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September 16, 2013

Honorable Stephen O. Hedstrom
Judge of the Superior Court
255 North Forbes Street
Lakeport, CA 95453

RE: 2012-2013 Grand Jury Report
District Attorney's Supplemental Response to Findings and Recommendations
Community Development Department

Honorable Stephen O Hedstrom:

Pursuant to California Penal Code Section 933.05, the Lake County District Attorney's Office makes the following supplemental responses to findings and recommendation in the 2012-2013 Lake County Civil Grand Jury Final Report regarding the Community Development Department and marijuana enforcement:

COMMUNITY DEVELOPMENT DEPARTMENT

Findings and Recommendations:

F-3 and 4: Respondent agrees with the finding. Marijuana abatement is an important issue, especially as it relates to environmental damage caused by large scale marijuana grows and the cost to the tax payers for the eradication of marijuana. The wide spread environmental damaged caused by marijuana growers is largely not investigated or prosecuted. Additionally, there is no procedure in place to reimburse the County for the costs of eradicating marijuana.

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Environmental crime investigation and prosecution is a very specialized field of law. Currently, the California District Attorney's Association has one circuit prosecutor to prosecute environmental crimes. This prosecutor has to service the entire northern half of California; therefore, his time and case load in Lake County is very minimal. It is not expected he will be participating in any marijuana environmental crimes.

Law enforcement's efforts to enforce marijuana laws and eradicate plants are very time consuming; therefore, little or no investigation is centered on environmental crimes. Community Development Department, Code Enforcement Division does not appear to have the man power and expertise, especially not being peace officers, to investigate and assist deputy district attorneys in prosecuting environmental crimes.

The proposal of this District Attorney's Office was to hire a full time prosecutor and investigator with two responsibilities. The first is to investigate and prosecute environmental crimes, with an emphasis on marijuana related environmental crimes. The second is to bring both criminal and civil actions against marijuana growers and land owners to reimburse the County for the costs of law enforcement's efforts in eradicating large marijuana grows.

Unfortunately, with the District Attorney's Office being understaffed and the increasing crime rate, this office can not undertake this large scale effort with out hiring and training these additional personnel.



Don A. Anderson
Lake County District Attorney