SHERIFF- CORONER



COUNTY OF SANTA CRUZ

August 25, 1998

MARK TRACY.
SHERIFF-CORONER

701 OCEAN ST, ROOM 340, SANTA CRUZ, CALIFORNIA 95060 PHONE (408) 454-2311 FAX (408) 454-2353 TDD (408) 454-2123

Agenda:

August 18, 1998

Board of Supervisors County of Santa Cruz 701 Ocean Street Santa Cruz, California 95060

Bureau of Justice Assistance Open Solicitation Grant Program

Dear Members of the Board:

The Bureau of Justice Assistance (BJA), is a component of the Office of Justice Programs, U.S. Department of Justice (DOJ). Its primary mission is to provide leadership and a wide range of assistance to local criminal justice strategies to make America's communities safer.

BJA accomplishes this mission by providing funding, training, technical assistance, and information to State and community criminal justice programs. BJA's specific goals are to assist communities to reduce and prevent crime, violence, and drug abuse and to improve the functioning of the criminal justice system.

Through the Open Solicitation Program, BJA is encouraging State and local governments to identify emerging chronic criminal justice issues within their communities and provide innovative strategies in the form of concept papers for addressing those issues. The concept papers will be reviewed by panels of expert practitioners, who will make recommendations to the Director of BJA.

Final selection by the Director will be based on a scoring system as well as geographic or other considerations. BJA will then request that applicants selected submit formal applications for approval prior to funding.

The concept papers were due in July 1998 at the BJA Control Desk in Rockville, Maryland. The Sheriff's Office was not able to submit the concept papers for approval prior to your Board's summer recess. I am now requesting that the Board ratify and approve the submission of two concept papers to BJA; one to establish a multiagency, community based program to address Hate Crimes, and the second concept paper to establish a missing persons investigator/program for the Sheriff's Office.

The Law Enforcement Partnership to Address Hate Crimes will (1) develop a community based partnership; (2) which shares a common understanding of the County's hate crimes problems; and (3) implement a coordinated response whih (4) can be effectively evaluated.

A Steering Group has been created as part of the analysis necessary to prepare the grant solicitation. The Steering Group is composed of representatives from the Santa Cruz County Sheriff's Department (Hosting Agency), the Santa Cruz Police Department, the NAACP, the gay and lesbian community, the Latino community, a local Jewish synagogue, the Peace and Freedom party, the University of California Santa Cruz media, representatives of the community based HALT (Hate Action Limitation Team), and the Valley Unity Action Group. Each of these groups have committed to this project.

If the grant is funded, this group will expand to include school districts, religious organizations, mental health providers and support groups, victim services organizations and civil rights organizations.

This project is planned to last 18 months. Grant funds are being requested in the amount of \$150,000 to finance the costs of a project director, specialized trainers and facilitators, an evaluation consultant, supplies and equipment, and media materials and services. BJA will make notification of any local match requirements if this concept paper is selected for submission as a grant application. As the host agency, any indirect costs incurred by this project will be borne by the Sheriff's Office.

The second concept paper sent to BJA requests grant funding to provide a full time Missing Persons Investigator for the Sheriff's Office. This investigator would (1) prioritize missing juvenile cases, publish flyers, coordinate information and actively pursue leads to find missing juveniles; (2) interview juveniles who have returned home to determine if those juveniles had been victimized while they were a runaway to include any illegal drug usage in which they may have been involved; (3) provide public education concerning the risks associated with juvenile runaways; (4) insure that missing adult at-risk case receive prompt and appropriate attention; and (5) would be available to work with the Coroner's Office on cases in which human remains have been located and an extensive review of missing person's files could help identify the decedent.

This project is planned to last 18 months. Grant funds are being requested in the amount of \$143,709 to finance the costs of an investigator (Deputy Sheriff), automobile, police radio, police safety equipment, and office equipment. BJA will make notification of any local match requirements if this concept paper is selected for submission as a grant application. Any indirect costs incurred by this project will be borne by the Sheriff's Office.

If either or both of these concept papers are selected for further consideration, my office will return to your Board with formal applications for your approval.

