

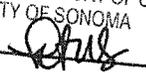
Approved: 
Superior Court Judge
Date: SEP 17 2012

September 13, 2012

The Honorable Rene Auguste Chouteau
Presiding Superior Court Judge
Hall of Justice
600 Administration Drive
Santa Rosa, CA 95403

FILED

SEP 17 2012

SUPERIOR COURT OF CALIFORNIA,
COUNTY OF SONOMA
BY  DEPUTY CLERK

Re: Sonoma County Civil Grand Jury
Was Justice Served?
Report Date: June 28, 2012

Dear Judge Chouteau:

This is a response to the Sonoma County Civil Grand Jury report dated June 28, 2012, "*Was Justice Served?*" ("the Report") and is provided in accordance with the requirements of California Penal Code § 933 (c), and § 933.05 (a).

At its meeting on September 12, 2012, the Cloverdale City Council reviewed and approved the factual responses below to Findings F1, F2 and F3 of the Report, as requested on or about June 28, 2012 by the Grand Jury of Mark D. Tuma, City of Cloverdale Chief of Police. The responses are set forth below. No recommendations were made in the Report as to actions or procedures of the City of Cloverdale or its Police Department; therefore, no response is made to any of the Report's recommendations.

The City would like to express its appreciation to the Civil Grand Jury for its careful review of this matter, particularly as to Findings F1, that the Cloverdale Police Department did not show favoritism to the juvenile involved in the incident under review or to his family; and to F3, that the Cloverdale Police Department followed all appropriate procedures to arrest and detain the juvenile, and that proper documentation was submitted to the Sonoma County District Attorney within the prescribed time allotted for filing.

Chief Tuma's response to Findings F1 through F3, which the City Council has reviewed and with which it agrees, is as follows:

F1: The City agrees that neither it nor its Police Department showed favoritism toward the juvenile or the juvenile's family. As the Report indicates, the juvenile was arrested and taken to Juvenile Hall, and the arrest records sent promptly to the District Attorney.

F2: The City agrees that based on notification to the City by the Office of the District Attorney, the case was adjudicated before the Cloverdale Police Department completed its investigation. The City had no knowledge of the adjudication until after it occurred.

F3: The City agrees that its Police Department followed appropriate procedures. The Report summary notes that the Police Department did not tow the vehicle or seize the juvenile's cell phone, but did not

make any recommendations to the Cloverdale Police Department regarding this note or any of the Findings. The Cloverdale Police Sergeant on the scene viewed and photographed the vehicle damage and had obtained an admission from the juvenile. As to the cell phone, messages and texts can be erased from the phone and the more reliable means of obtaining information is to get the information directly from the cell provider, if necessary. The Police Sergeant made judgment calls as to the vehicle and the cell phone that did not affect the outcome of the case.

Please let me know if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Nina D. Regor', with a long horizontal flourish extending to the right.

Nina D. Regor
City Manager