



A Tradition of Stewardship  
A Commitment to Service

**Board of Supervisors**

1195 Third St.  
Suite 310  
Napa, CA 94559  
www.countyofnapa.org

Main: (707) 253-4421  
Fax: (707) 253-4176

**Brad Wagenknecht**  
Chairman

**FILED**

**JUL - 8 2013**

Clerk of the Napa Superior Court  
By: C. Baerman  
Deputy

June 25, 2013

The Honorable Diane Price  
Presiding Judge  
Napa County Superior Court  
825 Brown Street  
Napa, CA 94559

**SUBJECT:** Response to the Grand Jury 2012-2013 Final Reports on the Integrity of Grand Jury Investigations and the Napa County Jail

Dear Judge Price,

The Napa County Board of Supervisors has reviewed the findings and recommendations contained in the 2012-2013 Final Report on the Integrity of Grand Jury Investigations and the Final Report on the Napa County Jail. As required by Penal Code Section 933(c), enclosed are the Board of Supervisors and appointed Department Head responses to these reports. The Grand Jury is to be commended for its work on behalf of the citizens of Napa County.

Sincerely,

A handwritten signature in black ink, appearing to read "Brad Wagenknecht".

Brad Wagenknecht, Chairman  
Napa County Board of Supervisors

Enclosure

cc: Foreman, 2012-2013 Grand Jury  
The Honorable Mark S. Boessenecker

**Brad Wagenknecht**  
District 1

**Mark Luce**  
District 2

**Diane Dillon**  
District 3

**Bill Dodd**  
District 4

**Keith Caldwell**  
District 5

NAPA COUNTY  
RESPONSE TO THE GRAND JURY FINAL REPORT ON  
THE INTEGRITY OF GRAND JURY INVESTIGATIONS  
FISCAL YEAR 2012-2013

**Finding 1.** Certain witnesses interviewed by the Grand Jury, knowingly, repeatedly and willfully, violated their lawful secrecy admonition.

**County Counsel Response:** Having no personal information related to this finding, I am unable to agree or disagree with this finding.

**Board of Supervisors Response:** The Board of Supervisors is unable to agree or disagree with this finding. The Board of Supervisors is not aware of any circumstances involving County employees or officers where this behavior has occurred.

**Finding 2.** The conduct of the witnesses in repeatedly violating the Grand Jury's lawful secrecy admonition created an atmosphere of apprehension and intimidation which impeded the proper investigation of the Grand Jury.

**County Counsel Response:** I agree that if witnesses repeatedly violated the Grand Jury's secrecy admonition, it would create an atmosphere of apprehension and intimidation which would impede the proper investigation of the Grand Jury.

**Board of Supervisors Response:** The Board of Supervisors agrees that if witnesses repeatedly violated the Grand Jury's secrecy admonition, it would create an atmosphere of apprehension and intimidation which would impede the proper investigation of the Grand Jury. However, the Board of Supervisors is not aware of any circumstances involving County employees or officers where this behavior has occurred and therefore is unable to agree or disagree with this finding.

**Finding 3.** The conduct of the witnesses who violate the secrecy admonition is punishable as contempt of the Superior Court.

**County Counsel Response:** I agree with this finding.

**Board of Supervisors Response:** The Board of Supervisors agrees with this finding.

**Recommendation No. 1:** That the County Board of Supervisors, the City Council of each incorporated jurisdiction, the County Counsel and every publicly elected official not under the authority of the foregoing provide instruction to all county employees within their jurisdiction regarding their duties and responsibilities towards the grand jury process and that said instruction be completed prior to the end to this calendar year.

**County Counsel Response:** I agree to implement this recommendation in County Counsel's office this year

***Board of Supervisors Response:*** The Board of Supervisors has implemented this recommendation. In 2005, the Board of Supervisors adopted a Code of Ethics in which integrity, accountability, and responsibility are identified as the County's Core Principles. This document is discussed and provided to all new employees and is available to all employees on the County's internal website and on the County's external website. The Board of Supervisors agrees to have Department Heads review this document with staff annually, and provide instructions to staff specific to the grand jury process.