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January 14, 2025

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

Re: Grand Jury Report: "Second Look: 2018-2019 San Joaquin County Civil Grand Jury Report Cold Cases In San Joaquin County: On The Back Burner Case # 0318"

Honorable Judge Barrera:

This letter responds to the above-referenced Grand Jury Report in accordance with California Penal Code sections 933 and 933.05. The above-referenced report directed that "The Tracy City Council shall respond to all Findings and Recommendations of this report R1 and R2 and the 2018-2019 Civil Grand Jury Report "Cold Cases in San Joaquin County: On the Back Burner" Case #0318, R1, R2, R8, and R10".

The Tracy City Council has reviewed and thoughtfully considered the Grand Jury's Report and Recommendations. The responses contained in this letter have been prepared by the Tracy Police Department and approved by the Tracy City Council on August 27, 2024.

Recommendations

2023-2024 Recommendations

R. 1.0: By October 1, 2024, all Law Enforcement Agencies review and implement the recommendations from the 2018-2019 Civil Grand Jury Report "Cold Cases in San Joaquin County: On the Back Burner" Case #0318.

The recommendation has been implemented.

As detailed further below under the 2018-2019 Recommendations section, the Tracy Police Department has reviewed and implemented the recommendations as appropriate.

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 recommendation has been implemented.

As explained in more detail in R8 below, the Tracy Police Department is a member agency via a memorandum of understanding with San Joaquin County (County).

2018-2019 Recommendations

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, emerging DNA testing techniques.

The recommendation has been implemented.

The Tracy Police Department acknowledges and accepts the definition of “Cold Case” which was adopted by all San Joaquin County law enforcement agencies. The Tracy Police Department will prioritize and investigate “cold cases” based on new investigative leads or evidence. The Tracy Police Department maintains a digital list of all cold cases. These case files are maintained digitally by the Tracy Police Department. The list is also tracked by the General Investigation’s Sergeant and Records Supervisor in an excel spreadsheet.

R2 Each law enforcement agency in San Joaquin County expand 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.

The recommendation has been implemented.

A cold case is an unsolved crime previously reported to a law enforcement agency and the agency determines investigative leads were exhausted. The initial investigation of the cold case failed to result in the identification of a suspect, arrest of a suspect, the referral of the case to the District Attorney’s Office and/or the filing of criminal charges by the District Attorney’s Office. Due to the passage of time, the development of evidence of other crimes, and/or the lack of further investigative leads, the law enforcement agency is no longer actively investigating the crime. These cases are deemed “open” investigations.

The Cold Case Task Force expanded “Cold Cases” to include unsolved homicides, missing person cases with suspicious circumstances, and sexual assaults (forcible and attempted rape), where no suspect was identified.

R8 Each law enforcement agency in San Joaquin County sign a Partnership and Cooperation Agreement with the newly formed Cold Case Task Force no later than March 31, 2020.

The recommendation has been implemented.

The Cold Case Task Force Partnership & Cooperation Agreement drafted by the previous San Joaquin County District Attorney's Office was signed by the Tracy Police Department Chief, Sekou Millington, and became effective on March 31, 2020. Tracy Police Departments' participation in the task force consists of submitting our "Cold Case" list to the San Joaquin County District Attorney's Office and investigating our own "Cold Cases" as new leads or evidence exist.

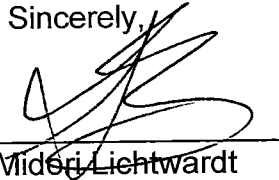
R10 Each law enforcement agency in San Joaquin County develop a procedure and practice for maintaining periodic contact with family members of cold case victims no later than March 31, 2020.

The recommendation has been implemented.

Tracy Police Department's General Investigations Unit will conduct yearly audits of Cold Cases (Homicides, Sexual Assaults, Missing Persons) and revisit the cases to look for new leads. Detectives will contact the victim or the victim's family to keep them updated on any new information.

Thank you for providing the City of Tracy an opportunity to comment on this important report. Please let us know if additional information is required or if you have any questions.

Sincerely,



Midori Lichtwardt
City Manager
For the City of Tracy

Arturo M. Sanchez for

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