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Arcata, CA 95521

September 20, 2007

City Manager
(707) 822-5953

Community Development
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Environmental Services
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SUPERIOR COURT OF CALIFORNIA
COUNTY OF HUMBOLDT

*Sent via facsimile to (707) 445-7041 9/24/07
and US Mail*

The Honorable John T. Feeney, Presiding Judge
2006 – 2007 Humboldt County Grand Jury
825 Fifth Street
Eureka, CA 95501

Re: Grand Jury Report #2006 – 2007, LJ-02, Police Use of Force
City of Arcata and Arcata Police Department Response

To the Honorable John T. Feeney:

The Arcata City Council and Arcata Police Department would like to extend their gratitude to the 2006 – 2007 Humboldt County Grand Jury for its work and efforts in preparing the Grand Jury Report for 2006 – 2007. The following is the City of Arcata and Arcata Police Department's response to LJ-02, Police Use of Force, Findings 1, 2, and 3, and Recommendations 1, 2, and 3.

GRAND JURY FINDING #1:

The Grand Jury finds that training in the use of less than lethal force is inadequate, ineffective, and secondary to required training in the use of force and defensive tactics.

The Arcata City Council and Arcata Police Department do not agree that the Police Department training in less than lethal force is inadequate. The Arcata Police Department has always and will continue to provide its personnel with the most up-to-date POST certified training available.

Grand Jury Recommendation:

- 1. The Grand Jury recommends that Police Department and Sheriff's Office training sessions in the ethical use of force, and other training dealing with less than lethal force, be done with training facilitators and made interactive. This training should include training evaluation and be included in the trained officers' personnel record.*

Recommendation #1 requires further analysis. As noted, all Police personnel are currently required to obtain the most up-to-date training available and POST does not presently offer an “interactive” ethical use of force course. However, all Arcata Police Department patrol personnel have received Force Option Simulator interactive training with trained facilitators, which includes less than lethal force options (Taser, chemical agent, impact weapon). The Arcata Police Department is in compliance with State of California / POST mandates as it pertains to perishable skills training in this area. The City can and will make the CPTN DVD telecourse required viewing for all patrol personnel. However, budgetary impacts of hiring training facilitators to offer additional interactive courses and training evaluation must be further evaluated prior to implementation of the Recommendation. This review will occur during the next budget cycle, in the Spring of 2008.

GRAND JURY FINDING #2:

The Grand Jury finds that tasers are not adequately deployed.

The Arcata City Council and the Arcata Police Department disagree. All trained/qualified on-duty uniformed police officers presently carry tasers.

Grand Jury Recommendation #2:

The Grand Jury recommends that all law enforcement agencies adopt a policy that all patrol officers be trained in the use of tasers and required to carry them on patrol.

Recommendation No. 2 will not be implemented because it is not warranted or is not reasonable. Legal counsel advising the APD on matters pertaining to its Policy Manual advise against requiring that all on-duty officers carry Tasers because there may be occasion when it may not be appropriate. However, as noted, all trained/qualified on-duty uniformed police officers presently carry Tasers. Additionally, police personnel train in-house on a regular basis with tasers. The City of Arcata is implementing a program to have all police officers POST certified through an Electronic Weapons Course at College of the Redwoods, which is taught by two Arcata Police Department certified instructors. Final implementation will occur as staffing availability allows. This is covered under Arcata Police Department General Order #308 pertaining to less than lethal control devices.

GRAND JURY FINDING #3:

The Grand Jury finds that tasers are expensive tools, costing approximately \$1,000.00 each.


The Arcata City Council and Arcata Police Department agree that the cost of tasers is approximately \$1,000.00 each.

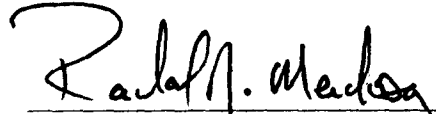
Grand Jury Recommendation #3:

The Grand Jury recommends that all County Police agencies, except Rio Dell, explore sources of funding for acquiring tasers for all patrol officers.

Recommendation #3 has been implemented. The Arcata Police Department has purchased a sufficient number of tasers for all on-duty patrol personnel.

Respectfully submitted,


Harmony Groves
Mayor
City of Arcata


Randal J. Mendosa
Police Chief
Arcata Police Department

cc: via fax (707) 445-7299 and US Mail
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