Escalon Police Department

2040 McHenry Avenue, Escalon, CA 95320 • Phone: (209) 838-7093
Gustavo Flores – Chief of Police

Honorable Gus C. Barrera II, Presiding Judge
San Joaquin County Superior Court
180 E. Webber Ave, Suite 1306J
Stockton, CA 95202

Re: Response to Second Look: 2018-2019 San Joaquin County Civil Grand Jury Report, Cold Cases in
San Joaquin County: On the Back Burner Case #0318

Date: 2/19/2025

Dear Judge Barrera,

I was appointed as Chief of Police of the Escalon Police Department in May of 2024, however, I was with
the department at the time of this initial report. In the initial report, there were 10 recommendations, only
4 of which were applicable to the Escalon Police Department.

- R1 Each law enforcement agency in San Joaquin County develop a plan to define, prioritize, and
  digitally track cold case investigations no later than December 31, 2019. Prioritization will
  emphasize available physical evidence and utilize emerging DNA testing techniques.
    - ✓ Chief Michael Borges drafted a Cold Case Policy that was implemented in February of
      2020.

- R2 Each law enforcement agency in San Joaquin County expands their definition of "cold case"
  to include missing persons with suspicious circumstances, and sexual assault (forcible rape and
  attempted rape), in addition to homicide no later than December 31, 2019.
    - ✓ This was a part of the policy drafted by Chief Borges.

- R8 Each law enforcement agency in San Joaquin County signs a Partnership and Cooperation
  Agreement with the newly formed Cold Case Task Force no later than March 31, 2020.
    - ✓ The Escalon Police Department is a signatory on the San Joaquin County Cold Case Task
      Force that went into effect October of 2024.

- R10 Each law enforcement agency in San Joaquin County develops a procedure and practice for
  maintaining periodic contact with family members of cold case victims no later than March 31,
  2020.
    - ✓ This was a part of the policy drafted by Chief Borges

Chief Borges drafted a policy that covered the recommendations made by the Grand Jury. In checking the San Joaquin County Grand Jury webpage, it does not appear that Escalon sent a response to this report to inform the Grand Jury of the actions taken. Consequently, during the review, the Grand Jury made the following Findings:

- **F. 1.0:** Overall, county law enforcement agencies failed to implement the 2018-2019 Grand Jury recommendations. All agencies seemed set on continuing as they were, and are protective of their processes, their cases, and their procedures. The failure to implement the 2018-2019 recommendations came down to three factors:

  Lack of leadership

  Lack of desire

  Pandemic disruptions

  > ➢ The City of Escalon disagrees with this finding. Although I cannot speak for other agencies, all the recommendations that the Escalon Police Department had control over were followed and adopted. Although the December 31, 2019 deadline was not met. The policy was drafted and adopted by 2/12/2020. When the Cold Case Task Force was established, the Escalon Police Department became a signatory.

The Grand Jury also made the following new recommendations:

- **R. 1.0:** By October 1, 2024, all Law Enforcement Agencies review and implement the recommendations from the 2018-2019 Grand Jury Report "Cold Cases in San Joaquin County: On the Back Burner" Case #0318. (These recommendations can be found in the original Grand Jury report and on pages 2 and 3 of this report).

  - ✓ Chief Michael Borges drafted a Cold Case Policy that was implemented in February of 2020.

- **R. 1.1:** By October 1, 2024, the task force should be formed and implemented with the San Joaquin County Sheriff's office as the lead agency.

  - ✓ The Escalon Police Department is a signatory on the San Joaquin County Cold Case Task Force that went into effect October of 2024.

Respectfully,
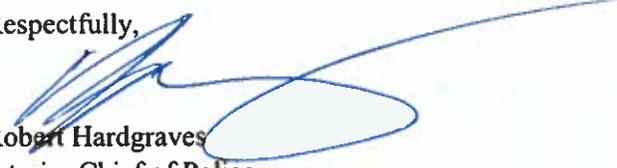
Robert Hardgraves
Interim Chief of Police
Escalon Police Department

This Response was approved by the Escalon City Council on 03/03/25 .
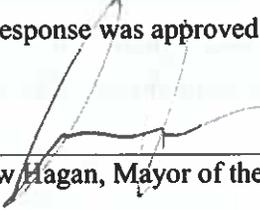
Andrew Hagan, Mayor of the City of Escalon