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September 25, 2006

Ms. Bette Flick, Foreperson
Orange County Grand Jury
700 Civic Center Drive West
Santa Ana, CA 92701

Via Facsimile: (714) 834-5555

Subject: Orange County Grand Jury Report "Oversight of Orange County Law Enforcement Agencies, Resolving Dichotomy!"

Dear Foreperson Flick:

Thank you for the opportunity to comment on the Orange County Grand Jury report: *Oversight of Orange County Law Enforcement Agencies, Resolving Dichotomy!* I have compiled responses to findings 6.2 and 6.3, in addition to recommendations 7.2 and 7.3. Since 1993, the City of San Clemente has contracted with the Orange County Sheriff's Department to provide law enforcement services.

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.*

We disagree with this finding. As Mayor of the City of San Clemente, I have been completely satisfied with the services provided and the review process the Sheriff's Department has in place. For instance, 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 the department's policies and procedures. Various internal as well as external/independent entities are utilized to conduct these audits. Based on their reviews of 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.*

We disagree with this finding. There is no evidence that San Clemente will face the amount of criminal activity that has affected some cities in our neighboring 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 64,010 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 the Orange County Sheriff's Department has made toward crime prevention, partnerships with other agencies, including the City of San Clemente 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.)*

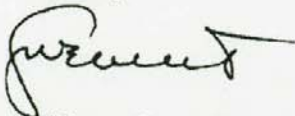
We cannot support this recommendation. The Orange County Sheriff's Department is subject to periodic and unique reviews in the form of internal and/or external audits. (Refer to Response to Finding 6.2.) These checks and balances have proven to be effective mechanisms to ensure our residents are well served. In fact, in a recent (May 2006) citizen satisfaction survey conducted in San Clemente, residents expressed "high satisfaction" with San Clemente Police Services. With this in mind and without evidence to suggest that the recommendations proposed would enhance the systems currently in place, I am unable support the expenditure of funds for near-term independent review.

Recommendation 7.3 Periodic, Independent Reviews of LEA 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.)*

Again, the Orange County Sheriff's Department's 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). The City of San Clemente will not be implementing this recommendation to contract for periodic, independent reviews. Furthermore, the Sheriff's Department currently consults with independent firms that specialize in the review of law enforcement policies and procedures in which the City of San Clemente is satisfied.

I wish to commend you and your fellow members of the Orange County Grand Jury for your work on behalf of the citizens of our community and all of Orange County. Again, thank you for allowing us to respond to the findings and recommendations listed in the Grand Jury's report.

Sincerely,



G. Wayne Eggleston
Mayor

cc: City Councilmembers