

From: [Marilyn Schumacher](#)
To: [Marilyn Ezzy Ashcraft](#); [John Knox White](#); [Malia Vella](#); [Tony Daysog](#); [Trish Spencer](#)
Subject: [EXTERNAL] Re Item 7e on tonights agenda Alameda Police Accountability
Date: Tuesday, November 1, 2022 6:28:31 PM
Attachments: [We sent you safe versions of your files.msg](#)

Mimecast Attachment Protection was unable to create safe copies of your attachments.

I hope all of you are doing well!

Please accept the Staff's recommendation to accept the local Chapter of the NAACP to hire the Auditor in Option 1.

By doing this we can find the best person to oversee the implementation of the CALEA Accreditation.

Please see the attachments.

Thank you, marilyn schumacher.
1829 Clinton Ave, Alameda, CA 94501

Marilyn Schumacher
Broker Associate
DRE #00904530
510-908-9021 - cell
Results exceeding the challenges*

SAVE ALAMEDA, INC.

A 501 (c)4 organization

November 01, 2022

Dear City of Alameda Council Members & Madam mayor,

I strongly urge that you postpone any hearing regarding the materials brought forward by the Chief of Police this evening, on the agenda as item 2022-2350 listed as "Recommendation to Provide Direction to Staff Regarding Police Accountability. (Police 10031130)"

We respectfully request that you have the Chief of Police give his guidance but make no vote upon his presentation. Chief Joshi appears before City Council because of recommendations from a steering committee and five sub-committees who provided information and recommendations violating California Law. The Brown Act.

In August 2020, the City Manager, as directed by the Alameda City Council, appointed a group of hand-selected individuals to form what the City of Alameda called a Community-led Steering Committee (Steering Committee) on Police Reform and Racial Equity. The Steering Committee formed five subcommittees to meet, confer and give a report and make recommendations to the City Council on the future of policing and what is perceived as systemic racism in the City of Alameda. The City Council established task-specific recommendations on which the five subcommittees were to focus on. On March 16, 2021, the Steering Committee and all five subcommittees gave their report violating California Law. The Brown Act.

This issue was raised by Commission Members of the Open Government Commission in an open session. Unfortunately, the Commission Members' concerns, questions, and recommendations were ignored.

There were 22 recommendations made by these five committees, all made in violation of the law; thus, the City of Alameda is acting in violation of the law by doing anything with these reports and recommendations. These recommendations were made from "Fruit of the poisonous tree." In addition, the City Council heard requests and gave instructions based on meetings that were held in private, closed sessions, with no public comment or participation. The information obtained during

these private closed sessions and meetings is stored on personal data storage devices and private email services, violating California law.

As Council Members, you are well aware of the Brown Act. I would find it hard to believe that anyone of you would say under the penalty of perjury that the meetings held by these five committees were proper. Unless the City Council can say that the five committees meet in closed sessions and help discussions in private for the specific purpose of discussing litigation, real estate, or labor negotiations, the Brown Act is controlling.

Government Code Section 54950, Known as The Ralph M. Brown Act

"In enacting this chapter, the Legislature finds and declares that the public commissions, boards and councils and the other public agencies in this State exist to aid in the conduct of the people's business. It is the intent of the law that their actions be taken openly and that their deliberations be conducted openly.

The people of this State do not yield their sovereignty to the agencies which serve them. The people, in delegating authority, do not give their public servants the right to decide what is good for the people to know and what is not good for them to know. The people insist on remaining informed so that they may retain control over the instruments they have created."

What am I asking from City Council? Go back and begin the process new, follow the proper procedures, and get everyone involved. I am not asking the City Council to scrap the entire steering committee procedure, just their findings which were obtain in violation of the law.

If the City Council continues to move forward improperly, violating the law, we will be forced to seek a legal remedy. We hope that will not come to pass and that the City Council will form new committees and start afresh with public comment and with sessions held in a public form and not in a private closed-door session to keep the public out of the public's business.

I look forward to working with anyone who will make this process a reality based on the law and knowledge that our personal and public safety is at stake.

