



RECEIVED NAPA COUNTY DISTRICT ATTORNEY'S OFFICE
CRIMINAL DIVISION

JUN 10 2013

Napa Superior Court

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District Attorney

FILED

JUN 13 2013

June 7, 2013

The Honorable Mark S. Boessenecker
Supervising Judge
Napa County Superior Court
825 Brown Street
Napa, CA 94559

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

SUBJECT: Response to the Grand Jury 2012-2013 Final Report on the Napa County Sheriff/Coroner

Dear Judge Boessenecker,

As Napa County District Attorney, I have reviewed the findings and recommendations contained in the 2012-2013 Final Report. The Grand Jury is to be commended for its work on behalf of the citizens of Napa County. This letter is intended to respond to Recommendation 5 on page 16 of the report as requested by the foreman of the Grand Jury.

Recommendation No. 5: That no later than December 31, 2013, the NSO and District Attorney's office develop a joint policy and procedure which effectively obtains and enforces proper court orders for appropriate destruction of evidence in NSO custody in cases either fully adjudicated, dismissed or beyond the statute of limitations.

RESPONSE: I agree to implement this recommendation this year. Our office has already created a form for all law enforcement agencies to request destruction. Once the form is received by our office, our Chief Deputy District Attorney reviews and, as appropriate, signs the form and requests a court order to proceed with evidence destruction. This order and process will be integrated into CJNET, the county's case management system accessible by both NSO and the District Attorney. We will develop a joint policy and procedure within this framework by December 31, 2013 as requested.

Thank you for assistance in working with the Grand Jury with the evaluation of designated Napa County departments. If you have any questions regarding my responses, or if I can provide any further information, please feel free to contact me at (707) 253-4292 or gary.lieberstein@countyofnapa.org.

Respectfully,

Handwritten signature of Gary Lieberstein.

Gary Lieberstein
Napa County District Attorney