



# City of Santa Barbara

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Honorable Clifford Anderson, III  
Presiding Judge  
Santa Barbara Superior Court  
P. O. Box 21107  
Santa Barbara, CA 93121-1107

**Subject: Response to the 2004 – 2005 Grand Jury Report Pertaining to the Santa Barbara Police Department, "The Child Not Yet Left Behind"**

Dear Judge Anderson:

At the Santa Barbara City Council meeting of July 26, 2005, Council reviewed the Santa Barbara County Grand Jury 2004 – 2005 Report pertaining to Community Schools and the Santa Barbara Police Department "The Child Not Yet Left Behind," pursuant to Penal Code Section 933.

The following sections of the report refer to the "local Police Department" and as such require City response.

**"Finding 5:** Absenteeism and truancy remain a problem in community schools. The problem is worse in the North County Schools where they have no truancy counselor."

**"Recommendation 5b:** The Probation Department, local Police Departments, and the County Education Office should work together to provide effective anti-truancy enforcement measures."

The City of Santa Barbara Police Department agree that the Police and Probation Departments and the County Education Office should work together to combat truancy, and we are doing so.

The Santa Barbara Police Department implemented the daytime loitering ordinance September 23, 1996. The ordinance Section 9.04.010(b) of the Municipal Code, in part, states the following.

It is unlawful for any minor under the age of 18 years, who is subject to compulsory education or to compulsory continuing education to be present in or upon the public streets, avenues, highways, roads, alleys, sidewalks, parks, playgrounds, or other public grounds, public places, public buildings, places of amusement, or eating places, parking lots, or vacant lots in the city during the minor's school hours.

Violation: Notwithstanding, any other provision of this code, when a person under the age of 18 years is charged with a violation of this Section, and a peace officer issues a notice to appear in juvenile court to that minor, the charge shall be deemed an infraction, unless the minor requests that a petition be filed under Section 601 or 602 of the Welfare and Institutions Code.