Respectfully,



John Healy

Save Alameda

October 28, 2022

From: Kimberly Briggs Giuntini
1727 Moreland Drive
Alameda, CA 94501

Email: briggs6299@icloud.com

To: Mayor Ashcraft
City Manager
City Attorney
City Council members
Police Chief Nishant Joshi

Re: Staff Report regarding Police Accountability; Agenda item #7-e for November 1st meeting

Dear Esteemed Alamedans,

I am writing this letter in support of Option #3 in staff report file #: 2022-2350. I have reviewed the report in its entirety and strongly believe that this option is the most measured of the options.

First, to be a trustworthy process it has to be transparent. The hiring of a completely independent, unbiased auditor who does NOT report to the Police Chief would ensure its transparency. Instead, the auditor would report to either the City Manager or the City Attorney - both independent from the police department.

Moreover, it clearly includes direct, and swift, accountability. As the CEO of the county, the City Manager has the distinct authority to hold both the Chief of Police and the Auditor accountable. Frankly, that includes firing them if necessary.

Our police department needs a streamlined process, rather than layered oversight which ultimately ties the hands of the police, in order to do the job our community needs them to do. We only have to look to the nightmares occurring in Oakland and San Francisco to see what damage their police commissions have done, including well-reported payouts at taxpayers' expense. The City of Alameda does not need that. In fact, it's important to note that APD has completed all of the 22 recommendations from the Community-led Steering Committee from 2021, except for ones that require continuing compliance and therefore cannot be "completed." Clear proof that they are already doing an excellent job.

Option #3 is the choice that our City Council should support.

October 31, 2022

Madame Mayor and members of the City Council,

My comments are directed towards the Police Accountability matter before the council on November 1, 2022, and summarized in Staff Report 2022-2350.

Initially, I want to thank City Staff for their thorough and thoughtful assessment of the options available to the City to insure Alameda has a comprehensive, independent, and transparent oversight plan for the Alameda Police Department.

Moreover, as staff has noted, in the ever-changing public safety arena, it's important to have a system in place that is capable of reacting quickly to public safety initiatives and mandates without unnecessary delays.

We need timely and thoughtful oversight that allows the Alameda Police Department to implement the best police practices and the most current public safety initiatives while insuring that there is procedural justice for everyone in our community.

For that reason I support the Option 3 as proposed by staff in its report to the council **with one caveat, namely that the Independent Police Auditor report to both the City Attorney and the City Manager.**

First, this plan guarantees transparency with the appointment of an independent Police Auditor as a full time employee with all the appropriate DOJ clearances whose charge would be to make timely recommendations to the Chief of Police, City Attorney and the City Manager on operations, policies and procedures. More importantly, the auditor would not be delayed in taking action the way police commissions and advisory commissions are, with monthly meetings' schedules that only serve to delay outcomes and erode the public's confidence in the Police Department. Not to mention delaying implementation of any reforms that might be called for. One only needs to look to the San Francisco and Oakland Police Commissions operations over the years to get the full flavor of how dysfunctional and costly they have been for the taxpayers.

Second, Option 3 guarantees the Alameda Police Department would be meeting the highest professional standards as the department would be mandated to seek and maintain accreditation from CALEA, a commission that has accredited law

enforcement agencies for over 50 years and is viewed as the gold standard on professional standards and best practices in public safety.

Lastly, and in no small part, my confidence in Option 3 is buoyed by the NAACP's evaluation and endorsement of Option 3 which confirms my analysis that option 3 is the right plan for all Alamedans.

Sincerely,

Russell J. Giuntini
Alameda resident

From: [Laura Cutrona](#)
To: [City Clerk](#); [Manager Manager](#); tdaysog@alamedca.gov; [Trish Spencer](#); [John Knox White](#); [Marilyn Ezzy Ashcraft](#); [Malia Vella](#)
Subject: [EXTERNAL] 7-E Police Oversight
Date: Tuesday, November 1, 2022 4:00:27 PM

Dear City Council,

I implore you to reconsider the options presented, especially staff's recommendation of option 3: police auditor reporting to the City Attorney's office, plus national accreditation from CALEA, as ***it leaves the community out of the conversation.***

After over a year of research and critical thinking by the diverse Subcommittees on Racial Equity and Police Reform, a key recommendation was to intentionally create an "Alameda that is safe, welcoming, and supportive of Black, Indigenous, and People of Color (BIPOC) to live, work, play and pray" through a **community** oversight board. Option 3 leaves oversight to the City and CALEA, which is run by police, and does not bring community input to the table.

