of that county officer or agency head and any agency or agencies which that officer or agency head supervises or controls. In any city and county, the mayor shall also comment on the findings and recommendations. All of these comments and reports shall forthwith be submitted to the presiding judge of the superior court who impaneled the grand jury. A copy of all responses to grand jury reports shall be placed on file with the clerk of the public agency and the office of the county clerk, or the mayor when applicable, and shall remain on file in those offices. One copy shall be placed on file with the applicable grand jury final report by, and in the control of the currently impaneled grand jury, where it shall be maintained for a minimum of five years.

(d) As used in this section "agency" includes a department.

**933.05.** (a) For purposes of subdivision (b) of Section **933**, as to each grand jury finding, the responding person or entity shall indicate one of the following:

(1) The respondent agrees with the finding.

(2) The respondent disagrees wholly or partially with the finding, in which case the response shall specify the portion of the finding that is disputed and shall include an explanation of the reasons therefor.

(b) For purposes of subdivision (b) of Section **933**, as to each

grand jury recommendation, the responding person or entity shall report one of the following actions:

(1) The recommendation has been implemented, with a summary regarding the implemented action.

(2) The recommendation has not yet been implemented, but will be implemented 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 or study, and a timeframe for the matter to be prepared for discussion by the officer or head of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six 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 an explanation therefor.

(c) However, if a finding or recommendation of the grand jury addresses budgetary or personnel matters of a county agency or department headed by an elected officer, both the agency or 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 decisionmaking authority. The response of the elected agency or department head shall address all aspects of the findings or recommendations affecting his or her agency or department.

(d) A grand jury may request a subject person or entity to come before the grand jury for the purpose of reading and discussing the findings of the grand jury report that relates to that person or entity in order to verify the accuracy of the findings prior to their release.

(e) During an investigation, the grand jury shall meet with the subject of that investigation regarding the investigation, unless the court, either on its own determination or upon request of the foreperson of the grand jury, determines that such a meeting would be detrimental.

(f) A grand jury shall provide to the affected agency a copy of the portion of the grand jury report relating to that person or entity two working days prior to its public release and after the approval of the presiding judge. No officer, agency, department, or governing body of a public agency shall disclose any contents of the report prior to the public release of the final report