



CITY of NAPA

CITY MANAGER
955 School Street
Mailing Address:
P.O. Box 660
Napa, California 94559-0660
(707) 257-9501
FAX (707) 257-9534

August 19, 2009

The Honorable Raymond A. Guadagni
Presiding Judge
Superior Court of the State of California
County of Napa
8825 Brown Street
Napa, CA 94559

FILED

AUG 26 2009

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

Re: Napa Valley Gangs

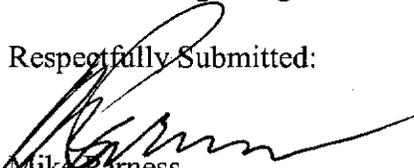
Dear Judge Guadagni:

The City of Napa has received and reviewed the 2008-2009 Napa County Grand Jury Final Report on Napa Valley Gangs.

The City Council unanimously approved the responses, as included herein, in open public session on August 18, 2009.

The staff and elected officials of the City wish to recognize the effort put into the report by the Grand Jury members. We took their recommendations seriously and dedicated many staff hours in order to formulate responses. We hope that the Grand Jury members will find this information helpful and that they will consider contacting us if they need clarification regarding the attached response.

Respectfully Submitted:


Mike Parness
City Manager

Enclosure

Cc: William F. Trautman, Grand Jury Foreperson
Police Chief
City Clerk

Received
Napa Superior Court

AUG 21 2009

Court Executive Office

**CITY OF NAPA CITY COUNCIL
AGENDA REPORT**

Consent Calendar
Agenda Item No. 5-B
Date: August 18, 2009

To: Honorable Mayor and Members of City Council
From: Chief Rich Melton, Police Department 
Prepared by: Commander Andy Lewis, Police Department, 257-9571
Subject: Response to Napa County Grand Jury Final Report on Napa Valley Gangs

ISSUE STATEMENT: Approve the City response to the 2008-2009 Napa Grand Jury Report.

DISCUSSION:

The following is the Napa County Grand Jury findings and recommendations concerning Napa Valley Gangs. The response contained in this report is provided as required and in accordance with section 933c of the California Penal Code.

The 2008-2009 Grand Jury Findings:

Finding 1: Two Hispanic gangs are most prominent in Napa County: the Nortenos and Surenos.

City Response to Finding 1: The City agrees with this finding.

Finding 2: Gang membership, use of weapons and the level of violence have increased, and frequency of violence has decreased in Napa County.

City Response to Finding 2: The City agrees with this finding.

Finding 3: Currently, loosely formed group of law enforcement representatives, the DA's office and some members of the community meet to discuss gang issues and exchange information. There is no paid staff or capacity to implement or fund programs or policies. The supporting GVS grant expires June 2010.

Response to Finding 3 The City agrees with this finding.

Finding 4: Approximately 50 percent of Napa County Jail inmates, 30 percent of Napa County Juvenile Hall inmates and 10 percent of the school population are gang affiliated.

City Response to Finding 4: The City agrees with this finding.

Finding 5: It is estimated there are over 850 gang members and approximately 3,000 gang affiliated individuals in Napa County.

City Response to Finding 5: The City agrees with this finding.

Finding 6: The fiscal impact of gangs in Napa County is substantial. This includes the cost of law enforcement, probation and district Attorneys assigned to gang units, SRO's, Napa County Juvenile Hall, Napa County Jail and the operation of alternative schools.

City Response to Finding 6: The City agrees with this finding.

Finding 7: Other gangs have been identified in much smaller numbers in Napa County, including the Rockers, Insane Clown Posse and Hell's Angels, Mongols, Jugelets.

City Response to Finding 7: The City agrees with this finding.

Finding 8: There is evidence of gang influence in every middle schools and high school campus in Napa County, and some elementary schools.

City Response to Finding 8: The City agrees with this finding.

Finding 9: SRO's are essential to monitoring campus gang activity, providing campus security as well as crucial information and education.

City Response to Finding 9: The City agrees with this finding.

Finding 10: NVUSD high schools use Color Contracts to monitor individual gang members.

City Response to Finding 10: The City agrees with this finding.

Finding 11: Due to budget constraints, Calistoga and St. Helena currently do not provide SRO's on middle school or high school campuses. Napa provides one SRO to cover three middle school campuses.

City Response to Finding 11: The City agrees with this finding.

Finding 12: Dress codes for Napa County schools are determined by each school. Several schools prohibit the wearing of gang colors and memorabilia; however, in many schools these prohibitions are not strictly enforced.

City Response to Finding 12: The City agrees with this finding.

Finding 13: Law enforcement officers on the front lines, who deal directly with gang members, do not receive the governmental or financial support necessary from senior enforcement officials and elected officials. Some are reluctant to discuss known gang

activity or aggressively intervene in fear of reprisal from superiors, community or elected leaders.