You have the opportunity to honor the Subcommittees' representative voice and give ongoing voice to the Alameda community. This is desperately needed in a time when we still have community members grieving over events like the murder of Mario Gonzalez in April 2021 at the hands of APD. There is no solution "for" us, without us.

Sincerely,
Laura Cutrona

From: [Beth Strachan](#)
To: [City Clerk](#); [Manager Manager](#); tdaysog@alamedca.gov; [Trish Spencer](#); [John Knox White](#); [Marilyn Ezzy Ashcraft](#); [Malia Vella](#)
Subject: [EXTERNAL] Regarding item 7-E Police Oversight
Date: Tuesday, November 1, 2022 3:47:51 PM

Dear City Council,

Staff's recommended option for police oversight leaves the community on the sidelines. The report recommends police oversight should be left to full-time professionals. I write to remind you that community voices are not in conflict with fair oversight or the police chief's authority.

As City Council directs staff on this agenda item, I'm asking that you consider what accountability means. I urge Council to act with accountability to your past commitments and votes and continue to respect the work of community members around police oversight. There is no solution "for" us without us!

Thank you,
Beth Strachan

From: [Jonathan Tejada](#)
To: [City Clerk](#); [Manager Manager](#); [Tony Daysog](#); [Trish Spencer](#); [John Knox White](#); [Marilyn Ezzy Ashcraft](#); [Malia Vella](#)
Subject: [EXTERNAL] Agenda Item 7E.
Date: Tuesday, November 1, 2022 3:36:11 PM

I am writing in support of the staff's recommended approach on agenda item 7-E for the 'Recommendation to Provide Direction to Staff Regarding Police Accountability', option 3. Not only does option 3 have the recommendation of our Alameda Police Chief (Nishant Joshi) but it also bears the support of the NAACP.

I am also writing to express my opposition to the implementation of Option 4: Police Commission and Option 5: Advisory Commission.

Thanks,

Jon Tejada

Sent from my iPhone

From: [Meredith Hoskin](#)
To: [City Clerk](#); [Manager Manager](#); tdaysog@alamedca.gov; [Trish Spencer](#); [John Knox White](#); [Marilyn Ezzy Ashcraft](#); [Malia Vella](#)
Subject: [EXTERNAL] Regarding item 7-E Police Oversight
Date: Tuesday, November 1, 2022 2:14:35 PM

To Madam Mayor, City Councilmembers, and City Leadership,

While I support the staff proposal for a Police Auditor that will report to the City Attorney, I feel strongly that staff and city leaders need to revisit the well-researched recommendations in [the final report](#) from the Racial Equity & Police Reform committees for **a community police oversight commission**.

Other city departments, from Planning to Parks, have a board or commission of community volunteers to provide input on the activities and issues of that department. I would think that this would be a welcome opportunity for Alameda Police Department to inform and hear more from the public, demonstrate transparency, and build and maintain trust in the community that they serve.

All due respect to our Alameda Police officers, but their work can have dire consequences on members of our community. I urge city staff and leadership to consider more solutions for community oversight, particularly a community police oversight commission comprised of members independent of the police department.

Also, let's remember that at the request of the city, the volunteers on the committees for Racial Equity & Police Reform **spent months** researching, reviewing, and evaluating information toward their proposal. I'd hate to see their hard work go unused.

Thank you,

Meredith Hoskin

From: [Felsha Zuschlag](#)
To: [City Clerk](#); [Manager Manager](#); tdaysog@alamedca.gov; [Trish Spencer](#); [John Knox White](#); [Marilyn Ezzy Ashcraft](#); [Malia Vella](#)
Subject: [EXTERNAL] Agenda item 7E for Meeting on 11/1/22 - yes to option 3, "NO" to oversight committee
Date: Tuesday, November 1, 2022 12:33:23 PM

Dear City Council,

I am writing in support of the staff's recommended approach on agenda item 7-E for the 'Recommendation to Provide Direction to Staff Regarding Police Accountability', **option 3**. Not only does option 3 have the recommendation of our Alameda Police Chief (Nishant Joshi) but it also bears the support of the NAACP.

