

DEPARTMENT: County Counsel

BY: Jeffrey G. Green

PHONE: 966-3222

RECOMMENDED ACTION AND JUSTIFICATION: (Policy Item: Yes ___ No X)

Adopt resolution approving the response of the Board of Supervisors to the 1999-2000 Mariposa County grand Jury Final Report and direct County Counsel to transmit the response to the Judge of the Superior Court.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

The California Penal Code requires that affected Department Heads and the Board of Supervisors respond to each year's Grand Jury Report within specified time limits. The Board is required to respond within the ninety days of when the Grand Jury submits its report. That was done on July 26, 2000, so the Board's response is due by October 26, 2000.

The draft response references the findings and recommendations of the report rather than restating them. It can best be understood by reading the draft response in conjunction with the Grand Jury report.

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

1. Approve draft as submitted.
2. Provide direction to revise the response.

<p>COSTS: (X) Not Applicable</p> <p>A. Budgeted current FY \$ _____</p> <p>B. Total anticipated costs \$ _____</p> <p>C. Required additional funding \$ _____</p> <p>D. Internal transfers \$ _____</p> <p>SOURCE: () 4/5ths Vote Required</p> <p>A. Unanticipated revenues \$ _____</p> <p>B. Reserve for contingencies \$ _____</p> <p>C. Source description: _____</p> <p>Balance in Reserve for Contingencies, if approved: \$ _____</p>	<p>SPECIAL INSTRUCTIONS: List the attachments and number the pages consecutively:</p> <p><u>1. Letter to Superior Court Judge</u></p> <p><u>2. Responses and Grand Jury report.</u></p>
---	--

<p>CLERK'S USE ONLY:</p> <p>Res. No.: <u>00-346</u> Ord. No. _____</p> <p>Vote - Ayes: <u>5</u> Noes: _____</p> <p>Absent: _____ Abstained: _____</p> <p>Approved () Denied ()</p> <p>Minute Order Attached () No Action Necessary ()</p> <p>The foregoing instrument is a correct copy of the original on file in this office.</p> <p>Date: _____</p> <p>ATTEST: <u>MARGIE WILLIAMS</u>, Clerk of the Board County of Mariposa, State of California</p> <p>By: _____ Deputy</p>	<p>ADMINISTRATIVE OFFICER'S RECOMMENDATION: This item on agenda as:</p> <p><input checked="" type="checkbox"/> Recommended</p> <p><input type="checkbox"/> Not Recommended</p> <p><input type="checkbox"/> For Policy Determination</p> <p><input type="checkbox"/> Submitted with Comment</p> <p><input type="checkbox"/> Returned for Further Action</p> <p>Comment: _____</p> <p>A.O. Initials: <u>[Signature]</u></p>
---	--

OFFICE OF



JEFFREY G. GREEN
County Counsel
(209) 966-3222

P. O. Box 189
Mariposa, CA 95338
FAX (209) 966-5147

The County Counsel

MARIPOSA COUNTY

October 10, 2000

Honorable Carlos LaRoche
Judge of the Superior Court
County of Mariposa
Post Office Box 28
Mariposa, CA 95338

Dear Judge LaRoche:

Enclosed is the response of the Mariposa County Board of Supervisors to the 1999-2000 Mariposa County Grand Jury Final Report. The Clerk of the Board of Supervisors and the County Clerk will keep copies of the report and this response on file, and a file copy will also be submitted to the 2000-2001 Grand Jury.

We at the County very much appreciate the quality of the 1999-2000 Final Report and the many hours of work it represents.

Very truly yours,

A handwritten signature in black ink that reads "Jeffrey G. Green". The signature is written in a cursive style.

Jeffrey G. Green
County Counsel

rs

cc: Board of Supervisors
Department Heads
Margie Williams, Clerk of the Board
Don Z. Phillips, County Clerk
2000-2001 Grand Jury

MARIPOSA COUNTY BOARD OF SUPERVISORS
Response to 1999-2000 Mariposa County Grand Jury Final Report

District Attorney – Office Procedures

The Mariposa County Board of Supervisors has reviewed the Grand Jury Report and the response of Christine Johnson dated August 14, 2000 and the Board concurs with her response.

Health Department – Mercy Medical Transportation, Inc.

