



(ENDORSED)
FILED
JAN 21 2021
Clerk of the Court
Superior Court of CA County of Santa Clara
BY Anthony Huelbig DEPUTY

January 19, 2021

The Honorable Theodore C. Zayner
Presiding Judge
Superior Court of California
County of Santa Clara
191 North First Street
San Jose, CA 95113

Honorable Judge Zayner,

The West Valley-Mission Community College District received the Santa Clara County Civil Grand Jury report, dated October 26, 2020, concerning police reports during the period of November 15, 2014, to November 15, 2019. This letter is the response of the District to the findings and recommendations contained in the report.

Finding 1

Because police reports are not being completed, submitted, and reviewed by management in a timely manner, the District Police Department has a large backlog of incomplete reports. This backlog undermines confidence in the District Police Department.

District Response to Finding 1

Agree.

The District fully agrees with the Civil Grand Jury about the importance of completing, submitting, and reviewing reports in a timely manner, and agrees that there were some deficiencies in this area during the period reviewed by the Civil Grand Jury.

However, the District would note that the percentage of reports identified as incomplete comprised approximately eight percent (8%) of 1004 reports generated during the review period. Further, the District Police Department has already addressed existing deficiencies in this area and put in place measures to ensure that these deficiencies do not reoccur. The District continues to have full confidence in the District Police Department.

Recommendation 1

The District Police Department should prioritize police report completion and supervisory review. The District Police Department should assign specific staff to manage the reporting process on an ongoing basis. This recommendation should be implemented by May 2021.

District Response to Recommendation 1

The recommendation has been implemented.

On March 12, 2020, the District Police Department updated policy regarding report preparation, completion, submission, and review, and specific staff members have since been assigned to manage and oversee these processes on an ongoing basis. Since implementation of the new policy, the department has continued to reinforce the high priority of these processes with staff.

To further ensure that the District Police Department is utilizing the best possible policies and practices in this area, the District has contracted with PRI Management Group, a police records management consulting firm, to review current operations and to provide recommendations for further improvement. This review is scheduled to be completed in March 2021.

Finding 2

Police officers rely on ARMS software to perform vital recordkeeping of police reports. The Civil Grand Jury found that ARMS software is not regularly evaluated for effectiveness. Additionally, training is insufficient for new and existing police officers.

District Response to Finding 2

Agree.

Recommendation 2

All staff should be trained or retrained on all aspects of ARMS or ARMS Mobile in use, including any software upgrades, as the upgrades are installed and implemented. Management should ensure that ARMS software is meeting the department's needs and that substantive training takes place. Training sessions should be an ongoing activity that should be implemented by May 2021.

District Response to Recommendation 2

The recommendation has been implemented.

The District Police Department has committed to ensuring that ARMS training will be provided on an on-going basis moving forward. In February 2020, the department entered a contract with the product vendor for ARMS to provide training for all personnel that work with ARMS, including all sworn personnel and all records management staff. A District Police Department employee has also been assigned as an ARMS system administrator to work with ARMS support on system upgrades and implementation, and to ensure that system upgrades that require additional staff training are brought to the attention of police management.

To ensure that the ARMS system is meeting the needs of the District Police Department, the District has contracted with PRI Management Group, a police records management consulting firm, to evaluate the ARMS system. This review is scheduled to be completed in March 2021.

Finding 3

The Civil Grand Jury found that the District Police Department procedures manual related to incident reporting is outdated and does not sufficiently support department personnel in executing their incident reporting and supervisory review duties.

District Response to Finding 3

Agree.

Recommendation 3

The District Police Department should update the procedures manual related to incident reporting. The department should initiate this review by January 2021, with subsequent actions scheduled for completion by May 2021.

District Response to Recommendation 3

The recommendation has been implemented.

On March 12, 2020, the District Police Department updated policy regarding report preparation, completion, submission, and review.

To further ensure that the District Police Department is utilizing the best possible policies and practices in this area, the District has contracted with PRI Management Group, a police records management consulting firm, to review current operations and to provide recommendations for further improvement. This review is scheduled to be completed in March 2021.

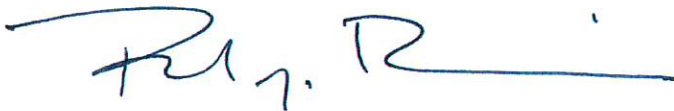
The District would also like to take this opportunity to respectfully clarify an inconsistency in the Civil Grand Jury's timeline as identified on page 8 of their report.

In the "Report Status and Stagnation" section of the report, the Civil Grand Jury indicates that on October 18, 2019, they sent a request to "District Police Department Administration" for a list of all open police report cases that were produced in the last five years. The report further states that the police department responded with the requested report on November 18, 2019, and that the Civil Grand Jury subsequently asked the police department to expand the report to include any cases whose status was changed between October 18, 2019 and November 18, 2019, which the police department did. The Civil Grand Jury's report goes on to note that a significant number of case statuses were changed between October 18, 2019 and November 18, 2019, which implies that this was done with knowledge of the Grand Jury's investigation.

The District would like to clarify that the first correspondence received from the Civil Grand Jury by the District, which was the request for the initial five-year report, was in fact dated November 15, 2019, not October 18, 2019. This letter was received by Vice Chancellor Maduli on November 15, 2019 and shared with Chief Rolan later that day. Information about the Civil Grand Jury's investigation was not shared with other senior police staff until Monday November 18, 2019. It is important for the District to clarify this discrepancy as all case status changes made prior to November 18, 2019, were made as part of normal operations, and were made with no knowledge of the Civil Grand Jury's investigation.

In closing, the West Valley-Mission Community College District would like to thank the Civil Grand Jury for their time and effort in this investigation.

Sincerely,

A handwritten signature in blue ink, appearing to read "Bradley J. Davis". The signature is stylized with a large, sweeping initial "B" and "D".

Bradley J. Davis
Chancellor
West Valley-Mission Community College District