I am also writing to express my opposition to the implementation of Option 4: Police Commission and Option 5: Advisory Commission. Prior to moving to Alameda, I was a resident of Oakland for 8 years. I witnessed firsthand the deterioration of public safety and our local police force. While I acknowledge the reasons for this deterioration and dysfunction is multifaceted, the police oversight council was an aspect of what contributed to the downfall of public safety. I urge the Alameda City Council to "say no" to a police advisory commission that does not have data that supports its implementation.

Sincerely,

Felsha Zuschlag
Alameda resident

From: [Jeff Petersen](#)
To: [Trish Spencer](#); [John Knox White](#); [Marilyn Ezzy Ashcraft](#); [Malia Vella](#); [Tony Daysog](#)
Cc: [Lara Weisiger](#)
Subject: [EXTERNAL] Vote "NO" on Citizens Overseeing the Police Department -- Agenda item 7E for Meeting on 11/1
Date: Tuesday, November 1, 2022 11:01:03 AM

Dear Alameda City Council,

I reviewed the recommendations of the "Subcommittee on Police Department Accountability and Oversight." I know there are many other cities that have established citizen commissions to oversee police departments. I researched this issue and I could not find a single instance of a commission that has led to improved public safety. If you can point me to a citizen police oversight commission that has accomplished the following, I think it would make sense to establish one in Alameda based on their model:

- a reduction in crime,
- a reduction in innocent persons being harmed by the police,
- an increase in police morale and officers wanting to work for that department.

Until you present the public with this information, you would be doing a substantial disservice to the citizens of Alameda by creating a new bureaucracy that will likely decrease police morale.

The last thing Alameda needs is an added layer of bureaucracy on the police department. Alameda has a fantastic police force and an outstanding police chief. My understanding is that Chief Nishant Joshi has been very responsive to community input and pushing for reforms that will benefit the citizens of Alameda. If the police chief is implementing needed reforms, why create a bureaucracy that may result in diminished morale of police officers? We need police officers that are willing to risk their lives when encountering dangerous criminal situations. Adding the bureaucracy of a citizens commissions only adds uncertainty to police officers jobs. We do not need citizen oversight since we have a great police chief who is making needed reforms!

Show the public some actual evidence of a police oversight commission that has improved public safety before you saddle the Alameda Police Department with an unneeded commission!

Sincerely,
Jeff Petersen
Alameda Resident

From: [Amanda Cooper](#)
To: [City Clerk](#); [Marilyn Ezzy Ashcraft](#); [Tony Daysog](#); [Malia Vella](#); [John Knox White](#); [Trish Spencer](#); [Manager Manager](#)
Cc: [Brett Webb](#)
Subject: [EXTERNAL] police oversight, item 7-E on tonight's agenda
Date: Tuesday, November 1, 2022 10:51:49 AM

Dear Alameda leaders-

In April of 2021 we mourned, alongside many of you, the death of son, brother and caretaker Mario Gonzalez, who died at the hands of our local police. We looked for answers and action, and we promised that we would never let something like this happen in our town again.

Luckily, we had already begun a process of inviting local members of the subcommittees on Police Reform and Racial Equity, who did very impressive work creating recommendations for police accountability to our community. **This committee modeled the kind of community expertise needed to do this work well. Unfortunately their recommendations are being set aside for a "professional" process that puts police in charge of their own oversight and accountability.**

Community oversight does not exist without community input. Local commissions and resident boards are a regular part of local government. Why should the police department be treated differently? The stakes of their mistakes are so high--lives have already been lost. They can not be left to police themselves. In fact, when experts reviewed the incidents that inspired this action, and Mr. Gonzalez's death, they explained them away. But you have heard from our community that this does not meet our standards. Harassment and harm to our neighbors is not what Alamedans want. We want care and true safety for all. **Local community members are better equipped to represent our values than outside consultants and retired or active police.**

These proposals erase our role as the community and supplant us with folks who don't represent us. They morph the mission of the subcommittees on Police Reform and Racial Equity from: "engender an Alameda that is safe, welcoming, and supportive of Black, Indigenous, and People of Color (BIPOC) to live, work, play and pray" to "an environment where its residents and visitors may live, work, and play free of crime and/or the perception of crime." This shows that this process has already started to disregard and disengage those of us who these policies most affect.

