

**ATTACHMENT TO GRAND JURY REPORT FORM RESPONSE BY THE
ATASCADERO POLICE DEPARTMENT**

FINDINGS

1. **Finding:** Of the eight county law enforcement agencies (Sheriff and the seven city police departments), not every agency had a formal training program for PC 1269c.

Response to Finding No. 1:

Given the nature of the inquiry by the Grand Jury and the direction that the inquiry be confidential, Chief Haley has not been able to discuss this issue with his fellow Chiefs of Police or the Sheriff. It would be inappropriate to confirm what training other police agencies may or may not have had on this subject.

2. **Finding:** The recommendation of the San Luis Obispo County Superior Court regarding the responsibility of officers to seek a bail increase "...if the scheduled bail is not adequate for the crime..." and to "...make their personnel cognizant of the Penal Code Sections 1269c..." was not being adhered to by all law enforcement agencies.

Response to Finding No. 2:

Again, given the nature of the inquiry by the Grand Jury and the direction that the inquiry be confidential, Chief Haley has not been able to discuss the issue with his fellow Chiefs of Police or the Sheriff. It would be inappropriate to confirm what actions were or were not taken by other law enforcement agencies related to Penal Code Section 1269c, or whether other law enforcement agencies had taken steps to make their personnel cognizant of the provisions of Penal Code Section 1269c.

RECOMMENDATIONS

1. **Recommendation:** The District Attorney should coordinate the development of uniform written policies and procedures for local law enforcement agencies to make requests of the court for appropriate bail increases.

Response to Recommendation No.1:

The Atascadero Police Department does not disagree that the District Attorney should be the lead agency in developing policies and procedures for local law enforcement agencies to make requests of the court for appropriate bail increases. The Atascadero Police Department is willing to cooperate with the District Attorney in the implementation of these policies and procedures. However, this type of undertaking should happen cooperatively with active participation of all law enforcement entities in the County. The Atascadero Police Department recommends that the District Attorney bring this issue to the attention of the Criminal Justice

Administrators Association of San Luis Obispo County for active discussion and planning. The Atascadero Police Department will participate fully in those discussions and be an active partner in the implementation of agreed upon policies and procedures.

2. Recommendation: The District Attorney should coordinate formal training programs for the local law enforcement agencies in the process for obtaining bail increases.

Response to Recommendation No. 2:

The District Attorney does seem like a logical choice as the lead agency to coordinate formal training for local law enforcement agencies in the process for obtaining bail increases. This is not something that should be forced upon the District Attorney without a cooperative agreement between the law enforcement agencies in the county. The Atascadero Police Department will actively participate with the other law enforcement agencies in San Luis Obispo County to determine what role each agency should play in coordination of formal training. The appropriate venue for discussion of issue would be the Criminal Justice Administrators Association.

3. Recommendation: Local law enforcement agencies should work with the District Attorney in the development of the above policies and programs within the resources of their respective departments.

Response to Recommendation No. 3:

The Atascadero Police Department currently works with the District Attorney in the development and implementation of policies and programs related to bail increases. The Atascadero Police Department will continue to work with the District Attorney and other San Luis Obispo Law Enforcement agencies to further develop and implement policies and programs related to bail increases that are in the best interests of public safety.

4. Recommendation: Local law enforcement agencies should rely only on California State Law when considering whether a bail increase is appropriate.

Response to Recommendation No. 4:

The Atascadero Police Department relies upon California State Law and pertinent Case Law decisions when considering whether a bail increase is appropriate. The Atascadero Police Department will continue to rely upon California State Law and pertinent Case Law decisions when considering whether a bail increase is appropriate in the future.