It is therefore RECOMMENDED that your Board approve and ratify the submission of these two concept papers to the Bureau of Justice Assistance for a Law Enforcement and Community Partnership to Address Hate Crimes and a Missing Persons Investigator/Program.

Very truly yours,

Mark Tracy, Sheriff-Coroner

RECOMMENDED:

SUSAN A. MAURIELLO

County Administrative Officer

Attachments:

- a) Concept Paper, FY 1998 Open Solicitation Bureau of Justice Assistance; topic area, Law Enforcement Partnerships To Address Hate Crimes,
- b) Concept Paper, FY 1998 Open Solicitation Bureau of Justice Assistance; topic area, Local Priorities, Missing Persons Investigator.

Cover Page: FY 1998 Open Solicitation **Bureau of Justice Assistance**

NOTE: All applicants must use this page as the cover of each submission.

Topic Area:				
 □ I. Community Justice □ 2. Law Enforcement Partnerships To Address Hate Crimes □ 3. Criminal Justice Challenges for Rural or Rural Tribal Communi □ 4. Criminal Justice System Respons to Senior Citizens □ 5. The Role of Alcohol and Crime 	· · · · · · · · · · · · · · · · · · ·			
Type of Strategy: (e.g., law enforcement, prosecution,	Law Enforcement,			
adjudication, multiagency)	Multiagency			
Name of Applying Agency:	Santa Cruz County Sheriff-Coroner			
Address of Applying Agency:	701 Ocean Street, Room 340			
	Santa Cruz, CA 95060			
Applicant Unit of Government: (e.g., city, county, State, tribal)	County Office of the Sheriff			
Are you one of the following:	☐ Empowerment Zone ☐ Enterprise Community Cl Champion Community			
Point of Contact:	Sheriff Mark Tracy Wart			
Contact Telephone Number:	(408) 454-2985			
Contact Fax Number:	(408) 454-2353			
Contact Internet Address:	shf001@co.santa-cruz.ca.us			
Is this your first Federal grant proposal? Is this your first Department of Justice propowas this concept paper submitted previously				
BJA's FY 1997 Open Solicitation? Is your jurisdiction's population less than 25				
Have you submitted this proposal to other Fo	, man			

SHERIFF - CORONER



COUNTY OF SANTA CRUZ

MARK TRACY SHERIFF-CORONER

701 OCEAN ST., RM. 340 SANTA CRUZ, CALIFORNIA 95060 PHONE (408) 454-2985 FAX (408) 454-2353

LAW ENFORCEMENT PARTNERSHIP TO ADDRESS HATE CRIMES SANTA CRUZ COUNTY CONCEPT PAPER

Introduction

Santa Cruz County is a coastal community located in the central area of *California* on the Monterey Bay. The County is about 75 miles south of the city of San Francisco, and its main access is by State Highway 17 through the Santa Cruz Mountains foothill range.

The City of Santa Cruz together with the unincorporated area of the County has a population of approximately 186,000. It is predominantly a rural county and covers approximately 441 square miles. The two major cities are Santa Cruz - located on the northern side of Monterey Bay and Watsonville - located in the southern inland part of the County. Other incorporated areas include the City of Scotts Valley and Capitola. Much of the County population lives in the unincorporated parts of the County including the towns of Aptos, Soquel, Felton, Ben Lomond and Boulder Creek. Other areas include the San Lorenzo Valley, Live Oak and Pajaro Valley. Tourism, agriculture, food processing, high technology and manufacturing are the County's economic base.

The County,-especially the City of Santa Cruz suffered economically during the October 1989 Loma Prieta earthquake. Some commercial areas damaged by these natural disasters are still being rebuilt. The area has benefitted from statewide economic gains, but unemployment remains higher than the 1997 national average.

The county's largest and fastest growing ethnic group is **Latino** - making up approximately 20.5% of the population. Whites account for about 74.5% of the population while **Asian/Pacific** Islander, African American, Native American and other ethnic groups account for the remaining 5%. The county has a relatively youthful population with almost 50% of the residents ages 18 to 44 years old.

