

Martinez, Ruben

From: Heather Ross <heatherdross@gmail.com>
Sent: Monday, August 24, 2020 11:59 AM
To: PublicComment-AutoResponse
Subject: Agenda item #6

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My name is Heather Ross and I live in Eagle Rock adjacent to Pasadena. I also grew up in Pasadena and am an invested member of the community. I am a white mother of young children who follows NAACP Pasadena with interest, support and solidarity..

I am asking you, our elected officials, to create a police oversight body comprised of an independent auditor and selected community members for the commission with subpoena power. There is no ambiguity in our ask to align a proposal with the Community Bill of Rights.

We look forward to your decision to do the right thing.

Heather Ross

08/24/2020
Item 6

Martinez, Ruben

From: Mariann H. M. Reardon <mreardon@pasadenamennonite.org>
Sent: Monday, August 24, 2020 12:03 PM
To: PublicComment-AutoResponse
Subject: re: Agenda Item #6 for Today's Council Meeting.

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Dear Pasadena Officials,

Thank you for serving in your community-elected public offices. And thank you for hearing the voices of those who live and work in Pasadena.

My name is Mariann Reardon, and I am Minister of Congregational Care at Pasadena Mennonite Church in Gene Masuda's district. Most of our congregants live throughout the City of Pasadena.

Our small faith community is joining in with the greater Pasadena community, in heartbreak, anger, and in crying out and protesting for an overhaul of our systems. We **must** do better by **everyone** in our community, specifically Black and Brown family, friends, and neighbors, on several fronts. But today, as one piece of this overhaul, we urge City Council to create a police oversight committee that includes several community members--specifically emphasizing Black and Brown Pasadena community leaders--along with an independent auditor and subpoena power. This urgent ask is aligned with the Community Bill of Rights you have assuredly been asked for as well.

Again, thank you for listening, and we are in prayer for each of you as you consider and discern what will truly make **all** your constituents feel safe, known, respected, valued, and supported. There is much work to do and we, the community, are walking that journey each step of the way just as our elected officials are.

In Peace,

Mariann H. M. Reardon

Minister of Congregational Care, Pasadena Mennonite Church

personal mobile / text 626-644-5067
www.pasadenamennonite.org

08/24/2020
Item 6

SONJA K. BERNDT
Pasadena, CA 91107
Sonja.berndt19@gmail.com

August 22, 2020

Mayor Terry Tornek
Vice Mayor Tyron Hampton
Councilmember Victor Gordo
Councilmember John Kennedy
Councilmember Steve Madison
Councilmember Gene Masuda
Councilmember Margaret McAustin
Councilmember Andy Wilson
Pasadena, CA
(By email)

RECEIVED
2020 AUG 24 PM 12:11
CITY CLERK
CITY OF PASADENA

Re: August 24, 2020 City Council Meeting – Agenda Item #6: Creation of a Community Police Oversight Commission and an Independent Auditor;
Recommendation to Direct City Attorney to Prepare Ordinance Amending the Pasadena Municipal Code (“PMC”), Establishing a Community Police Oversight Commission and an Independent Auditor (“IPA”)

Dear Mayor Tornek, Vice Mayor Hampton and Members of the Pasadena City Council:

First, I want to thank the City Council for listening to public comments and suggestions for improving the police oversight proposal currently be considered and for revising that proposal to include having the City engage the IPA out of the City Attorney’s Office and to include subpoena power within the IPA’s authority. I respectfully request that the Council consider the questions and concerns in this letter in providing direction to the City Attorney to draft an ordinance amending the PMC. While it may not be possible to resolve these issues, I understand the Council will be seeking the best oversight model possible at this time. This is made clear from language in the proposal that “[t]he new structure will help the community assess whether further measures are required, even some that may require amending the City Charter.”

A. Need to Resolve the Conflict of Interest Issue re: City Attorney's Office

The civilian oversight proposal under consideration (“the oversight proposal”) notes that the IPA would be engaged through the City Attorney’s Office. Since the City Attorney’s responsibilities include defending the City and its police officers in cases involving alleged police misconduct, that is problematic. It is unclear from the August 24, 2020 report to City Council from Mayor Tornek and Councilmember Kennedy (“Agenda Report”) how that issue will be resolved.

