



NAPA COUNTY

DISTRICT ATTORNEY'S OFFICE CRIMINAL DIVISION

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FILED

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Clerk of the Napa Superior Court
By: C. Brennan
Deputy

William E. Trautman, Foreman
Napa County Grand Jury 2008-2009
P.O. Box 5397
Napa, CA 94581

RE: Response to 2008-2009 Grand Jury Gang Report

Dear Mr. Trautman:

I am in receipt of your 2008-2009 report on Napa County Gangs and offer the following responses, per your request, to your recommendations:

Recommendation #1:

The Napa County District Attorney's Office is in strong support of your recommendation to establish a new countywide multijurisdictional gang task force with a full-time coordinator, strike team and representatives from local and regional law enforcement jurisdictions, prevention, intervention agencies, school administrations and the community.

While in full support, however, the recommendation requires further analysis as we are mindful of the extremely difficult economic realities we are all currently facing and will need to work with our law enforcement and community partners to determine how we can accomplish this worthy goal with existing resources or, in the alternative, where we could obtain additional resources.

Currently, Napa County, City of Napa and City of American Canyon are meeting with the District Attorney, Sheriff, Napa Police Chief and Chief Probation Officer, along with national expert gang consultants, to develop a long-term master plan for youth and gang violence. This recommendation, along with the Grand Jury report, will offer a cornerstone for discussion and planning.

Recommendation #2:

We support the concept and recommendation of a countywide gang database and tracking system accessible by all law enforcement agencies and school officials. There are some received
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aspects of this recommendation, however, that will require further analysis, particularly in regards to confidentiality of law enforcement records that may not currently be legally available to share with school officials.

We are also aware that there are some smaller jurisdictions, e.g. Calistoga, that currently do not have the financial resources to switch to the county I-Leads system. There is, however, a universal gang database known as CALGANG which may be expanded in its use for law enforcement. Unfortunately, this system is not accessible to school officials.

It is worth noting that there are several ongoing multi-agency meetings which currently take place so that law enforcement agencies and school officials can share information. This includes a weekly law enforcement meeting; monthly law enforcement/school official meeting and the bi-monthly Gang Violence Prevention Task Force meeting.

We are committed to working with law enforcement and school officials countywide to improve communication and information sharing and develop new systems for doing so.

Recommendation #5:

Although not specifically requested to respond to this recommendation, I want to note that our office is strongly committed to the concept of retaining or adding SROs to all middle school and high school campuses across the county. SROs are a proven resource in their ability to develop relationships with students, staff and parents and, in doing so, preventing crime before it occurs.

Our office is also aware that current budgetary concerns preclude full staffing of SROs but want to continue to explore with our community partners how we might reach this goal sometime in the future.

Recommendation #6:

There are many issues which require further analysis prior to the consideration and implementation of any form of countywide curfew for those under the age of 18. First and foremost, the county, nor any individual jurisdictions, have a facility to hold curfew violators until their parent or legal guardian responds to pick them up. As violation of curfew is not a crime, curfew violators may not be taken to Juvenile Hall.

Were such centers to exist, ideally they should have fully-staffed facilities including counselors who could assist the curfew detainees with their school studies.

Some jurisdictions have considered a day curfew but have encountered legal issues in regards to home study students who are lawfully on the street during school hours.

Further, the legal and logistical issues surrounding implementation of this recommendation must be determined to be warranted and reasonable by the county and

local cities. While the District Attorney's Office can offer counsel and support on the issue, the decision whether or not to implement is not ours.

It is worth noting that juveniles who have violated the law and been declared a ward of the court pursuant to California Welfare and Institutions Code Section 602 currently often have a curfew condition as part of their terms of probation. These juveniles can be detained at Juvenile Hall and prosecuted for violation of curfew as a condition of wardship.

Recommendation #7:

The consideration of the use of injunctions as a law enforcement tool against gang members certainly is worthy of merit and has been utilized successfully in larger urban jurisdictions. As such, the recommendation requires further analysis.

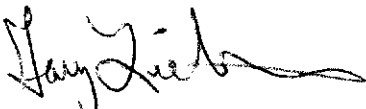
Gangs in Napa County, however, generally are not territorial in nature and do not, with limited exceptions, tend to congregate in specific known areas. As noted above, injunctions have been effective in urban areas where a gang has a defined geographical area and a rival gang has been enjoined from entering that area. We will continue to monitor gang activity countywide and will consider utilizing this tool should we believe it will be an useful deterrent.

I wish to commend the 2008-2009 Grand Jury, and most particularly the Gang Subcommittee, who I know worked tirelessly on this issue and report. We agree with most all of the findings as stated except note that we believe the frequency of gang activity has actually remained pretty static over the past few years.

We greatly appreciate the commendations offered by the Grand Jury and firmly believe without the strong community partnerships established over the years between law enforcement, probation, schools, non-profits and our office, that we would be experiencing a much greater countywide gang problem. Having said that, we cannot let up in our efforts towards prevention, intervention or suppression of gang and youth violence and must continue to preserve and protect our future and our children's future.

Once again, thank you for your dedication and commitment to our community.

Respectfully submitted,



Gary Lieberstein
Napa County District Attorney