



A Tradition of Stewardship  
A Commitment to Service

Auditor-Controller

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Tracy A. Schulze  
Auditor-Controller

**FILED**

JUN - 5 2013

May 17, 2013

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

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

RE: 2012-2013 Grand Jury Report  
On the Integrity of Grand Jury Investigations

Dear Judge Price:

Thank you for your report entitled "On the Integrity of Grand Jury Investigations". I truly appreciate the hard work and dedication the members of the 2012-2013 Grand Jury put towards this effort.

In accordance with Section 933(a) of the California Penal Code, please find the attached Auditor-Controller responses as requested to findings 1 through 3, and recommendation 1. If you have any additional questions or need any further information, please do not hesitate to contact me at 707-299-1733.

Sincerely,

A handwritten signature in cursive script that reads "Tracy A. Schulze".

Tracy A. Schulze  
Auditor-Controller

Enclosure

Cc: Victor Connell, Foreperson 2012-2013 Napa County Grand Jury  
Napa County Board of Supervisors  
Nancy Watt, Napa County Executive Officer

**Napa County**  
**Responses to Grand Jury Report**  
**On the Integrity of Grand Jury Investigations**  
**Fiscal Year 2012-2013**

**Responses to Findings:**

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

*Auditor-Controller's Response:* Having no personal information related to this finding, I am unable to agree or disagree with this finding.

**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.

*Auditor-Controller's Response:* Having no personal information related to this finding, I am unable to agree or disagree with this finding. However, I agree that if witnesses repeatedly violate the Grand Jury's secrecy admonition, it could create an atmosphere of apprehension and intimidation which would impede the proper investigation of the Grand Jury.

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

*Auditor-Controller's Response:* I don't have adequate legal background to agree or disagree on this finding.

**Response to Recommendation:**

**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.

*Auditor-Controller's Response:* The County Board of Supervisors adopted a Code of Ethics in 2005. This document is discussed and provided to all new employees and is available to all employees on both the County's internal and external websites. I agree to review this document with my staff at a minimum annually and this year I will emphasize the importance of it in the context of Grand Jury investigations.