Vice Mayor Hampton first raised this conflict of interest issue and requested the City Attorney to research whether the position of City Prosecutor could be “resurrected” and the IPA be engaged through that office. Since the vote on August 24, 2020 will be simply to direct the City Attorney to prepare a proposed ordinance to provide for oversight as discussed in the Agenda Report, I urge the Council to still consider engaging the IPA through the City Prosecutor.

In the alternative, please ensure that this issue is resolved. According to the City’s website, the City Attorney is divided into the Civil Division and the Prosecution Division. So long as the City Attorney exercises no oversight of the IPA, there is no sharing of information between the IPA and the City Attorney, and the final decisionmaker is not the City Attorney, perhaps the current model would be possible.

B. IPA’s Review of PPD’s Investigations v. IPA’s Real-Time Independent Investigations

The oversight proposal states that the IPA “review[s] investigations of all uses of deadly force¹ and in-custody deaths to determine if the investigations were complete, thorough, objective, and fair” and “review[s] investigations of personnel complaints of bias-based policing.” The list of the IPA’s responsibilities also includes “[p]erform related duties.” Narrowing the scope of the IPA’s authority to simply reviewing the investigations conducted by the PPD of its own officers will not result in effective oversight. The IPA needs to be able to conduct his/her own investigations, in real time, and that could be made clear within “related duties.” For example, the IPA should be authorized to attend PPD witness interviews, crime scene investigations, etc. during the immediate aftermath of an officer-involved shooting. The gathering of crime scene evidence and the way questions

¹ I am assuming “deadly force” does not require the victim’s death, but also includes serious bodily injury resulting from an officer’s use of a firearm.

are posed to eyewitnesses are critical in making ultimate findings and conclusions. Once an eyewitness's statement is taken, he/she can later be impeached with that statement.

C. Limited Availability to Use IPA-Gathered Evidence in Disciplinary or Personnel Decisions

The oversight proposal states as follows: "The IPA would have subpoena powers to facilitate gathering of information during investigations. Any information obtained or reviewed by the IPA, as well as any reports issued by the IPA could not be used to impact any disciplinary or personnel decisions."

It is unclear from the Agenda Report the reason for such a far-reaching limitation on the use of evidence gathered or reviewed by the IPA. Preliminarily, does this provision limit the use of evidence gathered/reviewed by the IPA both pursuant to subpoena and without a subpoena?

If the referenced limitation is only as to evidence gathered/reviewed by the IPA pursuant to subpoena, is the reason for the limitation based upon the duties of the City Manager enumerated in section 604 of the City Charter? The City Manager's duties under that section include disciplining and terminating the employment of most city employees and exercising supervision and control over most city departments. But I did not see any language precluding the use of evidence obtained by subpoena in disciplinary proceedings.

If the referenced limitation is based upon the need for a meet and confer with collective bargaining units before compelled evidence can be used in disciplinary proceedings, that would only be a temporary impediment.

Respectfully, since the basis for this use-of-evidence provision is unclear and because it is not possible to predict the myriad of circumstances where compelled or non-compelled evidence may be needed, I would urge the Council to, instead, state that evidence gathered/reviewed by the IPA may be used except where prohibited by law. Further, if a charter amendment is necessary for an *expanded* use of compelled/non-compelled evidence, please put that before the voters in 2022.

D. Public Reports; Attorney/Client Privilege

The oversight proposal notes that the Commission's purposes include to "receive reports from the Independent Police Auditor regarding critical incidents, policies, and other matters; and produce a publicly available annual report." Preliminarily,

it would appear that the preparation of critical incident, etc. reports needs to be added in the list of IPA responsibilities. Secondly, the IPA's reports on critical incidents, etc. to the Commission need to be made public to the extent permitted by law in order to ensure transparency and gain the necessary public trust. There is no provision in the oversight proposal noting that the IPA's critical incident, etc. reports are public.

Thirdly, if the IPA is to be engaged through the City Attorney's Office, there arises a potential issue regarding attorney/client privilege. The terms of the ordinance need to make clear that the attorney/client privilege cannot be used to thwart the transparency of the entire process. The public would never accept that.

