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TRINITY COUNTY  
SUPERIOR COURT



## OFFICE OF THE SHERIFF

### TRINITY COUNTY

101 Memorial Drive, P.O. Box 1228  
Weaverville, CA 96093  
(530) 623-2611

**BRUCE HANEY, Sheriff/Coroner**  
**MICHAEL RIST, Undersheriff**

July 18, 2016

Judge Mike Harper  
Trinity County Superior Court  
P.O. Box 1258  
11 Court Street  
Weaverville, CA. 96093

Dear Judge Harper,

The following is my response to the Trinity County Grand Jury Report, JUR-2015-2016-001 – Evidence Policies & Procedures.

**Response to Findings and Recommendations:** See Findings (F) and Recommendations (R) from original Grand Jury Report.

#### **F1 & R1**

##### **Response 1**

A thorough review will be conducted so that our policies and procedures better fit our department and staffing levels.

#### **F2 & R2**

##### **Response 2**

Same response as Response 1

#### **Audits/Oversight**

##### **F3 & R3**

Since receiving this report several unannounced inspections have been conducted and will continue for the duration of my administration. It should be noted that there have been no incidents pointing to or brought to my attention regarding the mishandling of any piece of evidence under our current operating system.

## **F4 & R4**

### **Response 4**

An audit will be conducted as soon as practical. Unfortunately current staffing levels make this task difficult to schedule. It should be noted that there have been no incidents pointing to or brought to my attention regarding the mishandling of any piece of evidence under our current operating system.

## **F5 & R5**

### **Response 5**

A thorough review will be conducted so that our policies and procedures better fit our department and staffing levels. Annual audits could be scheduled in the future. One consideration always has to be what public safety services will suffer to reassign staff to conduct these audits. It should be noted that there have been no incidents pointing to or brought to my attention regarding the mishandling of any piece of evidence under our current operating system.

## **F6 & R6**

### **Response**

A thorough review will be conducted so that our policies and procedures better fit our department and staffing levels. Since receiving this report several unannounced inspections have been conducted and will continue for the foreseeable future. It has become apparent that the Grand Jury has failed to evaluate the current workload of the Sheriff, Undersheriff and other department staff members when considering their findings and recommendations. Maybe if the Grand Jury had evaluated staffing levels vs. workload they might have been surprised at the work we accomplish with so few staff members. It should be noted that there have been no incidents pointing to or brought to my attention regarding the mishandling of any piece of evidence under our current operating system.

## **Staffing**

### **F7 & R7**

### **Response 7**

Our current Evidence Manager is a retired TCSO Sergeant. He was trained by the previous Evidence Technician who retired approximately 6 years ago. In past budget requests I have requested that the Trinity County Board of Supervisors provide the funds to hire and train a full-time Evidence Technician but my requests have been denied. For Fiscal Year 2016-2017 I am again making the request for a full-time Evidence Technician. Though the Grand Jury Report states that there is an allocation for a full-time Evidence Technician without the funding I am unable to fill the position. It should be noted that there have been no incidents pointing to or brought to my attention regarding the mishandling of any piece of evidence under our current operating system.

## **Training**

### **F8 & R8**

#### **Response**

Finding 8 is incorrect. The previous Undersheriff assisted with the evidence room management for several years. He relinquished those duties to our current Evidence Manager upon hiring. A thorough review will be conducted so that our policies and procedures better fit our department and staffing levels. Since receiving this report several unannounced inspections have been conducted and will continue for the duration of my administration. It should be noted that there have been no incidents pointing to or brought to my attention regarding the mishandling of any piece of evidence under our current operating system.

### **F9 & R9**

#### **Response**

Finding 9 is incorrect. We have sent several department members to asset forfeiture training provided by the State of California and Federal Government. The checks and balances for asset forfeiture are quite thorough. The District Attorney reviews all state asset forfeiture cases. The U.S. Attorney's Office reviews all federal cases.

### **F10 & R10**

#### **Response**

It is my hope that the Trinity County Board of Supervisors will fund this much needed position for Fiscal Year 1016-2017. It should be noted that there have been no incidents pointing to or brought to my attention regarding the mishandling of any piece of evidence under our current operating system.

### **F11 & R11**

#### **Response**

Though the Grand Jury Report indicates that the Undersheriff has not completed CAPE and POST related evidence courses he has been collecting, processing, storing and disposing of evidence for over twenty years. There has never been a case where his collecting, processing, storing and disposing of evidence has ever been called into question by the department or state or federal courts. A thorough review will be conducted so that our policies and procedures better fit our department and staffing levels. Maybe if the Grand Jury had evaluated staffing levels vs. workload they might have been surprised at the work we accomplish with so few staff members. It should be noted that there have been no incidents pointing to or brought to my attention regarding the mishandling of any piece of evidence under our current operating system.

## **F12 & R12**

### **Response**

Evidence collection, processing, storage and disposal for front line staff has changed little over the past couple of decades. On the other hand forensic evidence collection is now classified as a science which requires countless hours of ongoing training to stay current. When a case requires this type of evidence collection Sheriffs' Office staff have been directed to secure the scene and request that the California Department of Justice Crime Lab (CDOJCL) respond to the location so the scene is processed with the latest scientific techniques. The CDOJCL has specific personnel trained exclusively in the collection and processing of latent fingerprints. Though our staff is trained in basic fingerprinting techniques it is impractical with our current staffing levels to have someone this highly trained.