The Mariposa County Board of Supervisors has reviewed the Grand Jury Report and the response of Dr. Charles B. Mosher, Health Officer dated September 21, 2000 and the Board concurs with his response.

Treasurer/Tax Collector – Overtime/Comp Time Policy

The Mariposa County Board of Supervisors has reviewed the Grand Jury Report and the response of Don Z. Phillips, Treasurer-Tax Collector dated August 11, 2000 and the Board concurs with his response.



OFFICE OF THE DISTRICT ATTORNEY COUNTY OF MARIPOSA

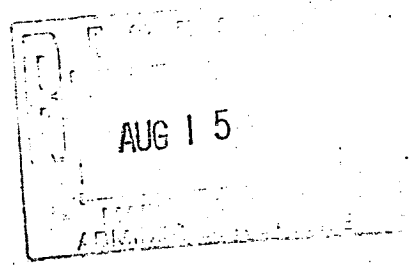
CHRISTINE A. JOHNSON, District Attorney

Criminal Division
Kimberly A. Fletcher
Assistant District Attorney

Shaun Quinn
Deputy District Attorney

Peggy Shainberg
Deputy District Attorney

August 14, 2000



The Honorable Carlos C. LaRoche
Mariposa County Superior Court Judge Presiding
Post Office Box 28
Mariposa, California 95338

Re: 1999/2000 Mariposa County Grand Jury Final Report
Complaint Number 400-002

Dear Judge LaRoche:

With respect to the 1999/2000 Mariposa County Grand Jury Report regarding Complaint Number 400-002 directed against this office, my comments are as follows:

I thank the 1999/2000 Mariposa County Grand Jury for their service. I respect their commitment to the investigation of Complaint number 400-002 while not necessarily agreeing with their conclusions.

Referencing the Grand Jury's Conclusions and specifically, Number 1, this office does have to prioritize the handling of cases. Some cases obviously due to their very nature, will merit more attention but every case coming into this office receives individual attention. Although the Grand Jury concluded that this case, which involved damage to a fence by another's animal, was a "low priority case" and received "adequate attention" from this office, I would have to take the position that this case received MORE than adequate attention and would go so far as to say it probably received more attention than any other District Attorney's Office in the state would have given it.

Referencing the Grand Jury's Conclusions and specifically, Number 2, I would have to take the position that the attention/communication level given by this office to this particular victim was more than sufficient. The victim was contacted by phone on October 27, 1999, by the Deputy District Attorney assigned to the case. The case was discussed thoroughly at that time including possible resolutions due to the civil aspect of the case. The victim was extremely difficult during this conversation and was not pleased with the possibility that the case might be resolved with a civil compromise (which ultimately it was.) On November 23, 1999, the Deputy District Attorney handling the case received a telephone call from the victim. The victim was apprised of the status

Carlos C. LaRoche,
Mariposa County Superior Court Judge Presiding
Page Two
August 14, 2000

of the case during this phone conversation. The victim was again difficult during this phone call. On January 27, 2000, the Deputy District Attorney handling the case received a telephone call from the victim but was not available to take the call. The Deputy District Attorney returned the victim's call and left a message on the victim's answering machine for the victim to call the Deputy District Attorney for a status of the case. The victim did not return the call. During this entire time, this case was actively worked by the Deputy District Attorney handling the case who had written to the defendant on November 1, 1999, regarding restitution to the victim and had written on November 16, 2000, and January 25, 2000, to the Sheriff's Department regarding further investigation. Prior to filing charges against the defendant, the District Attorney had written to the defendant on February 15, 2000, in a second attempt to obtain restitution to the victim without the necessity of filing criminal charges. On March 20, 2000, a criminal complaint was filed with the Mariposa County Superior Court. The case was dismissed on June 5, 2000, with a civil compromise. The victim was notified in writing of the dismissal by the Deputy District Attorney handling the case who enclosed the defendant's money order for restitution. The victim later advised the Deputy District Attorney that the victim did not intend to accept the restitution.

Referencing the Grand Jury's Conclusions and specifically, Number 3, the Grand Jury found that there was "no evidence to support" the complainant's claim that the complainant's paperwork was lost by this office. This particular file was permitted to be taken to another location where the Deputy District Attorney handling the case was located, but it was never lost, nor was any evidence associated with it (in this case photographs of the damaged fence).