E. Perceived Unreasonable Delaying Tactics: Political Ploys

Those of us who will be watching the August 24, 2020 City Council meeting are hopeful that certain councilmembers will not continue to engage in political ploys in order to delay the implementation of civilian oversight of the PPD. As I and others have previously stated, the motivations of these councilmembers must be questioned. As I stated in my August 17, 2020 public correspondence, certain councilmembers have received large campaign donations and endorsements from the Pasadena Police Officers Association. When a councilmember receives significant financial support, and seeks and receives endorsements from the PPOA, the public has a right to question whether he or she will diligently work toward an effective oversight model of the PPD, or engage in delay tactics until (he/she hopes) public outcries for such oversight diminish.

F. Conclusion

In conclusion, I believe the majority of the City Council wants the best possible model for oversight of the PPD that can be achieved expeditiously at this time. Thank you for your service to our City and for your time and consideration.²

Sincerely,

/s/

Sonja K. Berndt, Esq. (retired)

Cc: correspondence@cityofpasadena.net

² None of the information in this letter should be construed as legal advice as my California State Bar status is "inactive" in my retirement.

Martinez, Ruben

From: paula kelly <pk.kelly@hotmail.com>
Sent: Monday, August 24, 2020 12:14 PM
To: PublicComment-AutoResponse
Subject: Police Oversight

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Please establish an oversight Commission for the PPD with subpoena power and the ability to make recommendations that are binding on the PPD.

Paula Kelly
91104

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08/24/2020
Item 6

Martinez, Ruben

Subject: FW: City Council Agenda Item #6

From: Blair Miller <blairmiller1@yahoo.com>
Sent: Monday, August 24, 2020 12:14 PM
To: McAustin, Margaret <mmcaustin@cityofpasadena.net>
Cc: Morales, Margo <mlmorales@cityofpasadena.net>
Subject: City Council Agenda Item #6

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Dear Council Member McAustin,

I urge you to support the creation of a Civilian Oversight Commission and an Independent Police Auditor with subpoena power. The events of the last week have shown just how important it is for there to be a credible, fair and open process that the community can trust. Police hold the power of life and death in their hands. Because of this power, the police should have clear rules of engagement that are based in best practices. A transparent system of investigation and accountability is in the best interests of everyone in Pasadena.

I watched the videos of the police shooting on August 15th. I could see police being professional and polite. I could also see them following rules of engagement that lead, over and over, here and in other cities, to the deaths of Black people in situations that should have been de-escalated.

In addition to police oversight and an independent auditor, we need alternatives to community safety that lead to less lethal outcomes for everyone involved. We should also reconsider our approach to traffic safety. Traffic stops are dangerous for the police as well as for Pasadena citizens such as Chris Ballew and Anthony McClain. We should explore other options, such as unarmed response, improved engineering and automated enforcement.

Today, the Council has the opportunity to make the changes that put us on a path towards a more just and effective system of policing. I hope the Council will continue to work on additional measures Pasadena can take to improve public safety for all citizens.

Thank you,

Blair Miller

08/24/2020

Item 6

Martinez, Ruben

Subject: FW: Public comment for today's City Council Meeting - August 24

From: Madeline Crowley <madeline.g.crowley@gmail.com>

Sent: Monday, August 24, 2020 12:17 PM

To: City_Council <ccouncil@cityofpasadena.net>

Cc: Tornek, Terry <ttornek@cityofpasadena.net>

Subject: Public comment for today's City Council Meeting - August 24

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Dear City Council Members: Mayor Tornek, Councilmember Hampton, Councilmember McAustin, Councilmember Kennedy, Councilmember Masuda, Councilmember Gordo, Councilmember Madison and Councilmember Wilson,

My name is Madeline Crowley, I am from Pasadena and am committed to serving our city. I work down the street from La Pintaresca Park at a tech company and attend church two miles from there where I serve as a board member. I grew up here. My grandfather served in your shoes for 12 years as a city council member and two years as mayor. I saw the video of Pasadena Police killing Anthony McClain and I am devastated. Why did officers, who are supposed to serve and protect, insist on handcuffing Mr. McClain, who was gasping for air, and kept him in a face-down position restricting his breathing? Why did the body camera footage of the officer who killed Mr. McClain start after the officer fired his weapon? This defeats the purpose of having body cameras that should record the entire situation.

I demand Empowered Oversight of the Pasadena Police Department. This oversight must include investigatory authority, subpoena power, policy review and reform authority, appropriate funding, multi-faceted training (including civil rights), bans on members with conflicts of interest and an enforceable disciplinary role. The oversight must be actionable. The Independent Police Auditor should be housed in a **separate City Prosecutor's office**, not the City Attorney's office due to the conflict of interest. The commission and IPA should have explicitly stated authority to both Conduct and Review investigations. The Pasadena Police Department has done things their way long enough and August 15 showed us, again, the deadly results of their training, policies and procedures. I stand with my community and demand safe, accountable, transparent, community-focused policing.

