



GROVER BEACH POLICE DEPARTMENT

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The Honorable Barry T. LaBarbera
Presiding Judge, Superior Court
San Luis Obispo Superior Court
1035 Palm Street Rm 355
San Luis Obispo, CA 93408

Dear Judge LaBarbera:

I have reviewed the June 30, 2016, Grand Jury report regarding "Keeping Suspects in Custody: When is Scheduled Bail Enough" and have prepared the following responses to the *findings and recommendations*:

Response to Findings

Finding 1. Of the eight county law enforcement agencies (Sheriff and the seven city police departments), not every agency had a formal training program for PC1269c. **Agency agrees with the finding.** This agency agrees with findings and has completed additional training on PC1269c as proposed by the District Attorney's Office.

Finding 2. 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 Penal Code Sections 1269c ..." was not being adhered to by all law enforcement agencies. **Agency agrees with the finding.** This agency's personnel were aware of the availability and requirements of PC1269c. This Agency cannot speak for the other involved law enforcement agencies so this finding is plausible.

Finding 3. The failure of law enforcement officers to be "... cognizant of Penal Code Sections 1269c ..." and be regularly trained in its use can lead to situations where public safety is compromised and/or justice is thwarted. **Agency agrees with this finding.** This agency agrees with this finding that the lack of properly trained personnel could result in the PC1269c request not being utilized.

Finding 4. The processes are in place for San Luis Obispo County law enforcement officers to readily prepare requests for bail increases and submit the requests to a judge for approval. **Agency agrees with this finding.**

Finding 5. San Luis Obispo County Superior Court has advised local law enforcement agencies to be mindful of this tool when considering bail. **Agency agrees with this finding.**

Finding 6. The few crimes handled by San Luis Obispo County law enforcement officers warranting a bail enhancement increases the importance of ongoing training in this area to maintain knowledge and proficiency. **Agency agrees with this finding.** This agency agrees that supplemental training will continue to remind officers of the PC1269c option.

Finding 7. Not all of the county law enforcement officers are aware of the current Immigration and Customs Enforcement (ICE) hold procedures. **Agency agrees with this finding.** This Agency believes this could be a possibility, but cannot say with any certainty since this agency is not responsible for all of the county law enforcement officers.

Response to Recommendations

Recommendation 1. 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. **Agency agrees with this statement.** This agency shall be responsible for this agency's written policy and procedures and looks forward to working with the District Attorney to develop a uniform policy and procedure for the use of PC1269c.

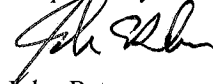
Recommendation 2. The District Attorney should coordinate formal training programs for the local law enforcement agencies in the process for obtaining bail increases. **Agency agrees with this statement.** This agency will work with the District Attorney, the San Luis Obispo County Court and the other law enforcement agencies in the County to develop and provide the future identified training program to its personnel.

Recommendation 3. 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. **Agency agrees with this statement.** This agency will coordinate with the District Attorney and the San Luis Obispo County Court to develop our policies and procedures regarding the use of PC1269c. A new policy will be completed by August 31, 2016.

Recommendation 4. Local law enforcement agencies should rely only on California State Law when considering whether a bail increase is appropriate. **Agency agrees with this statement.**

Please feel free to contact me should you have any questions on concerns regarding the responses contained herein.

Respectfully submitted,



John Peters
Chief of Police
City of Grover Beach

Cc: City Manager