

**Jomsky, Mark**

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**From:** Anna Parker <annalouparker@gmail.com>  
**Sent:** Sunday, August 2, 2020 11:19 PM  
**To:** PublicComment-AutoResponse  
**Subject:** Oversight of tbe Police Department

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Dear Mayor Tornek and City Councilmembers,

I am an older, seasoned citizen who has voted in every election since 1960. Like many other long time Pasadena voters, I consider public safety to be an issue of major importance.

I applaud the efforts of Councilmember Kennedy and the other members of the Public Safety Committee. I am fully supportive and in favor of the Public Safety Committee's proposal for oversight.

Anna Lou Parker  
91104

08/03/2020  
Item 6 & 7

**Jomsky, Mark**

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**From:** Christopher M <chrisjr129@gmail.com>  
**Sent:** Sunday, August 2, 2020 10:14 PM  
**To:** PublicComment-AutoResponse  
**Subject:** The civilian oversight committee

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To whom it may concern,

Good evening Councilmembers, I urge each member of the Pasadena City Council to please vote in favor of the proposal by the Public Safety Committee for a civilian police oversight committee as presented by the Public Safety Committee and under the leadership of Chairperson and Councilmember John J. Kennedy.

The citizens as well as members of the police department, are safer when everyone knows that there is independent oversight over the police department and this proposal is a step in the right direction, and a platform on which we can continue to build.

Thank you for your consideration!

Sincerely,

Christopher M.

08/03/2020  
Item 6 & 7

## Jomsky, Mark

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**From:** Dan Huynh <bleuroses@gmail.com>  
**Sent:** Sunday, August 2, 2020 9:18 PM  
**To:** Jomsky, Mark  
**Cc:** Mellem, Araceli; Hampton, Tyron; mmacaustin@cityofpasadena.net; Kennedy, John; Masuda, Gene; Gordo, Victor; Madison, Steve; Wilson, Andy  
**Subject:** Public Comment on Item 7 for City Council Meeting 8/4/2020

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Dear mayor and city council,

I am a resident in District 3 and writing to strongly urge you to support a motion that amends our city charter for the creation of a civilian oversight commission and an independent police auditor (IPA) with subpoena powers. In the last few weeks, you have all demonstrated great leadership in listening to community feedback, conducting your own research, and discussing this urgent issue. And because this is an issue that affects the safety of our entire city, among the different options presented, it makes the most sense to have Pasadena voters decide on the charter amendment.

I ask city council to support a motion that would create the amendment language for the November 3rd election and to include in that amendment the following:

1. The creation of an independent police auditor position that is separate from the city manager's office and the city attorney's office. This position should have the sole and important task of auditing and investigating the Pasadena Police Department (PPD). This position should also be imbued with subpoena power so that it has unfettered access to all PPD data as well as data relevant and pertinent to the completion of its investigative work.
2. The creation and funding of a civilian oversight commission that draws its membership from community-elected individuals. As a body that oversees police conduct and represents the community that is subject to policing, the commission's greatest strengths are: its freedom from the influence of politics and law enforcement, and its representation of the community it serves. Therefore, I urge you to include language in the charter that protects the integrity of the police oversight by allowing Pasadena to elect its police oversight commissioners. These individuals should also be provided a stipend so that those who are low-income or employment-insecure can have their voices equitably represented.

Thank you for continued leadership,  
Dan Huynh  
91101

08/03/2020  
Item 6 & 7

**Jomsky, Mark**

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**From:** mayra guffin <meguffin@icloud.com>  
**Sent:** Sunday, August 2, 2020 10:39 AM  
**To:** PublicComment-AutoResponse  
**Subject:** PPD

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As a resident of Pasadena for 50 + years, please leave our Pasadena Police Department alone. They do a fabulous job. Thank you.

Mayra Guffin-Masucci

08/03/2020  
Item 6 & 7

**Jomsky, Mark**

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**From:** Heather Ross <heatherdross@gmail.com>  
**Sent:** Sunday, August 2, 2020 9:19 AM  
**To:** PublicComment-AutoResponse  
**Subject:** Amending the city charter

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Dear city council,

I love our city, and believe it's a truly original and special place. I also believe it takes community engagement to make it as fair and vibrant as it can be. Therefore, I am calling on you to vote to vote YES to amend the city charter, Agenda item 7.

I am grateful to the NAACP for raising my awareness to issues of safety and policing for our neighbors of color and wish to support them in their efforts to self-determination, and creating a civilian oversight committee is a fair and wonderful part of those efforts.

Thank you.