You have the opportunity to make a change for the better. We don't have the opportunity to bring back Anthony McClain's life, and that is on all of us. Please provide our community with an empowered police oversight body so that we don't lose another life, another friend, child, parent, neighbor in our community.

Sincerely,
Madeline Crowley

08/24/2020
Item 6

Martinez, Ruben

Subject: FW: Agenda for the Public Safety Committee Special Meeting Notice August 12, 2020
Attachments: 2020-08-12-Special-Public-Safety-Committee-Meeting-Agenda.pdf

From: JIMMIE MORRIS <memahjim@gmail.com>
Sent: Monday, August 24, 2020 11:56 AM
To: Porras, Susana <sporras@cityofpasadena.net>
Subject: Fwd: Agenda for the Public Safety Committee Special Meeting Notice August 12, 2020

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Hi Susana
I am writing this letter to Pasadena City Council
Creation of Community Police oversight Commission and Independent Auditor.
With all the events that has happen across America, it's time for Pasadena people
to have a oversight committee. Pasadena is rank #2 in California for its position of
despaired (RICH/Poor) It's time we change the way we think and treat others.
Jim Morris
Sent from my iPad

Begin forwarded message:

From: "Porras, Susana" <sporras@cityofpasadena.net>
Date: August 11, 2020 at 9:58:06 PM PDT
Subject: Agenda for the Public Safety Committee Special Meeting Notice August 12, 2020

Good evening,

Please see attached Agenda for the Public Safety Committee Special Meeting Notice August 12, 2020 or click on the link below. Public meeting is scheduled for 3:00 p.m.

<https://www.cityofpasadena.net/commissions/wp-content/uploads/sites/31/2020-08-12-Special-Public-Safety-Committee-Meeting-Agenda.pdf?v=1597206942300>

Susana Porras
District 3 Liaison
City of Pasadena
Council Offices
626-744-4738
sporras@cityofpasadena.net

08/24/2020
Item 6

Martinez, Ruben

From: Jazmine De La Torre <jazmine.a.delatorre@gmail.com>
Sent: Monday, August 24, 2020 12:28 PM
To: PublicComment-AutoResponse
Subject: Item #6

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Dear Council Members,

As a Pasadena resident who cares about the health and safety of our community, I urge you to support the creation of a Civilian Oversight Commission and Independent Police Auditor with subpoena power. After years of inaction on this serious public health and safety issue, now is the time to move our community forward.

Thank you,

Jazmine De La Torre

08/24/2020
Item 6

Martinez, Ruben

From: Scott White <wscottwhite@gmail.com>
Sent: Monday, August 24, 2020 10:53 AM
To: PublicComment-AutoResponse
Subject: Police Oversight - Agenda item #6

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Honorable Council Members,

I have written previously re this matter and I write you again today with even greater sense of urgency. I write this as a local clergy member and as a local small business owner but mostly, I write this in my main role...a lifelong citizen of 58 years in the Pasadena/Altadena area.

The recently released video raises additional questions in my mind that greater and independent police oversight can address. The amended action being considered is an improvement on one of the original motions but still does not go far enough. How can it be independent if it reports to the City Attorney who also has an obligation to act on behalf of the Police Department personnel in actions brought against them or the City at large. This Prima Facia makes no sense.

At a time, when our nation has spoken loudly and the people of Pasadena have spoken with a majority voice in solidarity with the nation since the murder of George Floyd, how can we actually be considering policing reforms that lack an independent oversight agent/agency. The message being sent to me and the community, without such inclusion in the policy is, "we got this." Time after time, history has shown us, that the police oversight structures in place in fact, don't got this. That old cliché about the Fox and the Henhouse comes immediately to mind. I believe there are plenty of well meaning and well intentioned police professionals seeking to weed out bad cops, bad methods, etc but it is wrong for that to remain the purview of the Dept or even the City, if the entity tasked with oversight is not independent from existing internal structures like the City Manager's Office and the City Attorney's office. Enough is enough.

I stand with our community demanding accountability that is independent, transparent and is fully committed to serving and protecting the community members, like myself and my family and *everyone* else who calls our city theirs, whether for work or home.