I. Scope of the Problem

Since the mid-1980's, the problem of hate crimes has gained increasing attention throughout the country. This focus appears to be the result of several sensational incidents reported in the media. As a subject for news stories, a check of the *Nexis* computer database for selected years illustrates the increase in the reporting of "hate crimes". A search for stories containing the terms "hate crimes", "bias-motivated crimes", or "gay bashing" resulted in 14 entries for 1986; 88 entries for 1988; 572 entries for 1990; 1,207 entries for 1992; 1,2 15 entries for 1994 and 1,021 entries for 1995. ¹

Santa Cruz County's experience has been similar to other areas throughout the County. In 1998 alone, the following incidents were reported:

¹BJA Monograph, A Policymaker's Guide to Hate Crimes, U.S. Department of Justice, March 1997.

- The Santa Cruz County office of the NAACP has received hate phone calls;
- Members of the Ku Klux Klan have tried to recruit new members through distribution of information and individual discussions with patrons at a local shopping center in the unincorporated area;
- Assaults have been reported by members of the gay and lesbian community. In one incident, a man riding along the coast on a bicycle was assaulted and his bike was thrown over the cliff into the ocean,

In California, the Penal Code defines the commission of hate crimes as follows;

No person, whether or not acting under color of law, shall by force or threat of force, willfully injure, intimidate, interfere with, oppress, or threaten any other person in the free exercise or enjoyment of any right or privilege secured to him or her by the Constitution *or* laws of this state or laws of the United States because of the other person's race, color, religion, ancestry, national origin, disability, gender or sexual orientation, or because he or she perceives that the other person has one or more of these **characteristics**.²

In **response to** the perceived increase in the incidents of hate crimes, Congress, in 1990 passed legislation entitled the Hate Crimes Statistics Act of 1990 (codified at 28 U.S.C. 534). The Act requires the Attorney General to acquire and publish annual data that "manifest evidence of prejudice based upon race, religion, sexual orientation or ethnicity." The data is to be collected from State and local law enforcement agencies, although submission by these agencies is **voluntary**.³

Within the State of California, the legislature in 1990, enacted PC 13023 which requires that the Attorney General shall direct local law enforcement agencies to report to the Department of Justice .."such information as may be required relative to any criminal acts or attempted criminal acts to cause physical injury, emotional suffering or property damage where there is a reasonable cause to believe that the crime was motivated in whole or in part by the victim's race, ethnicity, religion, sexual orientation, or physical or mental disability."⁴

Beginning in 1992, the State Attorney General has been required to provide an annual report to the legislature from the information collected pursuant to this Penal Code section. In accordance with this reporting requirement, Santa Cruz County submitted data as follows;

- For the period of **July** December 1994, 4 events were **reported**. For these events, 5 offenses were charged and there were 4 victims identified.
- In 1995, **8** events were reported with 8 offenses, 10 victims and 9 known suspects.
- In 1996, 11 events were reported with 12 offenses, 14 victims and 13 known suspects.
- In 1997, 12 events were reported and an additional 4 events were filed with the University Police at the University of California Santa Cruz campus.

While there has been an effort to collect accurate data, uncertainty exists about whether the hate crime rate is rising

^{*}California Penal Code, Part 1, Title 11.6, Section 422.6(a).

³BJA Monograph, A Policymaker's Guide to Hate Crimes, U.S. Department of Justice, March 1997 p. 17

^{&#}x27;California Penal Code, Part 4, Title 3, Article 2, Section 13023.

or falling. Nationally, the ratio of the number of hate crimes per reporting agency peaked in 1991, decreased until 1995 when there was a slight increase, and then continued to decrease.'

Since the first Justice Department hate crime report was released, however, there has been an ongoing **disparity** between the number of incidents reported by law enforcement agencies and those compiled by private organizations. The first national report, for example indicated that **421** crimes were committed nationwide against **homosexuals** in 199 1. For that same period, however, the National Gay and Lesbian Task Force (NGLTF) Policy Institute listed 1,822 incidents in 5 major urban areas alone. ⁶

In Santa Cruz County, HALT (the Hate Action Limitation Team), a local community organization, attempted to collect information regarding biased-related incidents. A survey of 81 schools, religious institutions, community service organizations and law enforcement agencies indicated 284 incidents had occurred, yet less than 15% of these incidents had been reported to law enforcement agencies.'