We call on the City Council to follow through on its commitment to community oversight. Any proposal that does not include a community commission is disrespectful to the people harmed by Alameda police and the people who put so much time into these recommendations, and a disservice to our whole community.

-Amanda Cooper and Brett Webb
Alameda voters

Amanda Cooper
Senior Partner
[LightBox](#) Collaborative

she/her
@MandaCoop
917-930-7552

From: [Alexia Arocha-Bergquist](#)
To: [Marilyn Ezzy Ashcraft](#); [Tony Daysog](#); [Malia Vella](#); [John Knox White](#); [Trish Spencer](#); [Manager Manager](#)
Cc: [City Clerk](#)
Subject: [EXTERNAL] Public Comment for Agenda Item 7-E
Date: Tuesday, November 1, 2022 8:49:48 AM

Dear Mayor and all,

I am writing regarding Item 7-E and ask that you do not approve all of staff's recommendations, especially regarding accreditation and oversight. The Police Reform & Racial Equity Steering Committee was created in August of 2020. Their report was approved in March of 2021; there were many complaints for how long the entire process took and how much Council used these delays to your advantage (eg- incessantly waiting to make decisions and to instead, "see what the steering committee recommends"). The Steering Committee's recommendations came and were clear when it came to oversight.

Recommended oversight included **civilian led oversight**, not police led. If a community can't trust the police how can they possibly trust the police to oversee themselves? It's impossible. The first line of the executive summary reads "[w]ith events of conflict throughout the country, the need to strengthen community policing is of utmost importance" - this itself is problematic; our community needs to be strengthened, and there is no such thing as "community policing" if the community is entirely shut out of the oversight process.

Of course, it has been so long since the steering/subcommittees were created and in that time we have experienced years of a pandemic, political turmoil, and now pending recession, on top of people fighting for their lives just to live without fear. Please remember the promises you made to the public before, when there were many callers and many writers asking you to do what is right and to protect Alameda's community, especially Black, Indigenous, and people of color who live and/or visit the island.

Please do not continue to take advantage of how much time has passed, and the fatigue that has inevitably set in (not to mention lack of trust in government officials), and please do not approve this recommendation as it stands. The community must be involved if there will be any remote claims of accountability.

Thank you for your time,
Alexia Arocha

From: [Joyce Boyd](#)
To: [Marilyn Ezzy Ashcraft](#); [John Knox White](#); [Tony Daysog](#); [Malia Vella](#); [Trish Spencer](#); [City Clerk](#)
Cc: [Nishant Joshi](#)
Subject: [EXTERNAL] Alameda City Council Meeting 11/1/2022 Item 7e - Recommendation to Provide Direction to Staff Regarding Police Accountability
Date: Monday, October 31, 2022 11:47:09 PM

City Council Members

I urge you to vote **YES for Option 3 (Police Auditor/CALEA Certification)**. Chief Joshi in his year in office has brought a data driven approach to policing, hired more officers and set a high standard of behavior for those officers. We are lucky to have such an experienced, well respected police chief.

When this topic arose, I educated myself on the options without bias for any alternative. I came to see that a police body does require an outside source of oversight, otherwise the fox is guarding the hen house when complaints arise. However, Police Commissions although nice in theory, often work poorly, cost a lot of money, and do not provide improved policing. See this article about accusations of misconduct and corruption on the Oakland Police Commission.