The time is now; for the sake of all.

Scott White
Pastor, Business Owner - New Creation Picture Framing (since 1991)
Longtime area resident, PUSD product

08/24/2020

Item 6

Martinez, Ruben

From: chiara.tellini@charter.net
Sent: Monday, August 24, 2020 12:32 PM
To: PublicComment-AutoResponse
Subject: Agenda 6- Public comment to be read aloud

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The Shooting of Anthony McClain can never be justified in my opinion. That opinion is shared amongst our community members and it has been widely shared for over a week now. On Aug 15th a black man was treated differently from the rest of us. As a passenger in a vehicle that was pulled over, he was asked to exit the vehicle. That is unusual. He was on probation we have learned, so that might have explained his fleeing the officers that have a history of harassing black members of our community, however it does not explain or justify the police officer shooting him the back. That is unusual at minimum. The footage that was released is edited and narrated to suggest an answer to all of our questions, but it is not raw, or convincing or excusable in this time of racial unrest. An independent oversite to the City Manager, the Chief of Police, the Mayor who has a son of his own fired from the LA Police Department for his unnecessary use of force outside of policy. He now is a department head in Pasadena USD. This is unusual. The public no longer trusts your oversite of the PPD and demands a fully independent entity to provide the public with a process that makes them confident and comfortable once again.

Chiara Tellini
Member of the community

08/24/2020
Item 6

Martinez, Ruben

From: Breathe Justice <breathe.justice365@gmail.com>
Sent: Monday, August 24, 2020 1:18 PM
Subject: 8 Ways to Improve Police Oversight Proposal
Attachments: 8 Ways to Improve Police Oversight Proposal.pdf

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Dear Mayor Tornek, Vice Mayor Hampton, Councilmembers McAustin, Kennedy, Masuda, Gordo, Madison and Wilson,

Thank you for considering Effective Oversight of the Pasadena Police Department. We appreciate the addition of Independent Police Auditor subpoena power to the oversight proposal.

We have thoughtfully researched the matter of community-based police oversight, and are attaching some of our recommendations as it relates to Pasadena.

Please take a few moments to **review the attached document** which includes 8 Ways to Improve the Police Oversight Proposal. We hope you will strongly consider creating the most Impactful Oversight Body possible in order to mend police-community relations, and improve officer and citizen safety.

Regards,

B.R.E.A.T.H.E. Justice 365

A Pasadena-based collective of physicians, attorneys, executives, educators, clergy, activists, parents and everyday citizens united for equity in policing.

Attachment

08/24/2020
Item 6

B. R. E. A. T. I. E. JUSTICE 365

August 24, 2020
Pasadena City Council

Dear Mayor Tornek, Vice Mayor Hampton, Councilmembers McAustin, Kennedy, Masuda, Gordo, Madison and Wilson,

We have requested effective community oversight of the Pasadena Police Department (PPD) for some time now. The police killing of Anthony McClain on August 15, 2020, and the resulting community impact directly illustrate the dire need for impactful police oversight in Pasadena.

While many details need to be sorted, accountability and transparency are key in officer-involved shootings.

If elected officials had voted on impactful oversight sooner, an Independent Police Auditor could have immediately begun to investigate and obtain answers to questions such as:

- Why was the passenger in a traffic stop asked to exit the vehicle?
- Why does the body camera footage of the officer who killed Mr. McClain start *after* he mortally shot him?
- Why did police insist on *handcuffing* an unarmed, incapacitated, bleeding human who was gasping for air? Why did police *keep* him bound and in a face-down position, potentially accelerating his death?
- Where is the video of the officer finding the gun Mr. McClain reportedly brandished?
- Why do PPD officers have the option of deactivating body cameras? In light of this and other critical incidents, should they maintain this privilege?
- Does the PPD demonstrate a pattern and practice of frequently stopping drivers of a particular race in certain Pasadena neighborhoods?

Thank you for amending the oversight proposal to grant the IPA subpoena power. This is an important first step. Oversight-in-Name-Only is counterproductive and dangerous. A powerless oversight body could allow PPD to operate under the guise of community oversight while limiting access to evidence and ignoring oversight commission recommendations, further imperiling community safety and trust.

