



CITY OF RANCHO SANTA MARGARITA

September 20, 2006

Mayor

James M. Thor

Mayor Pro Tempore

L. Anthony Beall

Council Members

Neil C. Blais

Gary Thompson

Jerry Holloway

City Manager

Steven E. Hayman

The Honorable Nancy Wieben Stock
Presiding Judge of the Superior Court
700 Civic Center Drive West
Santa Ana, CA 92701

Dear Judge Wieben Stock:

Please accept the following responses in accordance with California Penal Code §933 and §933.05 to the "*Orange County Grand Jury Report: Oversight of Orange County Law Enforcement Agencies, Resolving a Dichotomy!*" As restated below, since the Sheriff's Department acts as the City's Police Department, the City adopts the Sheriff's response to Findings 6.2 and 6.3, and also to Recommendations 7.2 and 7.3.

Findings:

Finding 6.2 Independent Reviews of LEAs: *"The use of independent reviews of LEA's practices is limited to unique reviews, rather than to periodic reviews, of policies, procedures, and compliance."*

Response: *Disagree*

Currently the Orange County Sheriff's Department is subject to periodic and unique reviews in the form of internal and/or external audits. The purpose of these audits (reviews) is to maintain compliance with all applicable laws and statutes and to ensure *best practices* are incorporated into our policies and procedures. Various internal as well as external/independent entities are utilized to conduct these audits. Based on their reviews or our current policies and procedures, these reviewing bodies then make recommendations for change and/or improvement.

Finding 6.3 Orange County is changing: *Orange County and city LEAs will face new challenges as the number of crimes increase, reflecting those of surrounding counties.*

Response: *Partially disagree*



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There is no evidence that communities within the County of Orange will face the amount of criminal activity that has affected our surrounding counties.

One cannot draw such conclusions by comparing counties with major cities like Los Angeles and San Diego to counties like Orange, which is made up of 34 suburban cities, none of which have a population over 400,000, and none of which are subject to the same social, political or infrastructure concerns as those of surrounding major urban areas.

The Grand Jury reported jail bookings increased by 10.4% between 2001 and 2005 as an example of a crime-related trend in Orange County. However, the average number of jail bookings between 1996 and 2000 was 64,919 indicating the rate of bookings as a percentage of County population has actually dropped.

Certainly challenges will occur as our law enforcement departments and their communities work together to maintain low crime rates, but the efforts that our Department has made toward crime prevention, partnerships with other agencies and problem solving will form the foundation for safe and secure communities for years to come.

Recommendation 7.2 ***“Near-term, Independent Review of LEA Policies, Procedures, and Compliance: The Orange County municipal police departments, in cooperation with the Orange County Mayors, should consider contracting for a near-term independent review of LEA’s current policies, procedures, and compliance to provide current status as compared to best practices. (See Finding 6.2 and 6.3)”***

Response: *This recommendation will not be implemented.*

The Orange County Sheriff’s Department is subject to periodic and unique reviews in the form of internal and/or external audits. (Refer to Response to Finding 6.2.) With this in mind, the Sheriff’s Department does not support the expenditure of funds for near-term independent review.



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Recommendation 7.3 "Periodic, Independent Reviews of LRA

Compliance to Policies and Procedures: *The Orange County municipal police departments, in cooperation with the Orange County City Mayors, should consider contracting for periodic, independent reviews of LEA's policies and procedures, using the best practices guidelines as criteria (See Finding 6.2 and 6.3.)"*

Response: *This recommendation will not be implemented.*

The Orange County Sheriff's Department is subject to periodic and unique reviews in the form of internal and/or external audits. (Refer to Response to Finding 6.2 and Response to Recommendation 7.2.) With this in mind, the Sheriff's Department does not support the expenditure of funds for periodic-independent reviews. However, the Department currently consults with independent firms that specialize in the review of law enforcement policies and procedures.

In summary, it is clear that the Sheriff has internal and external reviews in place. Additionally, and of special note, the Grand Jury is indeed an independent body that is privileged to see investigations of officer involved shootings and in-custody deaths on a regular basis.

Sincerely,

James M. Thor
Mayor