



MEMORANDUM

FILED

OCT 07 2013

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

**DATE:** July 9, 2013

**TO:** Honorable Brian C. Walsh, Presiding Judge Santa Clara County Superior Court

**FROM:** Marcia Somers, City Manager  
City of Los Altos

**SUBJECT:** CITY OF LOS ALTOS RESPONSES TO FINAL REPORT, "LAW ENFORCEMENT PUBLIC COMPLAINT PROCEDURES," BY THE 2012-2013 SANTA CLARA COUNTY CIVIL GRAND JURY

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**Finding 5**

The Los Altos Police Department makes all of their multilingual complaint materials available on-line and also freely available in hard copy form in their lobby.

**Response**

The City of Los Altos agrees with this finding

**Finding 6**

The Los Altos Police Department complaint form includes reference to the unconstitutional California Penal Code Section 148.6 criminal advisory.

**Response**

The City of Los Altos agrees with this finding.

**Recommendation 6**

The Los Altos Police Department should remove reference to the unconstitutional California Penal Code Section 148.6 criminal advisory from their complaint form.

**Response**

The recommendation has been implemented. The reference to, and the language from, California Penal Code Section 148.6 have been removed from the Los Altos Police Department complaint form. The complaint forms with reference to California Penal Code Section 148.6 have been removed from the Police Department lobby, from the online form and from files. New Los Altos Police Complaint forms without this reference are now available in English to the public in the Police lobby and online. These actions were completed by July 1, 2013. The new Los Altos Police Department complaint forms that are multilingual are in the process of revision and will be available to the public by August 1, 2013.



DATE: July 9, 2013

AGENDA ITEM # 2

**TO:** City Council

**FROM:** J. Logan, Assistant City Manager

**SUBJECT:** City of Los Altos Responses to the 2012-2013 Santa Clara County Civil Grand Jury Final Report, "Law Enforcement Public Complaint Procedures"

**RECOMMENDATION:**

- A. Receive Memorandum of Responses to Final Report, "Law Enforcement Public Complaint Procedures," by the 2012-2013 Santa Clara County Civil Grand Jury
- B. Authorize the City Manager to send said Memorandum in response to the Findings and Recommendations to the Presiding Judge of the Santa Clara County Superior Court

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**SUMMARY:**

**Estimated Fiscal Impact:**

**Amount:** None

**Budgeted:** Not applicable

**Public Hearing Notice:** Not applicable

**Previous Council Consideration:** Not applicable

**CEQA Status:** Not applicable

**Attachments:**

1. Memorandum of Responses to Final Report, "Law Enforcement Public Complaint Procedures," by the 2012-2013 Santa Clara County Civil Grand Jury
2. 2012-2013 Santa Clara County Civil Grand Jury Final Report, "Law Enforcement Public Complaint Procedures"

## **BACKGROUND**

On June 24, 2013, the 2012-2013 Santa Clara County Civil Grand Jury sent its Final Report, "Law Enforcement Public Complaint Procedures" to the City of Los Altos. The Report is included as Attachment 1.

California Penal Code Section 933(c) requires a governing body of a public agency or department subject to a Grand Jury final report to respond within 90 days to the Presiding Judge of the Superior Court on the Findings and Recommendations pertaining to matters under the control of the governing body.

California Penal Code Section 933.05 contains guidelines with specific choices that standardize the language and method of responses to the Civil Grand Jury's Findings and Recommendations. For reference, California Penal Code Section 933.05 is included at the end of the Civil Grand Jury Report.

The City's Memorandum of Responses (Attachment 2) is due to the Office of the Presiding Judge, Santa Clara County Superior Court, no later than Wednesday, September 25, 2013.

## **DISCUSSION**

Upon review of the Report and Tables 1 and 2 on pages 4 and 5, the City of Los Altos demonstrates the highest standards of compliance with the public's access to complaint procedures and to the complaint form. This includes availability of the form to the public which is freely accessible and in multilingual texts.

Police Chief Younis reviewed and concurred with the Civil Grand Jury Report, Findings and Recommendations and directed the steps necessary to ensure compliance with the recommendations in the Report. The resulting actions are stated in the City's Response, Recommendation 6.

## **FISCAL IMPACT**

None

## **PUBLIC CONTACT**

Posting of the meeting agenda serves as notice to the general public.

July 9, 2013

City of Los Altos Responses to the 2012-2013 Santa Clara County Civil Grand Jury Final Report, "Law Enforcement Public Complaint Procedures"

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