



CITY OF LAGUNA NIGUEL

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September 21, 2006

The Honorable Nancy Wieben Stock, Presiding Judge
Orange County Superior Court
700 Civic Center Drive West
Santa Ana, CA 92701

Re: Response to Grand Jury Report Entitled: "Oversight of Orange County Law Enforcement Agencies – *Resolving a Dichotomy!*"

Dear Judge Weiben Stock:

Thank you for the opportunity to respond to the 2005-2006 Grand Jury Report entitled: "Oversight of Orange County Law Enforcement Agencies – *Resolving a Dichotomy!*" As you are aware, the Mayors of each of the 34 Cities of Orange County have been directed to respond to Findings 6.2 and 6.3 and Recommendations 7.2 and 7.3 of the Report. The following is my response on behalf of the City of Laguna Niguel.

To provide context for this response, it is important to note that the City of Laguna Niguel contracts with the Orange County Sheriff's Department (OCSD) for law enforcement services. According to the Agreement between the Sheriff's Department via the County of Orange, and the City of Laguna Niguel, the "*COUNTY and its SHERIFF shall retain all authority for rendition of services, standards of performance, control of personnel, and other matters incident to the performance of services by COUNTY pursuant to this Agreement.*" As a result, the City's ability to respond to the Findings and/or implement the Recommendations is effectively and practically limited, and as such, the City does not have the authority to modify any procedures. Within this context, our responses to the above-referenced Findings and Recommendations are as follows:

Finding 6.2 Independent Reviews of LEAs

"The use of independent reviews of LEA's practices is limited to unique reviews rather than to periodic reviews, of policies, procedures, and compliance."

Response: *Disagree based on information forwarded by the Orange County Sheriff's Department.*

We have inquired of the OCSD on this finding and they have informed us that the Department is currently subject to periodic and unique reviews in the form of internal and/or external audits. The purpose of these audits (reviews) is to maintain compliance with all applicable laws and statutes and to ensure *best practices* are incorporated into OCSD's policies and procedures. Various internal as well as external/independent entities are utilized to conduct these audits.

Based on their reviews of OCSD's current policies and procedures, these reviewing bodies then make recommendations for change and/or improvement.

Finding 6.3 Orange County is Changing

“Orange County and city LEAs will face new challenges as the number of crimes increase, reflecting those of surrounding counties.”

Response: *Partially disagree*

The City agrees that Orange County is changing and that LEAs will face new challenges that must be addressed to maintain the County's comparably low crime rate. However, there is no evidence that communities within the County of Orange will face the amount of criminal activity that has affected our surrounding counties. In Laguna Niguel, the Part 1 Crime Rate has dropped nearly 25% over the past five years, and is near its lowest point in a decade.

Certainly challenges will occur as our law enforcement departments and their communities work together to maintain low crime rates, but the efforts that the City and the Sheriff's Department have made toward crime prevention, youth diversion, partnerships with other agencies, and problem solving will form the foundation for a safe and secure community for years to come.

The City has been extraordinary in its efforts to proactively reduce crimes. The City of Laguna Niguel has closely monitored our law enforcement efforts and the City annually monitors our statistics on youth crimes as well as adult crimes in the City. The City also actively advocates for crime prevention. I can personally report that the City has adopted not only a Youth Task Force Report in 2001 that specifically addressed measures to reduce criminal activity among youth in Laguna Niguel, but also a Safe City Plan that same year. While Laguna Niguel does have one of the lowest crime rates, the City, and at my request in 1999, created a Youth Task Force to specifically address youth that are “at risk of criminal activity” in Laguna Niguel and address measures that could be implemented to help those youth that are “at risk” of becoming involved in criminal activity. The full report was issued in 2001 and almost all of the recommendations in the report have been implemented. This could serve as a model for other cities in the future.

Our City has also adopted a “Safe City Plan” where we monitor on an annual basis the safety of the community and adopt measures to keep our City one of the safest in Orange County. These reports give us a thorough understanding of law enforcement in our City and help us to guide our future enforcement efforts.

There are many roles that the cities and the County can play to reduce crime and maintain our low crime rate. These should be actively discussed and appropriate crime prevention measures put in place. In my personal opinion, the County of Orange as it exists today is likely to change in the future and County demographic studies support this belief. I believe we should be ready to address these new challenges not only as a City, and a County, but also as a community. We can address these challenges if we work proactively and in cooperation with other agencies, including the School District on a region-wide basis.

Recommendation 7.2 “Near-term, Independent Review of LEA Policies, Procedures, and Compliance:

The Orange County municipal police departments, in cooperation with the Orange County Mayors, should consider contracting for a near-term independent review of LEA’s current policies, procedures, and compliance to provide current status as compared to best practices. (See Finding 6.2 and 6.3.)”

Response: *The City is informed that this recommendation will not be implemented by OCSD*

The City generally supports both internal and independent review of organizational compliance with adopted policies and procedures, as well as benchmarking studies to compare our City Departmental operations with the best management practices of similar cities. The recommendation, however, is within the purview of the OCSD. According to OCSD, the Department is currently subject to periodic and unique reviews in the form of internal and/or external audits. The OCSD’s position on this recommendation is that the Sheriff’s Department does not support the expenditure of funds for near-term independent review, and has independently responded to the Grand Jury that it will not be implementing this recommendation.

Recommendation 7.3 “Periodic, Independent Reviews of LEA Compliance to Policies and Procedures:

The Orange County municipal police departments, in cooperation with the Orange County City Mayors, should consider contracting for periodic, independent reviews of LEA’s policies and procedures, using the best practices guidelines as criteria. (See Finding 6.2 and 6.3.)”

Response: *The City is informed that this recommendation will not be implemented by OCSD.*

The City generally supports both internal and independent review of organizational compliance with adopted policies and procedures, as well as benchmarking studies to compare our City Departmental operations with the best management practices of similar cities. Again, this recommendation is within the purview of the OCSD. According to OCSD, the Department is currently subject to periodic and unique reviews in the form of internal and/or external audits. With this in mind, the Sheriff’s Department does not support the expenditure of funds for near-term independent review and has independently responded to the Grand Jury that it will not be implementing this recommendation.

Thank you, again, for the opportunity to respond to the Grand Jury Report.

Sincerely,



Cathryn DeYoung
Mayor

cc: City Council
City Manager
City Attorney
Chief of Police Services