Heather Ross

08/03/2020  
Item 6 & 7

**Jomsky, Mark**

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**From:** Sonja Berndt <sonja.berndt19@gmail.com>  
**Sent:** Saturday, August 1, 2020 6:25 PM  
**To:** Tornek, Terry; Hampton, Tyron; Kennedy, John; Wilson, Andy; McAustin, Margaret; Madison, Steve; Gordo, Victor; Masuda, Gene  
**Cc:** Jomsky, Mark  
**Subject:** City Council Meeting August 3, 2020: Agenda Items #6, 7 (submitted as correspondence as well)

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**FOR CITY COUNCIL MEETING AUGUST 3, 2020**

**RE: AGENDA ITEM #6: CREATION OF A COMMUNITY POLICE OVERSIGHT COMMISSION AND CONSIDERATION OF CREATING AN INDEPENDENT POLICE AUDITOR TO REPORT TO THE CITY PROSECUTOR**

**AGENDA ITEM #7: ADOPTION OF RESOLUTIONS RELATED TO THE SUBMITTING OF A POLICE OVERSIGHT MEASURE TO VOTERS AT THE NOVEMBER 3, 2020 GENERAL MUNICIPAL ELECTION**

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

I am a longtime resident of Pasadena, a retired state prosecutor who conducted hundreds of investigations over my 31-year career, and a concerned citizen. This letter is submitted as a concerned citizen and is not intended as legal advice.

I write to add my voice to the loud chorus of many hundreds of residents demanding effective civilian oversight of our Police Department. I hope that we can all agree that the paramount goals of civilian oversight are transparency, accountability and public trust. Which of the proposals upon which you are deliberating will meet these goals?

**A. The Proposals**

**The Tornek/Kennedy Proposal.** Mayor Tornek and Council member Kennedy have made a good faith effort to develop “enhanced” civilian oversight of the Pasadena Police Department (“PPD”). But the proposal’s narrow scope of review by the Community Police Oversight Commission (“Commission”) and Independent Police Auditor (“IPA”) and the lack of subpoena power will result in a lack of confidence that the IPA’s report is fair, complete, and thorough. First, the IPA does not conduct the investigation. The IPA reviews the investigation conducted by the PPD. The IPA has access to the records the PPD gives him/her. If the IPA does not receive everything the PPD considered, including evidence deemed unfavorable, the IPA will not be aware of the evidence. Second, if the IPA wants to interview witnesses under oath including, for example, a potential whistleblower, the IPA cannot do so because he/she has no subpoena power. If the IPA wants

to seek important documents from a third party, he or she cannot do so because he/she has no subpoena power. The IPA is dependent upon the PPD and/or the City Manager to obtain all of the evidence the IPA deems necessary for a complete, thorough and fair investigation. Does this model meet the goal of accountability? Possibly. Perhaps the evidence the IPA receives will be complete. Maybe not. Does this proposal meet the goals of transparency and public trust? No.

Respectfully, I and many others are not seeking “enhanced” community oversight of the PPD. We are seeking *effective* civilian oversight. The “enhanced” oversight model simply “kicks the can down the road,” to the day when the public realizes it does not achieve the goals of transparency and accountability.

**The Hampton Proposal: Through Charter Amendment.** Vice Mayor Hampton’s proposal allows the Community Police Oversight Commission (“Commission”) and the Independent Police Auditor (“IPA”) to investigate citizen complaints of, for example, excessive force, as well as personnel complaints such as for bias-based policing. Moreover, the IPA can subpoena documents and testimony to meet the IPA’s functions. While the proposal includes a review of the PPD’s investigatory work, it also allows the IPA to issue subpoenas for additional documents and conduct examinations under oath of witnesses that he or she deems necessary for a thorough and complete investigation. The result? Accountability is much more likely due to a more thorough and complete investigation, and the goals of transparency and public trust are realized.

Some council members have stated that there are not enough votes on the City Council to approve the resolutions allowing this oversight model to be voted on by our residents this November. The residents of our City deserve a vote, up or down, on this agenda item. Our residents deserve to know whether their council members support the status quo, support enhanced civilian oversight, or support giving our residents the chance to vote this November for *effective* civilian oversight of the PPD through a Charter amendment.

### **IPA Reports to a Newly Appointed “City Prosecutor”**

While on the surface this proposal seems like a viable way to avoid having to obtain a Charter amendment, as the City Attorney discusses in her memorandum dated August 3, 2020, it is complex due to potential conflicts of interest and the “walling off” of the IPA from the City Prosecutor, as well as the potential problem that can arise if there are compelled statements from police officers. Moreover, without a Charter amendment, the authority of the IPA is too narrow given that, according to the City Attorney’s memorandum, it excludes issuance of subpoenas in PPD personnel matters.

