

## Instructions for Respondents

California law (PC §933.05) requires that those responding to the Grand Jury Report must prepare responses for individual findings and recommendations within the Grand Jury Report rather than a generalized response to the entire report. Explanations for disagreements must be provided. (PC § 933.05 is included in its entirety at the end of this section.)

Please follow the format below when preparing your response.

### ***Response Format***

1. Find the response grid that appears near the end of each Grand Jury report, look for the row with the name of the entity you represent, and then only respond to those Findings and/or Recommendations listed on that row.
2. Provide the title and page number from the Grand Jury report.
3. Provide the date of your response.
4. For Findings
  - a. Provide a copy the original Finding.
  - b. Respond with one of the following:
    - i. **AGREE**.
    - ii. **PARTIALLY AGREE** (specify and explain disagreement).
    - iii. **PARTIALLY DISAGREE** (specify and explain disagreement).
    - iv. **DISAGREE** (specify and explain disagreement).
5. For Recommendations
  - a. Provide a copy the original recommendation.
  - b. Respond with one of the following:
    - i. **Has been implemented**.
    - ii. **Has not yet been implemented, but will be implemented in the future** (specify expected implementation date).
    - iii. **Requires further analysis** (specify the type of analysis required and the expected completion date, not to exceed six months)
    - iv. **Will not be implemented** (either because it is not warranted or is unreasonable; please include an explanation).
6. If responding to more than one report, respond to each in a separate document or on separate pages of one document.
7. For an example, see Response Report to the 2006-2007 Santa Cruz County Grand Jury Final Report: <http://www.co.santa-cruz.ca.us/grandjury>.

If you have questions about the response report, please contact the Grand Jury by calling (831) 454-2099 or by email: [grandjury@co.santa-cruz.ca.us](mailto:grandjury@co.santa-cruz.ca.us).

### ***Where to Respond***

1. Send a hard copy of your response to:  
The Honorable Judge Paul Marigonda  
Santa Cruz Superior Court  
701 Ocean Street  
Santa Cruz, CA 95060
2. Send an electronic version of your response via email to the Grand Jury:  
grandjury@co.santa-cruz.ca.us. Please send all responses as either Microsoft Word or Adobe PDF files.

### ***Due Dates***

Elected officials or administrators are required to respond within sixty days of the Grand Jury Report's publication; responses by the governing body of any public entity are required within ninety days.

## **Penal Code § 933.05**

- 1) For purposes of subdivision (b) of § 933, as to each grand jury finding, the responding person or entity shall indicate one of the following:
  - a) The respondent agrees with the finding.
  - b) 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.
- 2) For purposes of subdivision (b) of § 933, as to each Grand Jury recommendation, the responding person or entity shall report one of the following actions:
  - a) The recommendation has been implemented, with a summary regarding the implemented action;
  - b) The recommendation has not yet been implemented, but will be implemented in the future, with a time frame for implementation;
  - c) The recommendation requires further analysis, with 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 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 months from the date of publication of the grand jury report; or
  - d) The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor.
- 3) However, if a finding or recommendation of the Grand Jury addresses budgetary or personnel matters of a county department headed by an elected officer, both the 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 department head shall address all aspects of the findings or recommendations affecting his or her department.
- 4) 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.
- 5) 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.
- 6) 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.

2007–2008 Santa Cruz County Grand Jury Final Report