Regarding the Grand Jury's Conclusions and specifically, Number 4, I appreciate the recognition by the Grand Jury that this office is "overloaded and understaffed". This office would not be able to function properly in the absence of grant funding which provides positions and resources. However, I would not be comfortable in agreeing with the supposition that we did not contact the complainant/victim in this case enough because we might be understaffed. It would be my position again that the attention/communication level given this particular victim was more than sufficient.

As to the Grand Jury's Recommendations and specifically Number 1, the Mariposa County District Attorney Victim/Witness Assistance Program is responsible for contacting the victims on our more serious offenses in person, by phone or in writing depending on the nature of the case. A copy of the initial contact letter that is utilized by the program is enclosed. Additionally, a Victim/Witness Advocate from our program works very closely with these victims to keep them informed during the pendency of their case.

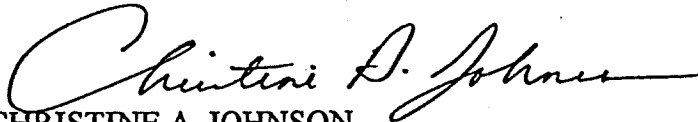
As to the Grand Jury's Recommendations and specifically, Numbers 2 and 4, I appreciate the recognition by the Grand Jury that this office should be centralized. I have expressed my desire

Carlos C. LaRoche,
Mariposa County Superior Court Judge Presiding
Page Three
August 14, 2000

on more than one occasion for this office to be centralized for many reasons including security of files, security of staff, supervision of staff, efficiency, etc. Although the criminal division has been permitted to re-locate to the small house across the street from the Courthouse, this location is still less than ideal. Staff is still housed in three locations, and the security of our files is still compromised. For the record, we still lack the security that was addressed by the 1998/1999 Mariposa County Grand Jury. Addressing the 1999/2000 Grand Jury's recommendation that we use sign-in and sign-out procedures for files, this is certainly something we could consider implementing.

As to the Grand Jury's Recommendations and specifically, Number 3, I appreciate the recognition by the 1999/2000 Mariposa County Grand Jury that this office is understaffed by a minimum need for one additional Deputy District Attorney and Legal Secretary. The commitment and dedication of my staff is the only reason we are able to function as well as we do. We operate with one common goal - to do our best. We will continue to strive toward this goal given the challenging and often negative circumstances we work with in the criminal justice system and a passive understanding that we will not be able to please all who we attempt to serve.

Respectfully submitted,



CHRISTINE A. JOHNSON
Mariposa County District Attorney

CJ:cj

Cc: Mariposa County Board of Supervisors
Mariposa County Grand Jury
File

Enclosure



OFFICE OF THE DISTRICT ATTORNEY
COUNTY OF MARIPOSA

CHRISTINE JOHNSON
District Attorney

WILLIAM FLAHERTY
Coordinator / Advocate
Victim / Witness Assistance Program

Date

Name
Address
Address

Re: Mariposa County Victim/Witness Assistance Program

Dear:

We have received a copy of Mariposa County Sheriff's Crime Report Number _____ in which you are named as a victim of or a witness to a crime. Enclosed for your review, is a pamphlet detailing the services that the Mariposa County Victim/Witness Assistance Program may provide to you at this difficult time.

Through the State of California's Victim Compensation Program, funds may be available to reimburse victims for lost wages, funeral expenses, medical costs and counseling. If an individual is not eligible for the State of California's Victim Compensation Program, they may still be able to file a civil suit or a small claims action for damages.

The Mariposa County Victim/Witness Assistance Program is an agency under the direction of the Mariposa County District Attorney. Should you have any questions concerning criminal prosecution, your rights within the criminal justice system or resources which may be available to you within the community, please do not hesitate to contact us at (209) 742-7441.

We look forward to serving you. Thank you very much.

Very truly yours,

WILLIAM FLAHERTY
Victim/Witness Coordinator

By: _____
Advocate

WF:wf
Enclosures
File

CITIZEN COMPLAINT

District Attorney's Office procedures

Complaint Number: 400-002

Date Received: 4/03/00 (dated 3/9/00)

Purpose or Object of the Complaint:

Citizen Complaint 400-002 was received on April 3, 2000, alleging that the Mariposa County District Attorney's Office was practicing poor office procedures in the areas of not working on a case, lack of communication, and losing paperwork.

