



SANTA CRUZ
COUNTY
GRAND JURY

Grand Jury <grandjury@scgrandjury.org>

Responses to 2022-2023 Grand Jury Report on Surveillance State in Santa Cruz County

Caitlin Smith <Caitlin.Smith@santacruzcountyca.gov>

Wed, Sep 20, 2023 at 9:15 AM

Good Morning,

Please see attached for responses to the 2022-2023 Grand Jury Report titled "Surveillance State in Santa Cruz County" from the Santa Cruz County CAO, Public Defender and Sheriff which were approved by the Board of Supervisors on September 12, 2023.

Best,

Caitlin C. Smith

County Supervisors' Analyst

Santa Cruz County Board of Supervisors

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Santa Cruz, CA 95060

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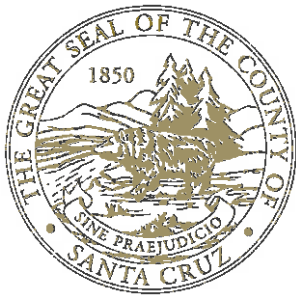
To email all five members of the Board of Supervisors at once,

please use: boardofsupervisors@santacruzcountyca.gov



Response to Grand Jury Report--Surveillance State in Santa Cruz County.pdf

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County of Santa Cruz

BOARD OF SUPERVISORS

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September 18, 2023

The Honorable Syda Cogliati
Santa Cruz Courthouse
701 Ocean Street
Santa Cruz, CA 95060

**RE: Responses to the 2022-2023 Grand Jury Report "Surveillance State
in Santa Cruz County"**

Dear Judge Cogliati:

The purpose of this letter is to formally transmit the responses of the Santa Cruz County Sheriff, the Public Defender, and the County Administrative Officer to the 2022-2023 Grand Jury Report "Surveillance State in Santa Cruz County".

Sincerely,

ZACH FRIEND, Chair
Board of Supervisors

ZF: cs
Attachment

CC: Clerk of the Board
Santa Cruz County Grand Jury



The 2022–2023 Santa Cruz County Civil Grand Jury
Invites the

Santa Cruz County Public Defender

to Respond by September 18, 2023

to the Findings and Recommendations listed below
which were assigned to them in the report titled

Surveillance State in Santa Cruz County

Who surveils those who surveil us?

Responses are **invited** from appointed agency and department heads, appointed committees, and non-profit agencies contracted to the county which are investigated by the grand jury. You are not required to respond by the California Penal Code [\(PC\) §933\(c\)](#); if you do, [PC §933\(c\)](#) requires you to make your response available to the public.

If you choose to respond, your response will be considered **compliant** under [PC §933.05](#) if it contains an appropriate comment on **all** findings and recommendations **which were assigned to you** in the report.

Please follow the instructions below when preparing your response.

Instructions for Respondents

Your assigned [Findings](#) and [Recommendations](#) are listed on the following pages with check boxes and an expandable space for summaries, timeframes, and explanations. Please follow these instructions, which paraphrase [PC §933.05](#):

1. ***For the Findings, mark one of the following responses with an “X” and provide the required additional information:***
 - a. **AGREE with the Finding**, or
 - b. **PARTIALLY DISAGREE with the Finding** – specify the portion of the Finding that is disputed and include an explanation of the reasons why, or
 - c. **DISAGREE with the Finding** – provide an explanation of the reasons why.

2. ***For the Recommendations, mark one of the following actions with an “X” and provide the required additional information:***
 - a. **HAS BEEN IMPLEMENTED** – provide a summary of the action taken, or
 - b. **HAS NOT YET BEEN IMPLEMENTED BUT WILL BE IN THE FUTURE** – provide a timeframe or expected date for completion, or
 - c. **REQUIRES FURTHER ANALYSIS** – provide an explanation, scope, and parameters of an analysis to be completed within six months, or
 - d. **WILL NOT BE IMPLEMENTED** – provide an explanation of why it is not warranted or not reasonable.

3. ***When your responses are complete, please email your completed Response Packet as a PDF file attachment to both***

The Honorable Judge Syda Cogliati Syda.Cogliati@santacruzcourt.org and

The Santa Cruz County Grand Jury grandjury@scgrandjury.org.

If you have questions about this response form, please contact the Grand Jury by calling 831-454-2099 or by sending an email to grandjury@scgrandjury.org.

Findings

F8. The Sheriff's Office of Corrections' lack of a documented process for handling inadvertent recording of privileged communications (e.g., communications by an inmate to legal counsel), is a concern since a breach of confidentiality could expose the County to costly legal liability.

AGREE

PARTIALLY DISAGREE

DISAGREE

Response explanation (required for a response other than **Agree**):

The Sheriff's Office reports they have documented an existing practice/procedure in Correctional Memo 23-C-008 *Inadvertent Recording of Privileged Communications*.

Recommendations

R9. The Sheriff's Office of Corrections should consider a documented process for handling the inadvertent recording of privileged communications, including inmate tablet use by September 30, 2023. (F7, F8)

- HAS BEEN IMPLEMENTED** – summarize what has been done
- HAS NOT YET BEEN IMPLEMENTED BUT WILL BE IN THE FUTURE** – summarize what will be done and the timeframe
- REQUIRES FURTHER ANALYSIS** – explain the scope and timeframe (not to exceed six months)
- WILL NOT BE IMPLEMENTED** – explain why

Required response explanation, summary, and timeframe:

The Sheriff's Office reports 23-C-008 *Inadvertent Recording of Privileged Communications* was released to Corrections Staff on July 13, 2023.