City Response to Finding 13: The City disagrees with this finding. The Napa City Council has a long history of support towards the Police Department's efforts in gang prevention and gang enforcement. The Council recently approved the Police Department budget which includes the newly formed Special Enforcement Unit (SEU) which will focus on gang enforcement and other quality of life issues. A newly created Sergeant's position will oversee SEU. In addition, two Police Officer positions will be transferred from the Patrol Bureau to SEU. This will double the Police Department's gang staffing level and provide seven day-a-week coverage. Police Command Staff routinely applauds the efforts of our Gang Officers and have provided the necessary support and training to ensure effective results. SEU recently received delivery of a new gang car and each Gang Officer receives a cell phone stipend to support communications and texting with gang informants. There is no reluctance or fear of reprisal by Police administration among Police Department personnel to discuss gang issues or enforcement actions.

Finding 14: There have been instances of students with gang affiliations, from Vallejo, circumventing NVUSD residency requirements and enrolling in Napa schools.

City Response to Finding 14: The City agrees with this finding.

Finding 15: Napa County public schools do not mandate that teachers, students or parents attend gang information meetings/training.

City Response to Finding 15: The City agrees with this finding.

Finding 16: County and city databases used by law enforcement do not interface.

City Response to Finding 16: The City agrees with this finding.

Finding 17: The County and several non-government agencies offer prevention and intervention programs for youth at risk of becoming gang members. However, there is little or no collaboration between the various agencies, schools and law enforcement.

City Response to Finding 17: The City disagrees with this finding. Police Department personnel (Gang Officers, SRO's, Investigators, Command Staff and Patrol Officers, Youth Diversion Coordinator) routinely meet with representatives from Napa County Health and Humans Services, Napa County Office of Education, Napa Valley Unified School District, Boys and Girls Club, The Wolf Center and other providers to discuss strategies and recent prevention and intervention successes. SRO's and Gang Officers participate regularly with non-government agencies in community outreach meetings and presentations.

Finding 18: Currently NCOE provides education services to all Napa County students who are on academic or judicial probation.

City Response to Finding 18: The City agrees with this finding.

Finding 19: Napa public schools are allocated \$34 per day per student by the State of California.

City Response to Finding 19: The City agrees with this finding.

Finding 20: Curfews and injunctions are enforcement tools used by other counties to contain gang violence.

City Response to Finding 20: The City agrees with this finding.

The 2008-2009 Grand Jury Recommendations:

The Grand Jury report contained nine (9) recommendations. The Napa Police Department was requested to respond directly to recommendations 1, 2, 6 and 7.

Recommendation 1: Establishment of a new County-wide multi-jurisdictional 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.

City Response to Recommendation 1: The recommendation has not yet been implemented, but will be implemented in the future. Currently, the Police Department, in conjunction with other Napa County stakeholders, has contracted with an outside consultant to conduct a needs assessment on how to effectively institute a comprehensive county-wide multi-jurisdictional gang task force. This consultant is to identify evidence based enforcement, prevention and intervention strategies, unique to Napa County, which will assist in the control of gang activity and growth. At the completion of this study, it is the intent of all participants to move forward with implementation of the task force. It is anticipated that the needs assessment will be completed in the Fall of 2009.

Recommendation 2: Implementation of county-wide gang database and tracking system accessible by all law enforcement agencies and school officials.

City Response to Recommendation 2: Implementation of county-wide gang database and tracking system accessible by all law enforcement agencies and school officials will not be implemented, because it is not warranted or is not reasonable. Napa County law enforcement agencies share access to a confidential, state-wide gang database. Law enforcement agencies are mandated by the California Penal Code to use strict criteria when identifying or classifying gang members. Enforcement agencies are precluded by law to provide access to the database by non-law enforcement entities. While the Police Department is not allowed to share official gang database information with school officials, the Department does share relevant information with the schools on specific gang incidents and gang members based upon a right to know and need to know. A shared database between law enforcement agencies and schools as recommended has a number of inherent control and intelligence safety concerns.

Recommendation 6: Consideration of County-wide curfew for those under the age of 18 as a law enforcement tool.

City Response to Recommendation 6: The recommendation requires further analysis. This recommendation will become one of the strategies the multi-jurisdictional gang task force should strongly consider in its efforts to prevent gang activity and growth. This recommendation will require analysis and guidance from legal counsel concerning the constitutionality of such an ordinance.

Recommendation 7: Consideration of the use of injunctions as a law enforcement tool against gang members.

City Response to Recommendation 7: The recommendation requires further analysis. This recommendation will become one of the strategies the multi-jurisdictional gang task force should strongly consider in its efforts to prevent gang activity and growth. This recommendation will require analysis and guidance from legal counsel concerning the constitutionality of such injunctions.

FINANCIAL IMPACTS:

None

CEQA:

The City Manager has determined that the recommended action described in this report is not subject to CEQA, pursuant to CEQA guidelines

DOCUMENTS ATTACHED:

None – A copy of the Grand Jury Report is available at the City Clerks office for public review, or at <http://www.napa.courts.ca.gov/Documents/Gangs.pdf>

RECOMMENDED ACTION:

City staff recommends that the City Council move, second and approve each of the actions set forth below, in the form of the following motion stated as:

Move to approve the City's response to the Grand Jury Report entitled "2008-2009 Final Report on Napa Valley Gangs" finding and recommendation (as outlined above, and incorporating any changes made to the responses by the City Council during the meeting), and direct the City Manager to submit the response on behalf of the City Council, the City Manager and other City officials as required, to the presiding judge of the Superior Court.

CITY MANAGER

