

RESPONSE TO GRAND JURY REPORT FORM

Report Title: Gangs In Marin
Report Date: May 14, 2008

Response By: City Council of the City of San Rafael
Title: Mayor and City Council

FINDINGS:

- We agree with the findings numbered F1, F2, F3, F4, F5, F6, F7, F8, F9, F10, F11 and F12
- We disagree wholly or partially with the findings numbered N/A
(See attached statement specifying the portions of the findings that are disputed, including an explanation of the reasons therefor.)

RECOMMENDATIONS:

- Recommendations numbered R1, R2 and R3 have been implemented.
(Attach a summary describing the implemented actions.)
- Recommendations numbered _____ have not yet been implemented, but will be implemented in the future.
(Attach a timeframe for the implementation.)
- Recommendations numbered _____ require further analysis.
(Attach an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or director 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.)
- Recommendations numbered _____ will not be implemented because they are not warranted or are not reasonable.
(Attach an explanation.)

DATED: 7/9/08

Signed: _____


ALBERT J. BORO, Mayor

ATTEST: _____

Esther Beirne
Esther Beirne, City Clerk

Number of pages attached: 1

COPY

ATTACHMENT "A"

**RESPONSE OF THE CITY OF SAN RAFAEL TO
GRAND JURY REPORT "GANGS IN MARIN"**

R1: While it does not have control over the County of Marin's budget, the City of San Rafael supports the continuing, collaborative efforts of the San Rafael Police Department and other Marin law enforcement agencies, to control gangs in Marin County and San Rafael. ~~Together with the County Sheriff's Office, County Probation, State Parole,~~ federal law enforcement agencies and the police departments of most municipalities in Marin County, the San Rafael Police Department continues to attend monthly meetings in Novato to discuss gang activities throughout the County. The San Rafael Police Department's Directed Patrol Unit (DPU), staffed by a sergeant and three officers, continue to work in the City of San Rafael to curtail any potential gang activity. Despite the budget shortfall the City is facing in the coming fiscal year, the Department does not have any current plans to reduce the current staffing level of the Directed Patrol Unit.

R2: While the City does not know how other agencies will address the budget issue, the City can affirm that the San Rafael Police Department does not have any current plans to reduce the current staffing level of the Directed Patrol Unit.

R3: The City of San Rafael supports continued education to groups and schools on the issue of gangs in Marin County. The San Rafael Police Department made approximately a dozen presentations on the subject of gangs, to a variety of civic organizations and community groups during fiscal year 2007-2008 and it will continue to do so during fiscal year 2008-2009.

CITY OF



San Rafael

Agenda Item No: 15

Meeting Date: July 7, 2008

SAN RAFAEL CITY COUNCIL AGENDA REPORT

Department: City Attorney's Office

Prepared by: Gus Guinan, Assistant City Attorney

City Manager Approval:

SUBJECT: Consideration of A Resolution Approving and Authorizing the Mayor to Execute the City of San Rafael's Response to Marin County Grand Jury Report entitled "Gangs In Marin."

BACKGROUND:

In its report dated May 14, 2008, "Gangs In Marin", the 2007-2008 Marin County Grand Jury made several findings and recommendations, and submitted the report to the City of San Rafael for a formal response. The Grand Jury made numerous findings and recommendations regarding the existence and activities of gangs in Marin County and the response of various law enforcement departments and agencies in the County. These findings and recommendations are set out on pages eleven and twelve of the report, a copy of which is attached.

ANALYSIS:

Based upon interviews with law enforcement personnel in several County, City and Town agencies, the Grand Jury's report discusses the presence of gangs in Marin County, the locations where they exist, their composition and their various criminal activities. The report also details the extensive and coordinated response of law enforcement agencies throughout the County to inform the public of the gang problem, to educate school children about the dangers of gangs and to control the gang activity in the Marin community. The Grand Jury sent the report to the County of Marin, the County Sheriff, the District Attorney, San Rafael, Novato, Larkspur, Corte Madera and San Anselmo and asked each official or agency for a formal response. San Rafael Police Chief Matt Odetto has reviewed the report and drafted the response which is attached to the Resolution included with this item.