Nationally, a variety of reasons have been determined to impact the disparity in statistics reported by private organizations and **Iaw** enforcement agencies. Some private organizations have a broader definition of incidents which are reported. In some cases, victims **refuse** to report incidents for fear of **revictimization** or stigma within their own communities. In other cases, victims report incidents, but action is not taken. In still other cases, victims may have difficulty speaking English, or they may fear contact with police for other reasons such as immigration status.

Despite the reason for statistical reporting differences, and despite the fact that the number of hate crimes may seem small when compared to other categories of crime, the reality is that each offense victimizes not one victim but many. A hate crime victimizes every member of the group that the immediate target represents. Moreover, a bias-motivated offense can spread fear across an entire community and can result in acts of retaliation and counter retaliation. Further, because they are more likely to involve assaults, hate crimes are also more likely to involve physical injuries.⁸

Santa Cruz County has determined that it must establish a response to hate crimes. The response must involve law enforcement, other public agencies and community organizations. The response must be accurate - that is it must respond to the actual problems within the county. The response must also be effective - that is it must be possible to *measure* the impact of the actions taken.

In 1993, the community-based HALT submitted a proposal to the County Board of Supervisors which requested funding for the creation of a Commission for the Prevention of Hate Crimes. Because of severe funding shortages in the County budget, the Board was unable to fund the proposal. A member of the Board of Supervisors had the opportunity to speak directly to Attorney General Janet Reno regarding the need for this project in Santa Cruz County. Because Attorney General Reno recognized the community effort which had gone into the creation of HALT, Because HALT had completed the survey which indicated the nature of the problems in Santa Cruz

⁵BJA Monograph, A *Policymaker's Guide to Hate Crimes*, U.S. Justice Department, March 1997, pg. 19.

⁶NGLTF Policy Institute, Anti-Gay and Lesbian Violence, Victimization and Defamation Reportfor 1991, 1991.

^{&#}x27;Santa Cruz County Hate Action Limitation Team, Commission for the Prevention of Hate Action; A Proposal to the Santa Cruz County Board of Supervisors, April 1993.

⁸BJA Monograph, *A Policymaker's Guide to Hate Crimes*, U.S. Justice Department, March 1997, pg.6, pg 24.

County, she suggested that the County develop an unsolicited proposal for potential funding from the Justice Department. Based on her suggestion, the County Criminal Justice Council prepared a detailed proposal which was approved by the Board of Supervisors and submitted to the Justice Department. At that time, however, the Justice Department was unable to fund the project.

2. Proposed Project

Santa Cruz County proposes to develop a response to the Santa Cruz County issues over an 18 month period for a total cost of \$150,000. This proposed schedule and cost is based on previous experience with a grant received though the Community Oriented Policing Services grant program to Combat Domestic Violence. The methodology used for that successful program will also be used for this project. This proposed methodology is based on the SARA Model for Problem Oriented Policing. In addition, a significant component of this project is the coalition which will work to identify the issues, develop the response and assess the impact of the response.

For the purposes of this initial phase in the proposal process, a Steering Group has been created. The Steering Group is composed of the Santa Cruz County Sheriff's Department (the hosting agency), and a representative of the City of Santa Cruz Police Department, the County Board of Supervisors, the NAACP, the gay and lesbian community, the Latino community, a local synagogue, the Peace and Freedom party, the University of California Santa Cruz media and representatives of the community-based HALT (Hate Action Limitation Team) and the Valley Unity Action Group. Once the proposal concept is accepted, the Committee will expand to include representative of other organizations to participate in all grant activities. Organizations and agencies to be included at that point are school districts - including student representatives, religious organizations, mental health providers and support groups, victim services organizations and civil rights organizations.

The first step in the methodology is *Scanning* the problem. As indicated in this proposal, there is a significant disparity of data on the issue of hate crimes. While the law enforcement community has recorded a relatively small number of incidents, the community-based HALT has determined that, a significant number of incidents occur on an annual basis. Because HALT developed a survey and collected data in 1992, this information can be used as a baseline. The survey instrument will be reviewed and revised as necessary by the broad-based Steering Committee to ensure that all appropriate data is reflected. A 1998 survey will then be conducted to update and refine the information obtained in 1992.

