

OFFICE OF THE
DISTRICT ATTORNEY
COUNTY OF HUMBOLDT

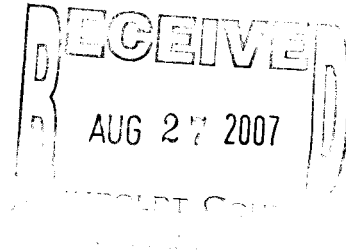
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August 23, 2007

The Honorable Judge John T. Feeney
County of Humboldt
Courtroom 8
825 5th Street
Eureka, CA 95501



Dear Judge Feeney,

The respondent disagrees with the finding of the 2006-2007 Grand Jury Report:

In contrast to the findings, our records indicate that between January 2007 to present, my office specifically initiated criminal proceedings against eight (8) parents for violations of the Education Code. Two of these filings were in response to a law enforcement agency's request for prosecution and the remaining six were initiated from a joint enforcement effort between Humboldt County District Attorney Investigator Cox and the SARB board. Following is a summary of each case:

File #: 200701734 (HCSO)
Agency: Humboldt County Sheriff's Department
Suspect:

* This report was referred back to the HCSO for additional investigation, which has yet to be completed.

File #: CR073144S
Agency: Ferndale Police Department
Suspect:
Date: 06-25-07

File #: DA07-0003
Agency: Humboldt County District Attorney's Office
Suspect:
Child:
Referred by: Mattole Valley Charter School
Date: 06-23-07

File # DA07-0007
Agency: Humboldt County District Attorney's Office
Suspect:
Child:
Referred by: Southern Humboldt Unified School District SARB
Date: 06-08-07

File # DA07-0009
Agency: Humboldt County District Attorney's Office
Suspect:
Child:
Referred by: Southern Humboldt Unified School District SARB
Date: 05-02-07

File # DA07-0010
Agency: Humboldt County District Attorney's Office
Suspect:
Child:
Referred by: Eureka City Schools SARB
Date: 04-16-07

File # DA07-0011
Agency: Humboldt County District Attorney's Office
Suspect:
Child:
Referred by: Southern Humboldt Unified School District SARB
Date: 07-02-07

File # DA07-0012
Agency: Humboldt County District Attorney's Office
Suspect:
Child:
Referred by: Southern Humboldt Unified School District SARB
Date: 07-02-07

Prior to reaching the level where criminal prosecution is deemed appropriate and necessary, habitually truant children and their parents are summoned to attend at least two SARB meetings. The goal of these meetings is to correct the truant behavior prior to it reaching a crisis level. In an attempt to garner more cooperation (and attendance) at the SARB meetings, Investigator Cox is provided with a list of the parents/children who have been summoned for an appearance before the SARB board. When he receives these lists, from school districts throughout the County, he (or other support staff) prepares additional letters, encouraging their attendance at the SARB meeting, and clearly defining the potential consequences if they fail to do so. Investigator Cox has been advised that the attendance at SARB meetings is dramatically increased, and truant

behavior corrected, when these letters (sample attached) are sent as a follow-up to the original SARB letters. Clearly, correcting the problem behavior and garnering parental cooperation prior to the initiation of criminal proceedings should be considered a success.

My office views prosecution for EC48293(a) as a “last resort”, when parental cooperation can not be gained by any other reasonable means. Recognizing the importance of these matters, EC48293(a) is the only infraction violation actively pursued and investigated by my office, and for which we dedicate an assigned Investigator.

Additionally, since Investigator Cox’s assignment to this position, my office has instituted a “streamlined” approach to these investigations, which greatly aids in effective cooperation between involved parties, and leads to more effective and efficient prosecution. A copy of that procedure, which has been made available to all school districts in Humboldt County, is attached.

My office has also provided assistance and guidance to many school districts, including Hoopa Valley School District, Mattole Valley Charter School, Eureka City Schools, Eel River Valley School District, and the Southern Humboldt Unified School District. These efforts have resulted in an excellent working relationship and have clearly demonstrated our desire to effectively prosecute those parents who refuse to abide by the law.

If I may be of any further assistance, please don’t hesitate to contact me.

Very sincerely yours,



Paul V. Gallegos
District Attorney

✓ cc: Jim Snow, Foreman, Grand Jury, County of Humboldt