### **B. The Issue of the City Council’s Subpoena Authority**

The City Attorney discusses the option of having the City Council issue subpoenas and/or delegate that authority to the IPA. This option for civilian oversight should be a nonstarter because it diminishes the perception of independence, particularly if City Council approval is required in order to enforce the subpoenas. Further, according to the City Attorney, the City Council has no authority to delegate subpoena power to an IPA in matters involving personnel investigations of police officers unless there is a Charter amendment.

### **C. Conclusion**

In conclusion, our City deserves *effective* civilian oversight of the PPD, not to diminish PPD's importance to the functioning of our City or to denigrate our police officers in general. I worked with many fine law enforcement officers throughout my legal career. Rather, effective civilian oversight of the PPD is necessary to gain the public trust of not just some, but all of our residents. Please adopt the proposed "resolutions related to the submitting of a police oversight measure to voters at the November 3, 2020 general municipal election" and give our voters a chance to pass a measure that will provide *effective* civilian oversight of the PPD.

Thank you for your time and consideration of this letter and for all of the work completed by the City Council and staff on this important issue.

Sonja K. Berndt, Esq. (retired)

Pasadena



**Jomsky, Mark**

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**From:** John Faivre <johnfaivre@gmail.com>  
**Sent:** Saturday, August 1, 2020 9:21 AM  
**To:** PublicComment-AutoResponse  
**Subject:** Trust in police practices for Aug. 3 meeting

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Greetings City Council members:

I have lived in Pasadena for 70 years and worked with City commissions and in our courts. I watched the July 27 meeting for 2 or 3 hours. I was impressed by the uniform support for the Police Chief and the lack of specific problems that might be solved by subpoena power in an oversight group. But also by the sense that the total executive powers of the City Manager, including all communications relating to City issues, both to the public and to the Council, might not allow for full transparency on sensitive problems, such as the current national, pervasive doubts about municipal treatment of policing issues.

One way to mitigate this challenge would be for the City to establish an open website on policing issues with access to relevant City reports and open to circulation of public information and comments. In addition to providing greater assurance of transparency, this could also provide a public forum for the whole community to express concerns. This would be in addition to the current proposal from the Public Safety Committee.

But I do not see the need for a new subpoena power in an oversight committee. The committee is not a court and is not in a position to impose liability for individual or systemic problems causing injury. Rather it would filter policy issues.

I appreciate the attention of the Council to this ongoing and sensitive issue.

Regards,

John Faivre

Sent from my iPad

**Jomsky, Mark**

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**From:** lisa matthiessen <lmatthiessen2@gmail.com>  
**Sent:** Monday, August 3, 2020 9:54 AM  
**To:** PublicComment-AutoResponse  
**Subject:** police reform

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I heartily endorse the creation of a police oversight commission

lisa fay matthiessen

08/03/2020  
Item 6 & 7

## **Jomsky, Mark**

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**From:** Nancy Busacca <busacca@sbcglobal.net>  
**Sent:** Monday, August 3, 2020 10:32 AM  
**To:** PublicComment-AutoResponse; Hampton, Tyron; Bell, Cushon  
**Subject:** Community Bill of Rights

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Hello, my name is Nancy Busacca and I am a resident of Council district number 1.

My comments refer to the agenda items 7 of the August 3<sup>rd</sup> Pasadena City Council meeting.

All police officers need to be accountable to the public. And a Police Oversight Committee as outlined below including Subpoena Power needs to be created; in fact it is long overdue!

Such a committee would hopefully lead to more officers of color in leadership positions and ones that might actually LIVE in the area! We need a police department guided by the principles that recently gained powerful credence by the LAPD's actions: See: <https://laist.com/latest/post/20200727/los-angeles-policing-coronavirus-update-july-27>

We need officers that are GUARDIANS not WARRIORS!. Ones that don't believe that civil matters are beneath them. That doesn't give white folks like myself a "pass" while beating up minority citizens who don't have a front license plate. (I would wager that 1 in 20 cars lacks even the holes for a front license plate. In fact a review of police officer's personal vehicles might prove enlightening.)

Additionally, officers found guilty of abuse of power should be fired and not just allowed to resign so that they can just get a job somewhere else.

Creating strong civilian oversight of the Police Department is a tangible step the city must take to re-imagine how police duties and public safety are performed in our community.

The community police oversight commission should be selected from the community and not be appointed by City staff or Council members. The auditor should have the authority to provide civilian oversight of the department including subpoena power, selecting the commission staff and reporting to the City Council.

**I am calling on all City Council members to vote yes amending the city charter to allow a full-time Independent Police Auditor position with subpoena power.**

Thank you.

**Nancy Busacca**

**To the future generations of all species. Know that  
there were many of us who did what we could-**Dahr  
Jamail

**And we failed anyway-**Nancy Busacca

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