Authority for Investigation:

Penal Code Section 925

Discussions and Findings:

The Grand Jury formed a three-person committee to review the complaint on April 3, 2000. The complainant alleged that the District Attorney's Office did not handle his case appropriately on the following issues: working on the case, lack of communication, and losing paperwork.

The Grand Jury Committee interviewed the District Attorney on April 20, 2000 and May 23, 2000. The committee interviewed the complainant on May 9, 2000. Mariposa County Sheriff's Department reports were used in the investigation. From these sources the Grand Jury Committee learned that the case progressed in the following matter.

The complainant filed a vandalism report with the Mariposa County Sheriff's Department on September 6, 1999. The report claimed there was vandalism to the complainant's fence due to animals owned by the tenant, who rented the property next door. The Mariposa County Sheriff's Department sent the report to the District Attorney's Office on September 29, 1999. On October 21, 1999, the District Attorney wrote a note for the secretary to contact the victim to see if restitution had been made. The District Attorney's Office contacted the complainant on October 27, 1999, and noted that the defendant had made no restitution. On November 1, 1999, the District Attorney's Office wrote a letter to the defendant about the vandalism. On November 9, 1999, the District Attorney's Office noted in the case log that the victim still

hadn't been contacted by the defendant and that the Sheriff's Department lacked exact dates of the vandalism and asked if this should be a civil case rather than a criminal case. The defendant visited the District Attorney's Office on November 9th and 10th of 1999 to discuss the alleged vandalism. The District Attorney's Office sent a memo to the Mariposa County Sheriff's Department for follow-up information on November 15, 1999 regarding the dates of the vandalism. On November 23, 1999 the complainant called the District Attorney's Office and asked about the status of the case. On December 1, 1999 the Mariposa County Sheriff's Department went to the complainant's residence to obtain follow-up information, which was requested by the District Attorney's Office. The follow-up report was sent to the DA's Office on December 2, 1999. On January 25, 2000, the District Attorney's Office sent a second memo to the Mariposa County Sheriff's Department for additional follow-up information. On January 27, 2000, the complainant called the District Attorney's Office and the District Attorney's Office returned the call and left a message on the complainant's answering machine (complainant didn't recall getting this message, but did state that his answering machine does malfunction at times). On February 10, 2000, the District Attorney's Office logged in that they hadn't heard from the complainant since leaving the message on his answering machine. On February 4, 2000, Mariposa County Sheriff's Department called the complainant for follow-up information. On February 10, 2000 the District Attorney's Office received the follow-up information. The complainant went to the District Attorney's Office on February 14, 2000 to see the District Attorney without an appointment. The complainant was told that he couldn't see the District Attorney. The complainant was frustrated and picked up a complaint form. On February 15, 2000 a letter was written to the defendant to ask if he was going to make restitution to the victim and to contact the District Attorney's office by February 25, 2000. Also, the District Attorney's office checked the statute of limitations of the case to make sure had been within a year. On March 9, 2000 the complainant filled out a citizen complaint form. On March 20, 2000, the District Attorney's Office filed a complaint and also sent a letter to the defendant to appear in court on April 17, 2000. April 3, 2000 Mariposa County Grand Jury received the complaint about the Mariposa District Attorney's Office. On April 20, 2000 the defendant had appeared and was appointed counsel by the court. A pretrial date was set for May 16, 2000 and then later on June 8, 2000.

Conclusions:

1. The Grand Jury feels that this case was a low priority case and received adequate attention from the District Attorney's Office.
2. On the issue of lack of communication the Grand Jury agrees with the complainant that the District Attorney's Office could have communicated more by phone or a letter, even though this was a low priority case. The District Attorney's Office contacted the complainant only once from October 27, 1999 to May 9, 2000. This may be due to the fact that the District Attorney's Office is understaffed.
3. Regarding the issue of the District Attorney's Office losing the complainant's paperwork, the Grand Jury found that there was no evidence to support this. On the other

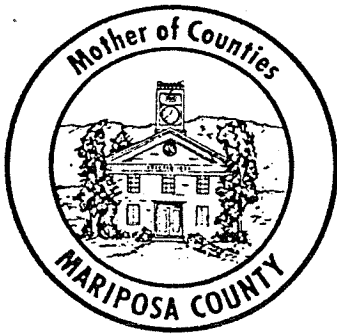
hand the District Attorney did mention that the files are unsecured and that files are scattered between four different locations, since the department is not in a centralized location. When someone needs a particular file, it could be in any of those four locations and it sometimes does take time to locate.

