

**TORI  
VERBER  
SALAZAR**  
DISTRICT ATTORNEY  
*San Joaquin County*

**SCOTT A. FICHTNER**  
Assistant District Attorney

**RONALD J. FREITAS**  
Assistant District Attorney

August 10, 2017

**Office of the District Attorney**  
MAIN OFFICE  
222 E. Weber Ave., Room 202, Stockton, CA  
P.O. Box 990, Stockton, CA 95201  
Telephone: (209) 468-2400  
Fax: (209) 465-0371

**DAVID J. DERKSEN**  
Chief of Investigations

Hon. Jose L. Alva  
Presiding Judge  
San Joaquin County Superior Court  
180 W. Weber Avenue, Suite 1306  
Stockton, CA 95201

RE: Response to 2016-2017 Grand Jury Case No. 0316

Dear Presiding Judge Alva:

The San Joaquin County District Attorney's Office is in receipt of the Grand Jury Report titled San Joaquin County Property Rooms, *Missing or Messy*, 2016-2017 Case No. 0316 (hereinafter "Report").

In their conclusion, the Grand Jury requests that the "District Attorney shall respond to the following findings and recommendations within 60 days of receipt." (Report, p. 67).

As the District Attorney of San Joaquin County, and pursuant to Penal Code sections 933 and 933.05, I respond to the findings and recommendations of the Grand Jury as follows:

Findings:

**DA F1.1                    The District Attorney's Office policies and procedures do not address audits and inspections.**

F1.1 Response:        Agree. The San Joaquin County District Attorney concurs with Grand Jury's finding.

**DA F1.2**                    **The District Attorney's Office has not located two court exhibits as identified in the 2013 audit, leading to a break down in the chain of custody by previous staff.**

F1.2 Response:            Agree. The San Joaquin County District Attorney concurs with Grand Jury's finding.

Recommendations:

**DA R1.1**                    **By December 31, 2017, develop, adopt and implement policies and procedures regarding annual audits and monthly inspections of the property room, according to best practices.**

R1.1 Response:            This recommendation has been implemented. The San Joaquin County District Attorney's Office has developed, adopted, and implemented policy and procedures regarding annual inventories and monthly inspections of the property room, according to best practices.

**DA R1.2**                    **By December 31, 2017, complete an inventory of the property room and report findings to the Grand Jury.**

R1.2 Response:            This recommendation has been implemented. The San Joaquin County District Attorney's Office has completed an inventory of the property room. All items were accounted for with the exception of two items from a 2008 workers compensation fraud case. Our investigation has concluded that these two items, consisting solely of documents, in fact were destroyed pursuant to the court's order upon the completion of the case in 2011, but erroneously omitted from the disposition list. Their disposition has been changed to "destroyed," and they will be omitted from subsequent inventory reports.

**DA R 1.2.1**                **By December 31, 2017, develop a policy that requires an inventory of all evidence and property whenever a change is made in personnel who have access to the evidence.**

R1.2.1 Response:        This recommendation been implemented. The San Joaquin County District Attorney's Office has developed and implemented a policy that requires an inventory of all evidence and property whenever a change is made in personnel who have access to the evidence room.

If I may be of further assistance to you in this or any other matter, please advise.

Respectfully submitted,



Tori Verber Salavar  
District Attorney,  
San Joaquin County

cc: San Joaquin County Board of Supervisors  
Ms. Trisa Martinez, Staff Secretary to the Grand Jury