Some of the Key Components of Effective Community Oversight Bodies Include^{1, 2, 3, 4, 5:}

- Independent Investigatory Authority
- Subpoena Power
- Police Department Policy Review and Reform Authority
- Ample and Secure Funding
- An Enforceable Disciplinary Role
- Training in Policing, Civil Rights, Equity, and Cultural Sensitivity
- Bans on Members with Conflicts of Interest (e.g. police officers and officer family members)

While pressing forward on the current oversight proposal, please promise to continue work to strengthen it in the following eight ways:

1. **Re-establish the Office of the City Prosecutor and House the IPA within it.**
 1. Diminish the conflict of interest arising from housing a police investigatory body within the Office of the City Attorney, which is charged with advising and managing legal matters for the Pasadena Police Department.
2. **Amend IPA Responsibilities to Expressly State the IPA's Responsibility to CONDUCT and Review Investigations.** (Bullet points 2 and 3)
 1. The IPA must be fully empowered to conduct its own investigations to be effective.
3. **Amend the IPA's Investigatory Responsibilities to add, at a minimum, Uses of Excessive Force.** (Bullet point 2)
 1. In actuality, abuse of authority, unlawful arrest, unlawful stop, unlawful searches, discourtesy, disrespectful behavior, use of offensive language, theft, and discriminatory behavior should also be included.¹
 2. Failure to address PPD's use of such tactics over the years has deteriorated police-community relationships.
4. **Amend the disclaimer on disciplinary and personnel decisions.**
 1. Rather than stating, "Any information obtained or reviewed by the IPA, as well as any reports issued by the IPA, could not be used to impact any disciplinary or personnel decisions," instead indicate that IPA information and reports may be used "*except where prohibited by law.*"
 2. Acknowledge potential legal restrictions without unnecessarily stifling the oversight body's potential impact on police accountability.
5. **Ensure robust and secure funding by tying the oversight body's budget to a fixed percentage of the police department's budget.**^{1, 3}
 1. Insulate the oversight body from political manipulation and budget cuts at the hand of a disagreeable city council.
 2. If PPD's operating budget increases due to hiring of additional police officers, so, too, should the oversight body's budget and staff. The opposite applies if PPD lays off officers.
 3. The fixed percentage should be adequate to cover the cost of professional staff, executive director, investigators, attorneys, commission members, analysts, office locations, office hours, outreach and public education materials.
6. **Grant the Oversight Body an Enforceable Disciplinary Role.**
 1. Consider a pre-negotiated disciplinary matrix with a range of disciplinary options for officer misconduct.
 2. Bind the chief of police to enacting discipline from the matrix when the oversight body's investigation reveals officer misconduct, except when a clear error has been made by the oversight body.¹
 3. Without an enforceable disciplinary role, the oversight body is essentially an Impotent Complaint Board.
7. **Ensure that Civil Rights, Equity, and Cultural Sensitivity are included in the commission's "relevant subject matter" training.**
 1. Members of the oversight body must possess a fundamental understanding of these subjects to effectively serve the community and enhance police-community relations.
8. **Stipulate that the oversight body must be free of member conflicts of interest including current and former police department employees.**

Again, we thank you for your efforts to provide community oversight to the Pasadena Police Department. If done well, this has the potential to save lives, enhance community and officer safety, and improve community-police relations. This matter deserves your focus and your diligence. Please do not let another critical incident occur before you act on Impactful Community Oversight of the Pasadena Police Department. Thoughtfully act now. Lives hang in the balance.

Sincerely,

B.R.E.A.T.H.E. Justice 365

A Pasadena-based collective of physicians, attorneys, executives, educators, clergy, activists, parents and everyday citizens united for equity in policing.

References:

1. Udi Ofer, *Getting it Right: Building Effective Civilian Review Boards to Oversee Police*, 46 Seton Hall Law Review, 1033-1062 (2016).

2. William Terrill and Jason R. Ingram, *Citizen Complaints Against the Police: An Eight City Examination*, 0, Police Quarterly, 1-30 (2015). Retrieved from https://www.researchgate.net/publication/283784920_Citizen_Complaints_Against_the_Police_An_Eight_City_Examination

3. Campaign Zero. *Community Oversight*. Retrieved from <https://www.joincampaignzero.org/oversight>

4. National Association for Civilian Oversight of Law Enforcement. *Police Oversight by Jurisdiction USA*. Retrieved from https://www.nacole.org/police_oversight_by_jurisdiction_usa

5. National Association for Civilian Oversight of Law Enforcement. *Frequently Asked Questions*. Retrieved from <https://www.nacole.org/fags>

Martinez, Ruben

From: Lydia Pech <leikolydia@gmail.com>
Sent: Monday, August 24, 2020 1:20 PM
To: PublicComment-AutoResponse

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I am writing to voice my concern of the Pasadena Police Department's protocol on use of of violence: shooting a person perceived to be a threat and response to peaceful protesters. (Example: recent shooting of Anthony McClain and ensuing militaristic response to peaceful protestors who sought protection from them at All Saints Episcopal Church.)

