

County of Santa Clara

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FILED

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DAVID H. YAMASAKI
Chief Executive Officer/Clerk
Superior Court of CA County of Santa Clara
BY BRITNEY HUELBIG DEPUTY



Jeffrey F. Rosen
District Attorney

August 14, 2015

The Honorable Rise Jones Pichon, Presiding Judge
Superior Court of California
County of Santa Clara
161 N. First Street
San Jose, CA 95113

Dear Judge Pichon,

I'm in receipt of the June 17, 2015 Santa Clara County Civil Grand Jury transmittal entitled, Santa Clara County Crime Lab Legionella Bacteria – Still Cannot Drink the Water. I appreciate the hard work of the Grand Jury and generally concur with all findings.

Finding 1

I agree that the Crime Lab management took admirable proactive steps to protect employees and the public. I'll note that to date, not a single person has contracted Legionnaire's Disease, and that it was only due to the preemptive work of the Crime Lab that the issue was discovered at all.

Recommendation 1

None.

Finding 2

I agree based upon the included reports that the bacterium can be controlled within acceptable levels.

Recommendation 2A/B

I agree with these recommendations concerning the treatment and testing of the water.

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Finding 3

I agree that there was room for improvement in the initial notification, information and education provided to employees and contractors who use the Crime Lab as management worked with experts to determine the nature of the problem.

Recommendation 3

I agree with this recommendation.

Finding 4

I agree with this finding concerning the warning signs.

Recommendation 4.

I agree with this recommendation.

Finding 5

I agree that not all water drinking fountains, sinks and faucets contained posted warnings.

Recommendation 5

I agree with this recommendation which calls for adequate notification and signs until the presence of the bacterium is controlled.

Very truly yours,



JEFFREY ROSEN
District Attorney