

Subject: Capitola Response School Threat Assessment

From: Fridy, Linda (lfridy@ci.capitola.ca.us) - To: grandjury@scgrandjury.org - Date: July 28, 2017 at 1:41 PM, Attachments: image003.jpg Capitola Response to Grand Jury Report.pdf

Attached please find a PDF of Capitola's response to the 2016-17 Grand Jury Report "Assessing the Threat of Violence in our Public Schools." It was approved by the City Council at the regular meeting of July 27, 2017.

In addition, a hard copy will be mailed to Judge John Gallagher as directed.

Linda Fridy

City Clerk

City of Capitola

lfridy@ci.capitola.ca.us

831.475.7300 ext. 228



Please note that email correspondence with the City of Capitola, along with attachments, may be subject to the California Public Records Act, and therefore may be subject to disclosure.



**The 2016–2017 Santa Cruz County Civil Grand Jury
Requires that the**

Capitola Chief of Police

**Respond to the Findings and Recommendations
Specified in the Report Titled**

**Assessing the Threat of Violence in our Public
Schools**

by August 14, 2017

When the response is complete, please

1. Email the completed Response Packet as a file attachment to grandjury@scgrandjury.org, and
2. Print and send a hard copy of the completed Response Packet to

The Honorable Judge John Gallagher
Santa Cruz Courthouse
701 Ocean St.
Santa Cruz, CA 95060

Instructions for Respondents

California law PC § 933.05 (included [below](#)) requires the respondent to a Grand Jury report to comment on each finding and recommendation within a report. Explanations for disagreements and timeframes for further implementation or analysis must be provided. Please follow the format below when preparing the responses.

Response Format

1. For the Findings included in this Response Packet, select one of the following responses and provide the required additional information:
 - a. **AGREE** with the Finding, or
 - b. **PARTIALLY DISAGREE** with the Finding and specify the portion of the Finding that is disputed and include an explanation of the reasons therefor, or
 - c. **DISAGREE** with the Finding and provide an explanation of the reasons therefor.
2. For the Recommendations included in this Response Packet, select one of the following actions and provide the required additional information:
 - a. **HAS BEEN IMPLEMENTED**, with a summary regarding the implemented action, or
 - b. **HAS NOT YET BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE**, with a timeframe or expected date for implementation, or
 - c. **REQUIRES FURTHER ANALYSIS**, with an explanation and the scope and parameters of an analysis or study, and a timeframe for that analysis or study; this timeframe shall not exceed six months from the date of publication of the grand jury report, or
 - d. **WILL NOT BE IMPLEMENTED** because it is not warranted or is not reasonable, with an explanation therefor.

If you have questions about this response form, please contact the Grand Jury by calling 831-454-2099 or by sending an email to grandjury@scgrandjury.org.

Findings

F5. Seven of the ten districts have a specific threat assessment plan; those districts without a plan are less able to respond effectively to threats. All of these reported that local law enforcement was aware of their plan.

AGREE

PARTIALLY DISAGREE – explain the disputed portion

DISAGREE – explain why

Response explanation (required for a response other than **Agree**):

The City is committed to maintaining our positive relationship the Soquel Union Elementary School District. Staff has established threat response protocols and clear channels of communication with critical school personnel. In January of each year, investigators from the Capitola Police Department’s Criminal Investigations Unit (CIU) meet with designated staff from Soquel Union School District facilities to review and update the School Emergency Management Plans for each of the schools in the district. Liaison personnel are identified and emergency contact information is disseminated with specific instructions related to the rapid mobilization of necessary personnel in the event of an emergency, perceived or actual. This process has proven to be effective during previous known and/or predicted threats of violence associated with school facilities or individuals.

In addition, the Capitola Police Department has cooperated with the Santa Cruz County Sheriff’s Office and engaged in training scenarios emphasizing the likely need for a mutual aid response to credible threats of school violence and “active shooter” emergency response and protocol.

The City does not have records of what level of threat assessment planning other school districts in the County have completed.

It should also be noted that the ability to effectively respond to a “threat” is, in part, dependent on details of the actual threat (if known), credibility of information and intelligence, and the severity of the threat presented, perceived or direct.