The second step of the methodology is *Analyzing* the data. The Steering Committee will hire an analyst under this grant proposal to collect and analyze the data provided in both the 1992 and 1998 surveys. This analysis will be the basis of the County's response to the issues identified.

The third step in the methodology is *Responding* to the information. The Steering Committee will use the data to develop specific, prioritized responses to each of the specific issues. Education is recognized as the core component of this grant proposal. The responses may include elements such as developing education and training materials, criminal justice response training, expansion of victim services, developing diversion/mediation programs, developing Public Service Announcements or other media materials for radio, television and print publications.

The fourth step in the methodology is *Assessing* the impact of the response. The assessment will use the baseline data from the 1992 HALT survey as well as the proposed 1998 survey. This data will be compared with a survey taken at the completion of the grant period. In addition, each of the specific response activities developed will include an evaluation component. For **example**, training materials will include such components as questionnaires given before and after the **training** module.

This successful approach to problem solving was demonstrated in the Domestic Violence grant as indicated previously. The approach is appropriate for addressing the issues of hate'crimes because it allows for a problem-solving partnership between law enforcement and all agency and community stakeholders. It has proven to be a

Cover Page: FY 1998 Open Solicitation Bureau of Justice Assistance

NOTE: All applicants must use this page as the covet of each submission.

Topic Area: □ 1. Community Justice □ 2. Law Enforcement Partnerships	ses 9. Public Health and Criminal Justice Collaborations			
Type of Strategy: (e.g., law enforcement, prose&ion, adjudication, m u l t i a g e n c y)	Law Enforcement			
Name of Applying Agency:	Santa Cruz County Sheriff			
Address of Applying Agency:	701 Ocean Street Room 340			
	Santa Cruz, CA 95060			
Applicant Unit of Government: (e.g., city, county, State, tribal) c o u n t y Sheriff Mark Tracy				
Are you one of the following:	you one of the following: Cl Empowerment Zone D Enterprise Community Cl Champion Community			
Point of Contact:	Sergeant Craig Wilson			
Contact Telephone Number:	(408) 454-2311			
Contact Fax Number:	(408) 454-2353			
Contact Internet Address:	shf001@co.santa-cruz.us			
IS this your first Federal grant proposal? Is this your first Department of Justice prop Was this concept paper submitted previously BJA's FY 1997 Open Solicitation? Is your jurisdiction's population less than 25	y under . □ Yes 💆 No-			
Have you submitted this proposal to other F				

Bureau of Justice Assistance FY 1998 Open Solicitation Discretionary Grant Program

Concept Paper: Local Priorities - Missing Persons Investigator Submitted by the Santa Cruz County Sheriff's Office

Background Information

MARKET BUT THE WEST AS A

Santa Cruz County, California, is located on the Pacific Coast about 70. miles south of San Francisco. The county has a population of about 250,000 persons. There are four incorporated cities in the county: Santa Cruz; Watsonville; Capitola; and Scotts Valley. More persons live in the unincorporated area than all four cities combined.

The Santa Cruz County Sheriff's Office provides law enforcement services in the unincorporated areas of the county, where the majority of persons live. Additionally, the Sheriff's Office investigates coroner cases within. the county regardless of jurisdiction. The Sheriff's Office employs 146 sworn officers, 20 of whom are assigned to court security services and therefore are not available to deliver law enforcement services to the community. Despite the wide range of mandated services the Sheriff's Office provides to both the unincorporated area and the four cities, the Sheriff's Office has a lower officer to citizen ratio than any of the cities.

1. What is the problem?

California' law mandatef adherence to a protocol concerning the handling of missing persons cases. There are reporting requirements; investigation requirements; and follow-up requirements which are monitored for compliance by the California Department of Justice.

The Sheriff's Office does not currently have, nor has the Sheriff's Office ever had, an officer assigned to investigate and coordinate missing persons investigations. Currently, the Sheriff's Coroner has the responsibility to investigate missing persons cases. In 1997, the Sheriff's Coroner handled 825 death cases with only three officers assigned to the coroner. The coroner must prioritize death investigations over that of missing persons. Consequently, there is little or no time to investigate missing persons cases. Therefore, the Sheriff's Office' is not able to properly investigate cases of missing persons due to a lack of officer resources.

