



Town of Yountville
"The Heart of the Napa Valley"

FILED

SEP 25 2012

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

September 18, 2012

The Honorable Diane Price
Presiding Judge
Superior Court of the State of California
County of Napa
825 Brown Street
Napa, CA 94559

Dear Judge Price,

Thank you to the members of the Grand Jury for their contributions to review the operations of local government agencies within Napa County. The Town of Yountville, although not officially provided a copy of the Napa County Grand Jury Final Report on Shooting in Alta Heights dated June 15, 2012, understands that the Town of Yountville Town Council has been requested to provide a response.

Specifically, the Town of Yountville Town Council has been requested to respond to Recommendation 5 as outlined in the report. In conformance with Section 933.05 of the California Penal Code, the Town of Yountville Town Council is responding to the 2011-2012 Napa County Grand Jury Final Report.

Recommendation 5

Within one year the Napa County Board of Supervisors and all Napa County incorporated local governments establish a civilian review board to examine all investigation documents of this incident and all future Officer involved shooting (OIS) incidents to provide feedback from a civilian point-of-view.

Response R5

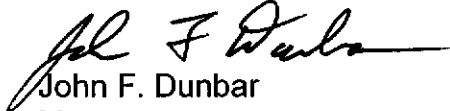
This recommendation will not be implemented. There are currently many levels of civilian review in place. Officer involved shootings require extensive criminal investigation, an administrative investigation and sometimes a civil litigation investigation. Each investigation is mandated by policies along with State and Federal law. These three types of investigations are separate and are conducted by separate investigative entities.

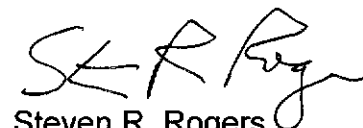
Officer involved shootings may also be reviewed by the California State Attorney General, the FBI, Civil Attorneys, Judges and the Napa County Grand Jury. There are significant costs involved to properly train and maintain a civilian review board. We feel that this is an unnecessary use of taxpayers funding in light of the infrequent occurrence of Officer involved shootings in Napa County and the number of civilian review alternatives already in place.

The recommendation will not be implemented because it is neither warranted nor reasonable. By statute the Grand Jury itself is the civilian body empowered to investigate any law enforcement action and would have more authority than a civilian review board to identify possible improvements or enhancements to law enforcement actions. Any civilian has the opportunity to submit a request to the Grand Jury to investigate an OIS incident if needed. The Yountville Town Council concurs with the Board of Supervisors and does not think it is reasonable nor cost effective to convene a second group of civilians, Napa County is fortunate that there are few OIS incidents, and believes that the existing structure to address these incidents is sufficient.

Please contact either of us if the Grand Jury has any questions or needs additional information from the Town of Yountville. Thank you for the opportunity to comment upon your report.

Sincerely yours,


John F. Dunbar
Mayor


Steven R. Rogers
Town Manager

Copies: Town Council
 Grand Jury File