ACTION REQUIRED:

The City is required to respond to the Grand Jury Report. Penal Code section 933(c) states in part:

FOR CITY CLERK ONLY

File No.: _____

Council Meeting: _____

Disposition: _____

“No later than 90 days after the Grand Jury submits a final report...the governing body of the public agency shall comment to the presiding Judge of the Superior Court on the findings and recommendations...[contained in the report].”

In compliance with this statute, the Police Department has drafted for City Council consideration, a Resolution approving a proposed response, copies of which are attached for your review. Briefly, the response agrees with the findings and recommendations of the Grand Jury and confirms the Council’s confidence in its Police Chief and Police department, and the work they are performing in the control of gang activity in San Rafael and in Marin County.

RECOMMENDATION:

Staff recommends that the City Council adopt the Resolution approving the response to the Grand Jury report, authorizing the Mayor to execute it and directing the City Clerk to forward the response to the Presiding Judge of the Marin County Superior Court and the Foreperson of the Grand Jury.

Attachments

RESOLUTION NO. 12535

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN RAFAEL APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE THE CITY OF SAN RAFAEL RESPONSE TO THE 2007-2008 MARIN COUNTY GRAND JURY REPORT ENTITLED "GANGS IN MARIN"

WHEREAS, pursuant to Penal Code section 933, a public agency which receives a Grand Jury Report addressing aspects of the public agency's operations, must comment on the Report's findings and recommendations contained in the Report in writing within ninety (90) days to the Presiding Judge of the Superior Court with a copy to the Foreperson of the Grand Jury; and

WHEREAS, Penal Code section 933 specifically requires that the "governing body" of the public agency provide said response and, in order to lawfully comply, the governing body must consider and adopt the response at a noticed public meeting pursuant to the Brown Act; and

WHEREAS, the City Council of the City of San Rafael has received and reviewed the 2007-2008 Marin County Grand Jury Report, dated May 14, 2008, entitled "Gangs in Marin" and has agendized it at this meeting for a response.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of San Rafael hereby:

1. Approves and authorizes the Mayor to execute, the City of San Rafael's response to the 2007-2008 Marin County Grand Jury Report entitled "Gangs in Marin", copy attached hereto.
2. Directs the City Clerk to forward the City's Grand Jury Report response to the Presiding Judge of the Marin County Superior Court and to the Foreperson of the Marin County Grand Jury.

I, Esther C. Beirne, Clerk of the City of San Rafael, hereby certify that the foregoing Resolution was duly and regularly introduced and adopted at a regular meeting of the San Rafael City Council held on the 7th day of July, 2008, by the following vote to wit:

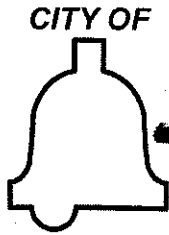
AYES: Councilmembers: Brockbank, Connolly, Heller, Miller & Mayor Boro

NOES: Councilmembers: None

ABSENT: Councilmembers: None



ESTHER C. BEIRNE, City Clerk



San Rafael

Mayor
Albert J. Boro

Council Members
Greg Brockbank
Damon Connolly
Barbara Heller
Cyr N. Miller

Office of the City Clerk

July 18, 2008

The Honorable Verna Adams
Marin County Superior Court
P.O. Box 4988
San Rafael, CA 94913-4988

File No. 269 x 9-3-30

Honorable Judge Adams

RE: Marin County Grand Jury Report "Gangs in Marin"

We are forwarding to you the following documents:

- A certified copy of Resolution No. 12535, adopted by the San Rafael City Council on July 7, 2008, approving and authorizing the Mayor to execute the City's response;
- Original of the "Response to Grand Jury Report Form," executed by the Mayor on July 9, 2008;
- Copy of the City Council Staff report dated July 7, 2008.

Should you need further assistance, please contact me at (415) 485-3065.

Sincerely,

ESTHER C. BEIRNE
City Clerk

cc: Roberta Robinson, Foreperson (with enclosures) (2 copies)
Marin County Grand Jury
3501 Civic Center Drive, Room 275
San Rafael, CA 94903

Gus Guinan, Assistant City Attorney (with enclosures)