

Response to Grand Jury Report

Report Title: **The District Attorney's Marijuana Restitution Program**

Report Date: July 11, 2016

Response by: Carmel J. Angelo, Chief Executive Officer

Findings

I (we) agree with the findings numbered: **F3**

I (we) disagree wholly or partially with the findings numbered:

Attach a statement specifying the findings or portions of the findings that are disputed, and include an explanation of the reasons therefor.

Recommendations

Recommendations numbered **N/A** have been implemented.

Attach a statement describing the implement actions.

Recommendations numbered **N/A** have not yet been implemented, but will be implemented in the future.

Attach a statement with the schedule for implementation(s).

Recommendations numbered **N/A** require further analysis.

Attach an explanation, and the scope and parameters of the analyses or studies, 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.

Recommendations numbered **N/A** will not be implemented because they are not warranted or are not reasonable.

Attach an explanation.

Signature:  Date: 7/11/16

Findings

F3. The program does not provide additional funds for law enforcement but instead reimburses law enforcement for costs associated with apprehension of offenders or abatement of illegal grows. However, County government as a whole benefits from an additional source of revenue.

The Chief Executive Officer agrees with this finding. The restitution program provides a funding mechanism to reimburse law enforcement for costs associated with apprehension of offenders and/or abatement of illegal marijuana grows. The cost recovery from the restitution program benefits County Public Safety.

While the Chief Executive Officer was not requested to respond to the statement below in the report, it is inaccurate, so it is important to clarify.

“During County budget development, the Sheriff’s budget is decreased by some or the entire amount of the restitution funds estimated for the next year.”

Restitution funding is reflected as a revenue stream in the Sheriff’s Budget Unit 2310 (Account 826258). This number is established based on discussions with the Sheriff’s Office on projections for anticipated restitution receipts over the next year. The Sheriff’s budget is not decreased based on this budgeted amount. The practice has been to consider restitution funding as another revenue source to support the Sheriff’s operations, and is used to offset expenses that are considered eligible for use of the money by the Sheriff.