Some threats, such as bomb threats delivered by unknown persons or unsubstantiated sources, via social media for instance, are often effectively handled outside of the structure of a Threat Assessment Plan but within the structure of law enforcement standard best practices. Whereas, a credible and/or confirmed threat of pending violence at a school location, or actual violence occurring (i.e. active shooter) at a school location are likely to be handled more effectively if all responders are operating under known and practiced emergency response protocols some of which are likely contained in a Threat Assessment Plan.

F10. Not all local law enforcement agencies have personnel trained in assessing threats of school violence, leaving them less able to assist schools.

AGREE

PARTIALLY DISAGREE – explain the disputed portion

DISAGREE – explain why

Response explanation (required for a response other than **Agree**):

Recommendations

R5. The CSO and Chiefs of Police should ensure a law enforcement representative, preferably a School Resource Officer, be made available to school districts drafting or revising a threat assessment plan. (F6, F8)

HAS BEEN IMPLEMENTED – summarize what has been done

HAS NOT BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE – summarize what will be done and the timeframe

REQUIRES FURTHER ANALYSIS – explain scope and timeframe (not to exceed six months)

WILL NOT BE IMPLEMENTED – explain why

Response explanation, summary, and timeframe:

A detective assigned to the Capitola Police Department Criminal Investigations Unit (CIU) will be designated as the “school liaison”, tasked in part with coordinating efforts between the school district, the Santa Cruz Sheriff’s Office, and the Capitola Police Department, related to threat assessment plans and other safety concerns at or related to schools.

Specifically, this assigned officer will assist school officials in the city of Capitola with drafting and revising their threat assessment plans. In addition, the assigned detective will be responsible for recommending and facilitating training opportunities and critical communication opportunities between stakeholders.

The anticipated completion date is December 2017.

R8. The County Sheriff and the Chiefs of Police should ensure their respective law enforcement agencies attend periodic training in assessing threats of targeted school violence. (F10)

HAS BEEN IMPLEMENTED – summarize what has been done

HAS NOT BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE – summarize what will be done and the timeframe

REQUIRES FURTHER ANALYSIS – explain scope and timeframe (not to exceed six months)

WILL NOT BE IMPLEMENTED – explain why

Response explanation, summary, and timeframe:

A key component of threat assessment is the ability to share critical information to further the investigative process. Law enforcement is committed to the right of each student to privacy, but believe that appropriate information sharing, as allowed by FERPA, contributes to timely and accurate investigations into potential threats and results in a higher level of safety at school facilities.

The Santa Cruz County Sheriff’s Office has been designated as the “lead” law enforcement agency in the county, tasked with coordinating county-wide training for law enforcement and school district personnel. A team of officers and supervisors from the Capitola Police Department will be attending this training which is anticipated to begin in the upcoming 2017/18 school year.

Penal Code §933.05

1. For Purposes of subdivision (b) of §933, as to each Grand Jury finding, the responding person or entity shall indicate one of the following:
 - a. the respondent agrees with the finding,
 - b. the respondent disagrees wholly or partially with the finding, in which case the response shall specify the portion of the finding that is disputed and shall include an explanation of the reasons therefor.
2. For purpose of subdivision (b) of §933, as to each Grand Jury recommendation, the responding person shall report one of the following actions:
 - a. the recommendation has been implemented, with a summary regarding the implemented action,
 - b. the recommendation has not yet been implemented but will be implemented in the future, with a timeframe for implementation,
 - c. the recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or director of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six months from the date of the publication of the Grand Jury report, or
 - d. the recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor.
3. However, if a finding or recommendation of the Grand Jury addresses budgetary or personnel matters of a County department headed by an elected officer, both the department head and the Board of Supervisors shall respond if requested by the Grand Jury, but the response of the Board of Supervisors shall address only those budgetary or personnel matters over which it has some decision-making authority. The response of the elected department head shall address all aspects of the findings or recommendations affecting his or her department.
4. A Grand Jury may request a subject person or entity to come before the Grand Jury for the purpose of reading and discussing the findings of the Grand Jury report that relates to that person or entity in order to verify the accuracy of the findings prior to their release.
5. During an investigation, the Grand Jury shall meet with the subject of that investigation regarding that investigation unless the court, either on its own determination or upon request of the foreperson of the Grand Jury, determines that such a meeting would be detrimental.
6. A Grand Jury shall provide to the affected agency a copy of the portion of the Grand Jury report relating to that person or entity two working days prior to its public release and after the approval of the presiding judge. **No officer, agency, department, or governing body of a public agency shall disclose any contents of the report prior to the public release of the final report.**