4. The Grand Jury found that the District Attorney's office is overloaded and understaffed, especially in the criminal division. Within the criminal division the county pays one and three-fourths positions and the other positions are paid through grant money. Currently a Deputy District Attorney and a legal secretary are working almost solely on a single case. This obviously has impacted the rest of the department.

Recommendations:

1. It is recommended that the District Attorney's Office increase communication to inform clients the progress of their case by phone or a letter.
2. It is recommended that the District Attorney's Office centralize their files and require Employees sign-in and sign-out case files in order to keep track of those files.
3. It is recommended that the Board of Supervisors investigate and approve hiring of additional personnel within the District Attorney's Office. There is a minimum need for one more full time Deputy District Attorney and a Legal Secretary.
4. It is recommended that the Space Needs Committee and the Board of Supervisors centralize the District Attorney's Office for safety, efficiency, and management purposes.

Jeff

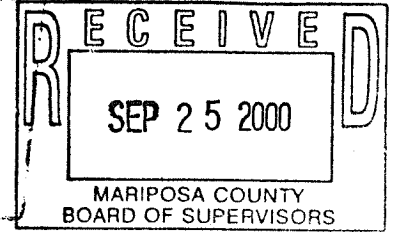
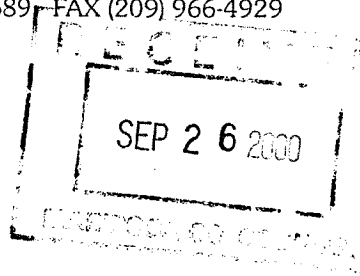


Mariposa County Health Department

Charles B. Mosher, MD, MPH, County Health Officer

Public Health Section
4988 Eleventh Street
Post Office Box 5
Mariposa, California 95338
(209) 966-3689 FAX (209) 966-4929

Environmental Health Section
5100 Bullion Street
Post Office Box 5
Mariposa, California 95338
(209) 966-2220 FAX (209) 966-8248



September 21, 2000

TO : Honorable Carlos La Roache
Judge of the Mariposa County Superior Court

FROM : Charles B. Mosher, MD, MPH, Health Officer

SUBJECT: 1999-2000 County Grand Jury Final Report

Dear Judge La Roache:

Consistent with California Penal Code, Section 933 and 933.05, the following are my comments on citizen complaint # 899-001 in the above-referenced Grand Jury Report:

1. Some of the issues alleged in the referenced complaint had been reported to and investigated by the Health Department months earlier.
2. The referenced "Mutual Aid Agreement with Sierra Ambulance" and the allegation that "backup ambulance may not always (be) in the area" may be related issues. The Health Department became aware of this issue and found that some (but not all) of the protocols delineated by the "mutual aid agreement" could, at times, be inconsistent with the contract between Mercy Medical Transport and the County of Mariposa. This issue was discussed with the owner of the Ambulance Service. The County Health Department and County Administration have received assurances by the owner of Mercy Medical Transport that activities inconsistent with the contract (positioning the only available ambulance on the south side of Mariposa County at the county line with Madera) would cease. Monitoring by the Health Department has revealed that Mercy activities are now consistent with the provisions of the contract.
3. The Health Department is aware of Mercy Ambulance's initiation of Critical Care Transport. It was made clear to Mercy Medical by both the Health Department and County Administration that any costs associated with that enhanced level of activity (which is over and above minimum called for in the contract

between the County and the Ambulance Service), must not be accounted as a liability in fulfilling the contract. Thus, taxpayers' dollars are not subsidizing the Critical Care Transport aspect of Mercy Medical Transport.

