



# CITY OF MOUNTAIN VIEW

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October 11, 2013

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

**FILED**

**OCT 11 2013**

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

Dear Judge Walsh:

This letter transmits the City's response to the findings and recommendations contained in the 2012-2013 Santa Clara County Civil Grand Jury's Final Report titled, "Law Enforcement Public Complaint Procedures," based on Council action on September 10, 2013.

On behalf of the City of Mountain View and the Mountain View City Council, I would like to acknowledge the work of the Grand Jury and ensure the jurors that the City Council and City staff takes the responsibility for sound complaint procedures seriously.

I am pleased to report that the Police Department is already taking steps to comply with the Grand Jury's recommendations. The complaint forms are now available online and freely available in hard copy form in their lobby. The Police Department is currently working with certified translators to create multilingual complaint forms.

Please find enclosed the City's response to the Grand Jury's report, which was approved for transmittal by the City Council. The City appreciates the opportunity to respond to the Grand Jury's report and commends the work of the Grand Jury members.

Sincerely,

John M. Inks  
Mayor

JMI/MB-ST/7/POL/001-10-11-13L-E

Enclosure

**Response to Santa Clara County Civil Grand Jury Report,  
"Law Enforcement Public Complaint Procedures"**

The City of Mountain View has the following responses to the Findings and Recommendations in the report, "Law Enforcement Public Complaint Procedures":

**Finding 14**

*The Mountain View Police Department does not make all their complaint materials available on-line and also freely available in hard copy form in their lobby.*

City Response: The City of Mountain View agrees with this finding. Historically, the complaint forms were held behind the records counter and freely available upon request.

**Recommendation 14**

*The Mountain View Police Department should make their complaint materials available on-line and also freely available in hard copy form in their lobby.*

City Response: This recommendation has been implemented. The Police Department has updated its website to provide a written overview of the complaint procedure as recommended by the Civil Grand Jury. The complaint form is also available online. In addition, a brochure (which contains the same information as the web page) and complaint forms are now available freely in the lobby. The complaint form is also available online.

**Finding 15**

*The Mountain View Police Department complaint materials are available only in English.*

City Response: The City of Mountain View agrees with this finding; however, while it is true that the Mountain View Police Department's complaint materials are currently available in English, the Police Department has always offered multilingual services to assist the non-English-speaking community.

**Recommendation 15**

*The Mountain View Police Department should make multilingual complaint materials available on-line and also freely available in hard copy form in their lobby.*

City Response: The Police Department is currently working with Spanish- and Mandarin-certified translators to implement this recommendation. Once the complaint materials have been successfully translated, they will be available online and in the lobby of the Police Department.

#### **Finding 16**

*The Mountain View Police Department complaint materials include reference to the unconstitutional California Penal Code Section 148.6 criminal advisory.*

City Response: The City of Mountain View agrees that complaint materials include reference to California Penal Code Section 148.6. The complaint materials also reference Civil Code Section 47.5, criminal advisory, which is not unconstitutional.

#### **Recommendation 16**

*The Mountain View Police Department should remove reference to the unconstitutional California Penal Code Section 148.6 criminal advisory from their complaint materials.*

City Response: The Mountain View Police Department is currently revising their complaint forms to omit California Penal Code Section 148.6 and Civil Code Section 47.5.