In 1997 the Sheriff's Office received 390 cases involving missing juveniles. In 305 of those cases the missing juvenile was found. The remaining 85 missing juvenile cases (21%) are of unknown status.

In 1997 the Sheriff's Office received 164 cases involving missing adult cases. In 118 of those cases the missing adult was found. The remaining 46 missing adult cases (28%) are of unknown status.

'2. What are you proposing to do and how do you intend to do it?

The Sheriff's Office proposes to fund a missing person investigator using grant funds from the Bureau of Justice, Assistance.

A missing person investigator would have the following responsibilities:

- A. Prioritize missing juvenile cases. The investigator would publish flyers, coordinate patrol information, actively pursue leads on the whereabouts of missing juveniles, and insure compliance with state mandates concerning missing persons.
- B. Insure that missing adult at-risk cases received prompt attention. The investigator would contact extended family and friends in an effort to coordinate efforts to locate the adult and then take the appropriate actions to resolve the case.
- C. The investigator would interview juveniles who return to their homes in an effort to determine if the juvenile was the victim of any crimes while away from home or became involved in drug usage. The investigator would be alert for signs of intra-familial abuse which may have been a contributing cause to the juvenile leaving their home. It is widely recognized that missing juveniles are a vulnerable population and are therefore frequently the victims of serious crimes such as sexual assault; assault; prostitution; and exposure to drugs and alcohol. Missing juveniles also commit serious crimes while away from home such as robbery; drug sales; assault; and theft.
- D. The investigator would be available to work with the coroner on cases in which remains have been located and there is a need of a comprehensive review of missing persons files with the goal of identifying the decedent.
- E. The investigator would provide public education concerning the risks associated with runaway juveniles.
- 3. What other agencies/resources will work with you?
- A. Juvenile Probation: The Probation Department is involved with at-risk juveniles because many runaways are wards of the court and are subject to probation terms. The investigator would coordinate activity and receive information from probation officers concerning juvenile runaways and missing juveniles.
 - B. High Schools: There are four high public high schools and three private high schools in the unincorporated areas of the county in addition to several continuation schools for school age teenagers who do not attend conventional schools. The investigator would be available for school officials who identify children who are not attending school and therefore are at risk of becoming a missing person/runaway.
 - C. Group Homes: There are more than one dozen residential group homes located in Santa Cruz County. Residents are juveniles who have placed into

'a group home as condition of probation, and they are usually out of county placements. Juveniles frequently leave group homes for various reasons. The investigator would meet and confer with group home counselors in an effort to deter runaways and locate residents who leave the group homes:

- D. Youth Services: Youth Services provides counseling services to youths concerning a variety of issues. Youth Services frequently calls the Sheriff's Office to report that a juvenile who is a missing person is at the facility and in need of assistance.
- 4. How will you know if your concept works?

The Sheriff's Office is confident that having a missing persons investigator would result in an increased clearance rate of missing persons cases. Additionally, the investigator would certainly discover crimes wherein juveniles were the victims of crimes which would not otherwise have been reported.

The Sheriff's Office will conduct a comparative study of the clearance rates with and without a missing persons investigator.

If the study indicates that the missing persons investigator is as effective as we anticipate, the Sheriff's Office will seek funding for continued support of the position.

5. What are the costs and cost benefits of implementing the strategy?

The Sheriff's Office requests a grant award in the amount of \$ 143,709. This amount would fund an investigator position for a period 18 months, including associated costs such as a radio equipped vehicle, computer, firearm and office equipment.

Investigator Automobile	(Oeputy Sheriff) (Ford Crown Victoria		112,809 : 24.500
Radi o	(Motorola Spectra)	:	2, 500
Computer	(IBM Pentium)	:	2,000
Desk	,	:	800.
Fi rearm	(Glock)	:	450
Chai r		;	450
File Cabinet		;	200

TOTAL: 143, 709

The cost benefits associated with this type of intensive investigative work are not monetary in nature. The Sheriff's Office believes, however, that the community will receive benefits which money cannot replace, namely, the safety and security of knowing that law enforcement is doing everything possible to locate missing and endangered loved ones.

Alexandria Alexandria