What definitive plan of action will you make and take towards true police reform?

08/24/2020
Item 6

Martinez, Ruben

From: Kristi Colmenero <kristi.colmenero@gmail.com>
Sent: Sunday, August 23, 2020 1:57 PM
To: PublicComment-AutoResponse
Subject: Public comment for 8/24/20

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Dear City Council:

As a citizen of Pasadena (and a homeowner, if that matters), my wife and I both advocate in the strongest possible terms that our police department should adopt and champion the "8 Can't Wait" reforms (8cantwait.org). These measures are critical to public safety and trust between the police and the community.

As someone who has had a very negative experience with the police when I was accosted nearly a year ago, I already view the PPD with extreme skepticism. And I'm a middle-aged white woman! (We tend to be disproportionately given the benefit of the doubt by police, as opposed to our black and brown sisters and brothers, who are disproportionately stopped, searched, arrested—and WORSE—by police.) I can only imagine the deep fear our black and brown citizens feel when they interact with PPD.

I understand that the police help ensure public safety, but new data have shown over and over again that jobs programs, drug rehab, and housing do far more to deter and prevent crime than traditional policing as it's done today.

I also understand that the police have a hard job, but they're not unique in that regard. Quite a few occupations are more dangerous and claim more lives annually than policing does. LEOs are not more special than the rest of us. They are equal and should face the same exact repercussions for mistakes in judgment as the rest of society does. In fact, since they have training the rest of us don't have, they need to be held to a HIGHER standard.

I do not want a hyper-militarized police force in my city. I am vehemently opposed to no-knock warrants. Use of any kind of force must be intensely scrutinized and subject to civilian oversight. Every. Single. Time. If an officer is found to have injured or killed someone unjustifiably, they should be prosecuted the same way the rest of us would be. And the police unions shouldn't have the power to allow her or him to stay on the job.

Finally, we need to recognize systemic racism and work tirelessly to prevent it. I'm positive every Pasadena police officer believes they are not a racist person. But we ALL have implicit biases. The key is to work on them and do better. I want my police force to not be any more afraid of a black woman than they would be of me (a white woman). I want the force to strive for full equality, for them to not be more afraid of black and brown people than they are of white people. Don't suspect them more. Don't stop them more. Don't arrest them more.

George Floyd, Breonna Taylor, Tamir Rice, John Crawford III, Eric Garner, Freddie Gray, Michael Brown, Jr., Sandra Bland—and thousands more black Americans unequivocally deserve to be alive today. The police took their lives. We need our police force to be and do better.

I appreciate our women and men in uniform who work to keep us safe. Let's work on keeping EVERY ONE OF US in Pasadena even safer with these measures.

Kristi Colmenero
Pasadena, CA 91104

August 24, 2020

Mayor Terry Tornek
District 1 Vice Mayor Tyron Hampton
District 2 Councilmember Margaret McAustin
District 3 Councilmember John J. Kennedy
District 4 Councilmember Gene Masuda
District 5 Councilmember Victor M. Gordo
District 6 Councilmember Steve Madison
District 7 Councilmember Andy Wilson

Re: August 24, 2020 Pasadena City Council Meeting – Agenda Item #6

Urging Pasadena City Council to Develop a Proposal in alignment with the Movement for Black Lives 2020 Policy Platform, and in alignment with the demands of Black Lives Matter Pasadena and NAACP/NDLON

Dear Pasadena Mayor Terry Tornek and City Councilmembers:

Greetings to you all. I am Una Lee Jost, a long-time resident of Pasadena in District 4. I am writing in my individual capacity as a member of the National Lawyers Guild of Los Angeles, faith leader of LA Voice, a California Democratic Party Delegate, a member of the Progressive Asian Network, and most of all a citizen seeking the welfare of our City as we know that in its welfare we shall find our welfare.