4. The allegation of personnel drinking on duty, when investigated by the Health Department several months ago, could not be substantiated. Nevertheless, because of the seriousness of the allegation, even in the absence of documented evidence, the Health Officer counseled management staff at Mercy Medical Transport, Inc. in this regard.
5. The County has implemented the Internal Quality Assurance Committee referenced in the Grand Jury Report. The Board of Supervisors authorized its establishment, and it has been functional with active involvement on the part of Mercy Medical Transport, Inc., the Health Department, and other affected agencies. After only three regularly scheduled sessions, it has already enhanced awareness of and closer surveillance of patient care provided by the multiple agencies and personnel involved in Mariposa County's Emergency Medical System. It is working well.
6. Training of paramedics, EMT's, and first responders, is an ongoing and ever enhancing activity in the County. The Health Department's regular surveillance reveals findings consistent with what the Grand Jury was told: As a general rule the First Responders and ambulance personnel work exceedingly well together in our County, to the benefit of the patients.
7. The Health Department is not aware of any incidents of expired medications on the ambulances. While that sort of thing can happen anywhere, (including hospitals and doctor's offices), regular inventory, particularly on a daily basis, should nearly eliminate the issue.

In summary, the County Health Department agrees with the findings of the Grand Jury, will continue its routine surveillance of the various issues that safeguard patient care in the County's Emergency Medical System, and welcomes future inquiries by Grand Juries on this issue.

cc: Members, Board of Supervisors
Jeff Green, County Counsel
Gina Wood, EMS Coordinator

CITIZEN COMPLAINT

Mercy Medical Transportation, Inc.

Complaint Number: 899-001

Date Received: August 10, 1999

Object of Complaint:

The issue of complying with the "**Agreement for Provision of Emergency Medical Services between the County of Mariposa and Mercy Medical Transportation, Inc., a California Corporation.**" Complainant alleges that the terms of the agreement between Mariposa County and Mercy Ambulance are not being adhered to on Mercy's part and are not being enforced on the County's part. Issues include ambulance staffing, expired medication, personnel who drink on duty, equipment failure, and insurance billing.

The Committee obtained copies of the "**Agreement For Provision of Emergency Medical Transportation Services Between The County of Mariposa and Mercy Medical Transportation, Inc., A California Corporation**" The agreement is an extension for ambulance services effective January 1, 1999 until December 31, 2008. The County and Mercy Ambulance agrees to a decreasing yearly subsidy beginning January 1999 for the amount of \$11,000 to \$0 by the year 2008.

Authority for Investigation:

Government Code 23004.5 Operation of county health facilities through corporation, joint venture, or partnerships.

Discussion and Findings:

A grand jury committee met with the Complainant September 23, 1999 to review complaint. The main concerns the committee had after this meeting were allegations of:

1. Backup ambulance not always in area within guidelines of 1 ½ hour time frame, And county not being notified when out of area
2. Expired medications on ambulances
3. Equipment failure
3. Educational training of EMT and First Responders
4. Critical care transport - Bringing nurses on board at added \$900 when not needed

5. Personnel drinking on duty

On December 7, 1999 the grand jury committee met with

1. Mercy Ambulance president/owner
2. Field Supervisor
3. R.N. Paramedic over quality improvement

Meeting took place at Mercy Ambulance headquarters at 5052 Silva Rd., Mariposa. The daily inspection logs were reviewed for each ambulance that includes a checklist for all equipment, maintenance of vehicle, supplies, medications etc. Inspections were conducted of two ambulances which were on site at the time. Both were in "ready to use" status. No expired medications were found.

The Grand Jury committee was advised that there has always been a backup ambulance available within the County. CDF's dispatch center, was contacted and they have not been able to substantiate that the backup ambulance was out of the County unauthorized on December 12, 1998 per the complaint.

Qualification and educational training of the ambulance personnel was discussed and the Grand Jury committee was informed that Mercy Ambulance is part of a five county EMS Agency namely, Mountain Valley EMS Agency. Mountain Valley does the certification of the paramedics. The paramedics must have a current license to work on the ambulance. There is no grace period. Mercy is notified several months in advance of employees license expiration and again one month before, and to their knowledge, no EMT has ever been on duty without a current license.

