



Councilmember: Marshall Anstandig  
Councilmember: Burton Craig  
Councilmember: Walter Huff  
Councilmember: Curtis Rogers  
Councilmember: Julie Wiltshire

## City of Monte Sereno

City Manager: Brian Loventhal  
City Clerk: Andrea Chelemengos  
Finance Officer: Sue L'Heureux  
Building Official: Howard T. Bell

# FILED

OCT 16 2013

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

October 1, 2013

Honorable Brian C. Walsh  
Presiding Judge Santa Clara County Superior Court  
191 North First Street  
San Jose CA 95113

Dear Honorable Walsh:

Enclosed please find the City of Monte Sereno's response to the 2012-2013 Santa Clara County Civil Grand Jury Law Enforcement Public Complaint Procedures. The City's response was approved by the City Council at its September 17, 2013.

Sincerely,

Andrea M. Chelemengos, CMC  
City Clerk  
City of Monte Sereno  
408-354-7635

**REPORT TO MONTE SERENO CITY COUNCIL**

Approve the response to the Santa Clara County's Civil Grand Jury report regarding law enforcement public complaint procedures

**RECOMMENDATION:**

Staff recommends that the City Council approve the City of Monte Sereno's proposed response to the Santa Clara County Civil Grand Jury report regarding law enforcement public complaint procedures. Upon City Council approval, staff will transmit the response to the Grand Jury by the September 25, 2013 due date.

**BACKGROUND/ DISCUSSION:**

The Civil Grand Jury is an investigatory body consisting of volunteers selected by Superior Court Judges, whom collectively function as a civil watchdog over government and special districts, investigate citizen complaints about governmental agencies, and occasionally hold hearings to determine whether a criminal trial is warranted.

On June 24, 2013 the Santa Clara County Civil Grand Jury issued a report regarding law enforcement public complaint procedures. Although the City of Monte Sereno contracts for Law Enforcement services from the Town of Los Gatos, the City is still required to respond to the report. The Town of Los Gatos' response to the Grand Jury is included with this report as Attachment B

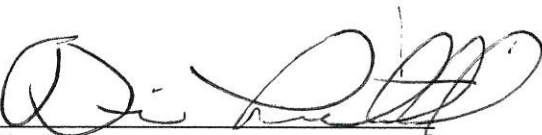
The Grand Jury requires each responding agency to use the following formatting in its response:

1. The governing body of the public agency which has been the subject of a Grand Jury final report is required to "Agree" or "Disagree" with each applicable finding, responding with one of the following statements:
  - The City of Monte Sereno agrees with the finding.
  - The City of Monte Sereno disagrees wholly or partially with the finding, in which case the response shall specify the portion of the finding that is disputed and shall include an explanation of the reasons therefor.
2. The governing body of the public agency is also required to respond to each applicable recommendation with one of four possible actions:
  - The recommendation has been implemented, with a summary regarding the implemented action
  - The recommendation has not yet been implemented, but will be implemented in the future, with a time frame for implementation.
  - The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a time frame for the matter to be prepared for discussion by the officer or head of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This

*timeframe shall not exceed six months from the date of publication of the grand jury report.*

- The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor.

The proposed responses to the Grand Jury Report are included with this report as Attachment A. The responses were prepared in the format required under California Penal Code §933.05(a) and (b).



City Manager

Attachment A – Proposed Responses to the Civil Grand Jury Report

Attachment B – Town of Los Gatos Responses to the Civil Grand Jury, Dated August 20, 2013

Attachment C – Grand Jury Report-Law Enforcement Public Complaint Procedures

City of Monte Sereno Response to the  
Santa Clara County Civil Grand Jury Report:  
Law Enforcement Public Complaint Procedures

Report Issued: June 24, 2013  
Response Date: September 17, 2013

**Finding 7**

The Los Gatos/Monte Sereno Police Department does not make all of their complaint materials available on-line and also freely available in hard copy form in their lobby.

**The City of Monte Sereno agrees with the finding.**

**Recommendation 7**

The Los Gatos/Monte Sereno Police Department should make their complaint materials available on-line and also freely available in hard copy form in their lobby.

**The recommendation has been implemented.**

The City of Monte Sereno contracts for law enforcement services with the Town of Los Gatos. Pursuant to the contract all complaints regarding law enforcement services are processed by the Town of Los Gatos. The Town of Los Gatos has created a citizen complaint/commendation procedure brochure and updated its citizen complaint form. The brochure and complaint forms are available on-line through the Town of Los Gatos website. The brochure and complaint forms are now publicly available in the lobbies of the Headquarters and Police Operations Building.

**Finding 8**

The Los Gatos/Monte Sereno Police Department complaint materials are only available in English.

**The City of Monte Sereno agrees with the finding.**

**Recommendation 8**

The Los Gatos/Monte Sereno Police Department should make multilingual complaint materials available on-line and also freely available in hard copy form in their lobby.

**The recommendation has been implemented.** The City of Monte Sereno contracts for law enforcement services with the Town of Los Gatos. Pursuant to the contract all complaints regarding law enforcement services are processed by the Town of Los Gatos. The Town of Los Gatos has made its complaints material multilingual by translating its citizen complaint/commendation procedure brochure and citizen complaint form to Spanish. The materials have been reviewed by a professional translator. The brochure and complaint forms are now available on-line, in Spanish, through the Town of Los Gatos website.