Historians are now calling the recent George Floyd Solidarity protests inspired by the movement for Black lives quite possibly one of the largest movements for social justice in U.S. history and possibly the world. (See Saget, B., et al, “Black Lives Matter May Be the Largest Movement in U.S. History” New York Times (Jul. 9, 2020), re-published online at: <<https://portside.org/2020-07-09/black-lives-matter-may-be-largest-movement-us-history>>).

Amnesty International USA and the seven million-strong Amnesty International movement worldwide are also demanding real and lasting reforms to policing across the board, including “Stop[ping] extrajudicial executions of Black people by police and bring[ing] accountability for their deaths through independent, impartial investigations that lead to reparations for the victims and survivors.” (<https://www.amnestyusa.org/protest-map>)

As you know, Pasadena is not immune from the nationwide, indeed worldwide, reckoning of the prevalence and impact of inequitable and inappropriate use of force by law enforcement giving rise to deaths, injuries, trauma, and stress that disproportionately affects marginalized populations and which is a critical public health issue.

And Pasadena is not exempt from the nationwide call for investigations into all law enforcement officers who have been documented brutalizing protesters, as well those who have records of complaints for violence; and the nationwide call for the defunding and demilitarizing of the police, and an investment in community resources including housing, healthcare and income and reparations for the families of those murdered.

In solidarity with movements for Black lives, the family of George Floyd, and all victims of racialized police violence including victims in our very own City of Pasadena, I urge Mayor Tornek and all City Councilmembers to stand on the side of our City's families and communities in aligning the City's proposal to the 2020 Policy Platform (<https://m4bl.org/policy-platforms>) of the Movement for Black Lives, a coalition of 150 organizations across the United States which represent the interests of black communities, including the Black Lives Matter Network, National Conference of Black Lawyers, Ella Baker Center for Human Rights, and many others.

This includes, as indicated in M4BL's “Community Control” plank, “providing direct democratic community control of our City's law enforcement agency, ensuring that communities most harmed by destructive policing have the power to hire and fire officers, determine disciplinary action, control budgets and policies, and subpoena relevant agency information.” (<https://m4bl.org/policy-platforms/community-control>)

08/24/2020

Item 6

Via Email Only
Pasadena City Council
August 24, 2020
Page 2 of 2

Consistent with the M4BL's "Community Control" plank, I also add my voice in support of the demands initiated by our Black and Brown brothers and sisters most harmed by destructive policing in our City, including:

A. The demands of Black Lives Matter Pasadena to:

- “1. Release all records of use of force complaints, investigations, and conclusions made by police or City Council in the past 5 years. Provide a mechanism for regular release of such materials.
2. In case of an officer-involved shooting, release unedited body-cam footage to the family of the deceased or to the family’s legal counsel, within 24 hours after the incident.
3. Do NOT grant nomination power to the Chief of Police to appoint a member of the Oversight Commission.
4. Permit Black Lives Matter Pasadena the right to nominate one member of the Oversight Commission. (Proportionately increase the # of appointees if it increases)
5. Disqualify nominees or appointees of the Oversight Commission who have financial, personal, political, or other business ties to real estate developers or police unions.
6. City of Pasadena commit to immediately dropping charges against Nafissa Kaba, whose 11-year-old son was maced by a police officer moments after Anthony McClain’s death.”

B. The demands of NDLO/NAACP to create a police oversight body comprised of an independent auditor and selected community members for the commission with subpoena power in alignment with the Community Bill of Rights set forth at: <https://actionnetwork.org/letters/support-the-pasadena-community-bill-of-rights>.

We must take immediate steps to transform our City into one where those most impacted in our communities control the laws, institutions, and policies that are meant to serve us - from our schools to our local budgets, economies, our land, and yes, our police departments.

We do not have time to wait until another person is victimized by racialized police violence. What if that next person would have been your spouse, child, parent, grandparent, grandchild, friend?

Thank you for your timely consideration of the concerns outlined above. Should you have any questions, please do not hesitate to contact the undersigned.

Sincerely yours,

Una Lee Jost
Resident of the City of Pasadena, District 4

“I am convinced that if we are to get on the right side of the world revolution, we as a nation must undergo a radical revolution of values. We must rapidly begin...the shift from a thing-oriented society to a person-oriented society.” - Martin Luther King Jr.