

**From:** [Jenice A](#)  
**To:** [John Knox White](#); [Marilyn Ezzy Ashcraft](#); [Malia Vella](#); [City Clerk](#)  
**Subject:** [EXTERNAL] 12/6 Consent Item 5-D  
**Date:** Tuesday, December 6, 2022 12:44:21 PM

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Hello,

I am writing to express concern for policy changes in consent item 5-D on the agenda for tonight's meeting. The changes for non-release after arrest for a misdemeanor are now to include:

- (j) A previous conviction, citation, or arrest for misdemeanor or felony retail theft from a store in the previous six months.
- (k) There is probable cause to believe that the person arrested is guilty of committing organized retail theft.

Both of these additions seem outside the scope of police policy in that if one has a previous conviction, citation or arrest for retail theft they are already in the system and will have pending court dates or have served time for their convictions. You should only be allowed to be held without release for the crime you have just committed, not a previous one you're already being punished for. Item j also essentially treats misdemeanors and felonies the same, so a mother who was caught stealing diapers may be held without release the same as someone who stole thousands of dollars of electronics? That is ridiculously inhumane. Item k is very clearly a recipe for unlawful detention as it only relies on the officers claims of probable cause and enhances future charges by associating people, maybe incorrectly and without evidence, of being part of organized crime. Police are not judge and jury, they do not determine guilt.

Retail theft has a host of societal and systemic causes. These policy changes are not for the safety of our community and would only result in enhanced and increased punishment of what is largely a crime of survival. I urge you to reject these policy changes, they are incredibly harmful and not at all well thought out.

Jenice Anderson

**From:** [Jennifer Rakowski](#)  
**To:** [City Clerk](#); [John Knox White](#); [Manager Manager](#); [Nishant Joshi](#); [Tony Daysog](#); [Trish Spencer](#); [Marilyn Ezzy Ashcraft](#); [Malia Vella](#)  
**Subject:** [EXTERNAL] 5-D cite and release policy  
**Date:** Tuesday, December 6, 2022 12:17:43 PM

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Dear City Council,

The proposed policy change to the Alameda's Cite and Release policy basically want to move backward toward the fail days of the 3 strike law mentality and be able to have 2 additional reasons to hold and jail individuals. It runs counter to the intent of the Safe Neighborhoods and Schools Act, enacted as Proposition 47, as approved by the electors at the November 4, 2014, statewide general election. It also runs counter to the direction Alameda County voters demonstrated with the election of Pamela Price as District Attorney and Yesenia Sanchez for Sherriff.

It proposes to add:

Reasons for non-release include:

(j) A previous conviction, citation, or arrest for misdemeanor or felony retail theft from a store in the previous six months.

(k) There is probable cause to believe that the person arrested is guilty of committing organized retail theft.

I encourage a pause on this policy to coordinate a regional response to this issue with new criminal justice partners. If not paused, I encourage the removal of the misdemeanors from (i).

Thank you for your consideration.

Jennifer Rakowski