## **F13 & R13**

### **Response**

All staff that will or may be handling narcotics are trained in the handling and processing of narcotics. It should be noted that there have been no incidents pointing to or brought to my attention regarding the mishandling of any piece of evidence, including narcotics, under our current operating system.

## **Facilities/Storage**

## **F14 & R14**

### **Response**

The Grand Jury Report fails to identify what type of biological evidence they are referring to. Some wet evidence requires drying while others require refrigeration. Without the Grand Jury specifically identifying which they are referring too it is impossible for me to respond to this finding. It should be noted that there have been no incidents pointing to or brought to my attention regarding the mishandling of any piece of evidence under our current operating system.

## **F15 & R15**

### **Response**

Space for storing evidence is very limited in our outdated and antiquated facility. We store biological evidence of all types in scientifically accepted methods and to the best of our ability. Again, the Grand Jury Report fails to provide specific information making it difficult to respond to this finding.

One remedy will be found in the construction of the new jail facility. Our Administrative Offices, Detective and Patrol Divisions will remain at our current location, 101 Memorial Drive in Weaverville. With the inmates relocated to the new facility the old jail will provide the much needed space and temperature controlled environment we need for processing and storing evidence. It should be noted that there have been no incidents pointing to or brought to my attention regarding the mishandling of any piece of evidence under our current operating system.

## **F16 & R16**

### **Response**

Unfortunately our current facility does not provide the space to allocate a separate room for narcotics. The current facility is alarmed and only one person has access to the locked storage area where narcotics are stored. Again, the new jail facility would aid in our current storage problems as mentioned in previous responses. It should be noted that there have been no incidents pointing to or brought to my attention regarding the mishandling of any piece of evidence, including narcotics, under our current operating system.

## **F17 & R17**

### **Response**

Per state statute we are only required to collect and maintain a small amount of marijuana in evidence. Though I am always concerned with the health and safety of my staff, issues of mold have not been brought to my attention. I will investigate and monitor this issue but with our limited storage options we have little choice but to continue storing this evidence in its current location.

The Grand Jury Report recommendation for this issue failed to advise the Trinity County Board of Supervisors that they would need to allocate funds to meet these requirements. In next year's budget I can request that the Board of Supervisors allocate funds to build a state of art evidence storage and processing facility.

## **F18 & R18**

### **Response**

The Grand Jury Report recommendation for this issue failed to advise the Trinity County Board of Supervisors that they would need to allocate funds to meet these requirements. In next year's budget I can request that the Board of Supervisors allocate funds to build a state of art evidence storage and processing facility.

## **F19 & R19**

### **Response**

Prescription medications are destroyed with excess jail medications and takes place on an ongoing basis. A thorough review will be conducted so that our policies and procedures better fit our department and staffing levels.

## **F20 & R20**

### **Response**

Our Detective Division has never been responsible for the storage of drug paraphernalia. A thorough review will be conducted so that our policies and procedures better fit our department and staffing levels. It should be noted that there have been no incidents pointing to or brought to

my attention regarding the mishandling of any piece of evidence under our current operating system.

#### **F21 & R21**

##### **Response**

Firearms scheduled to be destroyed are stored in a separate area within the gun storage area. The Grand Jury Report failed to describe any hazard with our current storage method.

#### **F22 & R22**

##### **Response**

Ammunition is removed from all firearms and the firearms are secured in locked cabinets. The ammunition is stored in separate location. Unfortunately with the limited storage space it is impractical to obtain and place a fireproof locker in our current facility. The Grand Jury Report recommendation for this issue failed to advise the Trinity County Board of Supervisors that they would need to allocate funds to meet these requirements. In next year's budget I can request that the Board of Supervisors allocate funds to build a state of art evidence storage and processing facility.

#### **F23 & R23**

##### **Response**

A thorough review will be conducted so that our policies and procedures better fit our department and staffing levels. It should be noted that there have been no incidents pointing to or brought to my attention regarding the mishandling of any piece of evidence, including narcotics, under our current operating system.

#### **F24 & R24**

##### **Response**

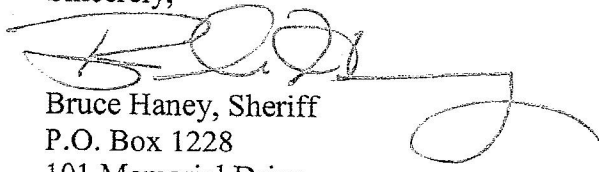
Plans do exist to utilize the old jail facility and move all evidence storage and processing to this new location once inmates are moved to the new jail location.

#### **F25 & R25**

##### **Response**

The Trinity County Sheriffs' Office is constantly comparing numerous ammunition vendor price lists to insure that we are getting the most value for our dollars. The arrangement with Old West Gun and Loan Inc. is just one way we procure our ammunition.

Sincerely,

A handwritten signature in black ink, appearing to read 'Bruce Haney', with a long horizontal flourish extending to the right.

Bruce Haney, Sheriff  
P.O. Box 1228  
101 Memorial Drive  
Weaverville, CA. 96093

Cc: Margaret Long, Interim County Administrative Officer