

## NAPA COUNTY OFFICE OF SHERIFF-CORONER

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DOUGLAS E. KOFORD  
Sheriff - Coroner

August 13, 2009

The Honorable Raymond A. Guadagni  
Presiding Judge  
Superior Court of the State of California  
County of Napa County 825 Brown Street  
Napa, CA 94559

# FILED

AUG 26 2009

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

Received  
Napa Superior Court

AUG 26 2009

Court Executive Office

Dear Judge Guadagni:

In conformance with Section 933.05 of the California Penal Code, I am responding to the 2008-2009 Napa County Grand Jury Final Report.

Response was requested from the Napa County Sheriff's Office to Recommendations #1, #2, #6, and #7 of the section covering "Napa Valley Gangs", in the 2008-2009 Napa County Grand Jury Report.

### Recommendation #1

Establishment of a new County-wide multijurisdictional gang task force with a fulltime coordinator, strike team and representatives from local and regional law enforcement jurisdictions, prevention, intervention agencies, school administrations and the community.

### Response #1

The recommendation requires further analysis. The County of Napa in conjunction with the City of Napa and the City of American Canyon has retained the services of two expert gang consultants, Scott Decker and Charles Katz, to assist the county in developing a Gang and Youth Violence Master Plan. Currently an Executive Committee including the Sheriff, Napa City Chief of Police, American Canyon Police Chief, District Attorney, Chief Probation Officer and representatives from the American Canyon City Council, Napa City Council and Napa County Board of Supervisors are overseeing the development of this plan. The master planning process will include representatives from the local and regional law enforcement jurisdictions, prevention and intervention agencies, school administrations and the larger community. The plan is in the early stages of research and development and it is unclear at this time what the outcome will be as far as whether or not a centralized task force is created and if created, how the task force is structured. Additionally, given the current financial climate in the County and the State of California, there may not be adequate funding available to implement any or all of Gang and Youth Violence Master Plan. Conversations regarding funding responsibilities have not yet occurred between the County, cities and school districts within Napa County and outside funding

sources have not been identified or pursued. The recommendation and the 2009 Grand Jury Report on Napa Valley Gangs will be reviewed and considered as part of this process. The Executive Committee expects to have the Youth and Gang Violence Master Plan complete by January 2010.

**Recommendation #2**

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

**Response #2**

The recommendation will not be implemented because it is not reasonable. Law enforcement agencies in Napa County and throughout the State currently use a county-wide gang database and tracking system called CalGang. The CalGang system is a State of California funded, Local Law Enforcement maintained and controlled Criminal Intelligence System that targets specifically members and criminal associates of criminal street gangs. The CalGang system operates pursuant to the United States Code of Federal Regulations, title 28, section 23 (28CFR23), ad seq. as a Criminal Intelligence System. By law, the release of Criminal Intelligence Information is limited to law enforcement personnel for legitimate law enforcement purposes only, and cannot be accessed by school officials.

**Recommendation #6**

Consideration of County-wide curfew for those under the age of eighteen as a law enforcement tool.

**Response #6**

The recommendation will not be implemented because it is not reasonable. A County-wide curfew may or may not have an effect on juvenile gang activity in Napa County. Many other cities and counties in California have implemented curfew ordinances with little statistical evidence showing them to be successful. Per the California Criminal Justice Statistic Center, curfew laws are statistically shown to be ineffective. Curfew law violations are easy to dispute which results in court overtime costs for personnel. Enforcement of curfew laws may also interfere with the response to higher priority calls, thus putting public safety at risk.

We are hopeful that the Gang and Youth Violence Master Plan will assist us in developing gang enforcement evidence based strategies that have proven to be successful.

**Recommendation #7**

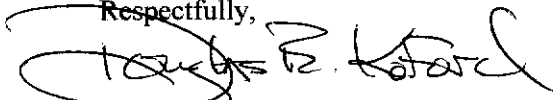
Consideration of the use of injunctions as a law enforcement tool against gang members.

**Response #7**

The recommendation will not be implemented because it is not reasonable. Civil injunctions against gangs have been successful in curbing gang related activity in other California counties.

These injunctions are basically restraining orders against a group. Each member of the group has to be named in the court order. They are effective in areas where the gang homicides are almost a daily occurrence and the gangs have "taken over" a block or neighborhood. Fortunately, gangs have not "taken over" in Napa County. The use of civil injunctions in areas where gang violence is not so extreme historically results in claims of civil rights violations and Federal lawsuits. Civil injunctions against gangs are not an appropriate tool for Napa County to use at this time.

Respectfully,

A handwritten signature in black ink, appearing to read "Douglas E. Koford". The signature is written in a cursive style with a large, sweeping initial "D".

Douglas E. Koford  
Sheriff-Coroner