



County of Monterey Board of Supervisors Response to the

*2022-2023 Monterey County Civil Grand Jury Final Report -
"Monterey County Coroner's Office: A Matter of Life and Death"*

Sheriff Tina Nieto, Monterey County Sheriff's Office
Debra R. Wilson, CONTRACTS & PURCHASING OFFICER

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Coroner's Office: A Matter of Life and Death"*

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REPORT TITLE: 2022 - 2023 Monterey County Civil Grand Jury
Topic: "Monterey County Coroner's Office: A Matter of Life and Death"

RESPONSE BY: Contracts & Purchasing

RESPONSE TO: *Findings and Response F1, F2, F3, F4, F5, F6, F7, F8 and F9*

FINDINGS

With respect to each finding, pursuant to Penal Code, section 933 (c), the Department shall indicate one of the following:

- 1) That the Board agrees with the finding; or
- 2) That the Board disagrees wholly or partially with the finding, in which case the Board must specify the portion of the finding that is disputed and shall include in the response an explanation of the reasons for the disagreement.

F1	MCSO has no written recusal policy or procedure for when autopsies are to be sent out of the County, which could bring into question the integrity of the findings of an investigation or autopsy.
F1 Response: The Board agrees with the finding. The Sheriff's office is working to develop a written policy which will be implemented upon review and approval by the Sheriff. For more information, please see the Sheriff's July 6, 2023 response to the Presiding Judge, which is attached.	
F2	The CO's current dictation and transcription process is inefficient, contributing to the final autopsy report delay.
F2 Response: The Board disagrees with the finding. The Sheriff has taken steps to resolve previous issues and notes that all autopsy reports are current. For more information, please see the Sheriff's July 6, 2023 response to the Presiding Judge, which is attached.	
F3	The lack of medical transcription training contributes to a delay in completing final autopsy reports.
F3 Response: The Board disagrees with the finding. The Sheriff has resolved issues related to delay in completion of autopsy reports. For more information, please see the Sheriff's July 6, 2023 response to the Presiding Judge, which is attached.	
F4	CO detective investigative training is not a written requirement nor is there a timeline for completion despite its importance in ensuring investigations are conducted thoroughly and consistent with statewide standards.

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	<p>F4 Response: The Board partially disagrees with the finding. The Sheriff's Office is developing a training program specific to coroner investigations. In addition, all Coroner's Office detectives have completed the Statewide Coroner's Academy course provided by the Orange County Sheriff's Office. For more information, please see the Sheriff's July 6, 2023 response to the Presiding Judge, which is attached.</p>
F5	<p>The CO relies on hiring temporary employees to fill full-time permanent positions, which could affect their ability to keep trained personnel on staff and may negatively affect the consistency of operations.</p>
	<p>F5 Response: The Board partially disagrees with this finding. The Sheriff reports that, currently, temporary employees are used only when a staff vacancy exists. For more information, please see the Sheriff's July 6, 2023 response to the Presiding Judge, which is attached.</p>
F6	<p>The MCSO has not enforced the provisions in the FP's contract requiring the prompt completion of autopsy reports, which could cause added, unnecessary distress to the families of the deceased.</p>
	<p>F6 Response: The Board partially disagrees with the finding. At this time, all overdue and delayed reports have been completed. For more information, please see the Sheriff's July 6, 2023 response to the Presiding Judge, which is attached.</p>
F7	<p>Collaborative purchasing arrangements between the MCSO and other County departments have not been explored where service needs are the same or similar.</p>
	<p>F7 Response: The Board partially agrees with this finding. Where there are similar services requirements across County departments, Contracts/Purchasing establishes Countywide Service Agreements through a competitive formal solicitation process to ensure price consistency and best value for the County. Departments utilize the department-wide Agreements through the Enterprise Resource Plan Financial Advantage system, which provides visibility of vendor activity throughout the County.</p>
F8	<p>Approved budgets and balances are not directly shared with individuals who control departmental expenditures, resulting in a lack of accountability and ownership.</p>
	<p>F8 Response: The Board agrees with this finding. The Sheriff has developed and is implementing a plan to strengthen budget accountability and oversight at the division management and unit supervisor level. For more information, please see the Sheriff's July 6, 2023 response to the Presiding Judge, which is attached.</p>

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F9	The CGJ acknowledges and appreciates the Coroner's Office staff for their ongoing commitment and service to the community.
F9 Response: The Board agrees with this finding.	

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RESPONSE BY: Contracts & Purchasing

RESPONSE TO: Recommendations and Response R1, R2, R3, R4, R5, R6, R7 and R8

RECOMMENDATIONS:

Response

With respect to each recommendations, pursuant to Penal Code, section 933 (c), the Department shall indicate one of the following:

- 1) That the recommendation has been implemented, with a summary regarding the implemented action;
- 2) That the recommendation has not yet been implemented, but will be implemented in the future, with a timeframe for implementation; or
- 3) That the recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the Board (this timeframe not to exceed six months from the date of publication).
- 4) The recommendations will not be implemented because it is not warranted or is not reasonable, with an explanation therefore.

R1	Create and adopt written policy and procedures when the MCSO, or its staff, will recuse itself from an investigation by September 30, 2023.
R1 Response: The recommendation has not been implemented but will be implemented by September 30, 2023.	
R2	Evaluate technological options to ensure dictation and transcription processes are efficient and timely by March 31, 2024.
R2 Response: The recommendation will not be implemented because it is not warranted. The Sheriff's Office reports that previous issues have been resolved and that all autopsy reports are current. For mor information, please see the Sheriff's July 6, 2023 response to the Presiding Judge, which is attached.	
R3	Provide ongoing resources for staff training and continuing education on transcription and emerging technologies in forensic science by March 31, 2024.
R3 Response: The recommendation has not been implemented but will be implemented by March 31, 2024.	
R4	Ensure that death investigation training for each new detective assigned to the CO is mandatory and completed as soon as possible during their orientation by August 31, 2023.
R4 Response: The recommendation has been implemented. For more information, please see the Sheriff's July 6, 2023 response to the Presiding Judge, which is attached.	

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R5	Evaluate staffing needs and create permanent positions accordingly to minimize reliance on temporary staff by March 31, 2024.
<p>R5 Response: The recommendation requires further analysis. The Board will request a status report from the Human Resources Department and the Sheriff by March 31, 2024.</p> <p>For more information, please see the Sheriff’s July 6, 2023 response to the Presiding Judge, which is attached.</p>	
R6	Evaluate the necessary forensic pathologist services needed by Monterey County and identify the best approach for meeting those needs by January 31, 2024.
<p>R6 Response: This recommendation has not been implemented but will be implemented by January 31, 2024.</p> <p>For more information, please see the Sheriff’s July 6, 2023 response to the Presiding Judge, which is attached.</p>	
R7	Monitor and enforce performance measures that are stipulated in the FP contract by December 31, 2023.
<p>R7 Response: This recommendation has been implemented.</p> <p>For more information, please see the Sheriff’s July 6, 2023 response to the Presiding Judge, which is attached.</p>	
R8	Explore optimizing existing or new contractual relationships with County Purchasing and other County of Monterey departments in areas where service or supply needs overlap by December 31, 2023.
<p>R8 Response: The Board agrees with this recommendation and will explore optimizing existing or new contractual relationships in areas where service or supply needs overlap by December 31, 2023.</p>	