Mariposa County has two committees that monitor Mercy Ambulance. These are:

1. **Health and Safety Committee:** An internal group of Mercy Ambulance employees and management that meet every 3-4 months.
2. **Emergency Medical Care Committee:** This committee is required by state law and includes Mariposa County Department of Health, California Division of Forestry, Mariposa County Sheriff's Department, John C. Fremont Health Care District, Mariposa Public Utility District, California Highway Patrol, Mountain Valley Emergency Medical Services Agency, Mercy Ambulance, National Park Service Yosemite Medical Clinic, Mariposa County Fire Department, Yosemite Fire Department, Citizen Representatives/South-side and North-side. They meet on even months at the Sheriffs Department.

"First Responders", who are mostly volunteers, receive their training through CDF. Mercy Ambulance owner stated that there has only been a couple of incidents where first responders were somewhat of a hindrance during an emergency. He went on to say that for the most part the first responders are a big help because they are very familiar with the local rural areas to which they respond and many times can get there in much less time than the ambulance.

As of February 2000 Mercy Ambulance has a new company training officer. He will be the contact person and an instructor for the First Responder Training Program.

The E.R. nurses are very pleased with the critical care transport policy and stated that the physicians they work with are also in favor of it. To their knowledge there have been no patient complaints and they have no knowledge of any nurses who did not know how to operate the equipment during a transport.

CONCLUSIONS:

At the present time the indications are that the emergency medical services within Mariposa County are running smoothly. These include Mercy Medical Transportation, John C. Fremont Hospital emergency services, critical care transport, and the first responders. Issues such as ambulance staffing, expired medication, personnel who drink on duty, equipment failure and insurance billing problems were not founded at the time of investigation.

RECOMMENDATIONS:

It is recommended that future Grand Juries periodically do routine inquiries of Mercy Medical Transportation Inc. and emergency care services in Mariposa County to be assured that these services continue to run efficiently and also to monitor the new County Internal Quality Assurance Improvement Committee.



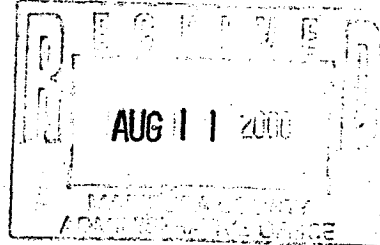
CC: CAG
a

Office of

Treasurer - Tax Collector and
County Clerk - Public Administrator

Telephone:

Tax Collector	(209) 966-2621
Treasurer - Public Admn.	(209) 966-2830
County Clerk -	
Registrar of Voters	(209) 966-2007
FAX	(209) 966-6496



Don Z. Phillips
County Hall of Records
4982 10th Street
P.O. Box 36
Mariposa, CA 95338

August 11, 2000

TO: The Honorable Carlos C. LaRoche, Presiding Superior Court Judge

FROM: Don Z. Phillips, County Treasurer-Tax Collector
And County Clerk-Public Administrator

SUBJECT: 1999-2000 Grand Jury Final Report

The items investigated and shown in this report are represented properly and to my satisfaction.

Those areas of concern have been corrected and are being implemented in this department as recommended by the previous grand jury.

CC: Mariposa County Board of Supervisors

**Grand Jury Follow-up Investigation
Mariposa County Treasurer, Tax Collector, Clerk and Public Administrator**

Purpose or Objective of the Investigation:

Upon recommendation from the 1998/1999 Grand Jury, a Grand Jury committee reviewed a citizen complaint regarding overtime pay and compensatory time off policies of the Tax Collector's office.

Authority for Investigation:

Penal Code Section 933[C]

Findings:

Upon review of the previous Grand Juries thorough investigations and interviews with department employees and supervisors, the committee came to the conclusion that no employee was ever denied overtime pay or compensation time off.

Department supervisors are now documenting overtime/comp time properly as per County Policy Memorandum of Understanding Article 8.1.4.titled "Overtime". The Tax Collector has reviewed this policy with all employees.

A review of the interviews from the 1998/1999 Grand Jury investigation showed that the four co-workers stated that they received overtime/comp time pay by mutual agreement and had no complaints about the situation and did not feel that it was a problem. The Grand Jury committee felt that obtaining more information from these employees would be fruitless since their previous interviews showed that they had no problems with the overtime/comp time policy.

Conclusion:

The 1999/2000 Grand Jury concludes that the present overtime/comp time policy is working well with the personnel in the Tax Collector's office at this time.

Recommendation:

None