<https://www.courthousenews.com/fired-oakland-police-chief-files-whistleblower-lawsuit-against-city/>. The city staff report nicely lays out what oversight needs to look like:

1. Oversight should have direct access to top decision makers.
2. Oversight must be proficient in relevant technical knowledge and/or possess applicable advanced education/experience.
3. Oversight must be full-time and individuals should be selected through rigorous standards.
4. Oversight must be comprehensive and recommendations must be attainable.

I urge you to vote **No for the Police Commission Alternative**. Please note the letter from the NAACP recommending a Police Auditor/Advisor and CALEA Accreditation option. The NAACP is a widely respected organization with experience with what works. We need what works for Alameda.

Thank you for your consideration,

Joyce Boyd

Alameda Resident and Homeowner for 21 years

Board Member United Democrats of Alameda

From: [Edward Sing](#)
To: [City Clerk](#)
Subject: [EXTERNAL] Fw: Alameda City Council Mtg Nov 1st, Item 7e - Recommendation to Provide Direction to Staff Regarding Police Accountability
Date: Monday, October 31, 2022 2:58:28 PM

----- Forwarded Message -----

From: Edward Sing <singtam168@att.net>
To: Marilyn Ezzy Ashcraft <mezzashcraft@alamedaca.gov>; John Knox White <jknoxwhite@alamedaca.gov>; Tony Daysog <tdaysog@alamedaca.gov>; Malia Vella <mvella@alamedaca.gov>; Trish Spencer <tspencer@alamedaca.gov>; Lara Weisiger <lweisiger@alamedaca.gov>
Cc: njoshi@alamedaca.gov <njoshi@alamedaca.gov>
Sent: Monday, October 31, 2022 at 02:10:25 PM PDT
Subject: Alameda City Council Mtg Nov 1st, Item 7e - Recommendation to Provide Direction to Staff Regarding Police Accountability

City Council Members -

Implementing a Police Commission concept for oversight would be like taking a sledge hammer to isolated problems. Note that Police Commissions in other Bay area cities with issues far, far greater than the Alameda Police Department, have resulted in political issues which have hampered efficient management and leadership of their police departments turning it into a political nightmare. **I urge you to vote no for the Police Commission alternative.**

I urge you to vote YES for Option 3 (Police Auditor/CALEA Certification). IN his one year in office, Chief Joshi has made significant progress in implementing state of the art tools to ensure police accountability while also ensuring his department's policing efforts are focused on immediate and long term reduction of crime. Our town would benefit most from this common sense alternative which will ensure this department meets or exceeds industry standards and the community's expectations.

Thank you,

Ed Sing
Alameda Resident for 25 years

From: [Ashley Gregory](#)
To: [City Clerk](#); [Trish Spencer](#); [John Knox White](#); [Marilyn Ezzy Ashcraft](#); [Manager Manager](#); [Tony Daysog](#); [Malia Vella](#)
Subject: [EXTERNAL] Regarding item 7-E Police Oversight
Date: Monday, October 31, 2022 12:54:39 PM

Dear City Council,

I am writing regarding important issues of police oversight. This issue, and where City Council stands on it, is a reflection of the values that councilmembers decide to uphold.

There is no way around it, national accreditation is not a replacement for local accountability. Alameda must commit to independent oversight that involves the community. Period.

I urge the council to act with accountability to their past commitments and votes.

Sincerely,

Ashley Gregory

From: [Jennifer Rakowski](#)
To: [City Clerk](#); [John Knox White](#); [Manager Manager](#); [Nishant Joshi](#); [Trish Spencer](#); [Marilyn Ezzy Ashcraft](#); [Malia Vella](#); tdaysog@alamedca.gov
Subject: [EXTERNAL] Item 7-E
Date: Sunday, October 30, 2022 7:47:25 PM

Dear City Council,

Staff's recommended option for police oversight leaves the community on the sidelines. The report recommends police oversight should be left to full-time professionals. I write to remind you that community voices are not in conflict with fair oversight or the police chief's authority. The existence of a planning commission or library board does not demonstrate a lack of support of the department head. A community commission is a good government measure regarding one of the biggest responsibilities for cities: policing.

Staff is recommending option 3: Police Auditor reporting to the City Attorney's Office plus national accreditation from CALEA. Funding for an auditor has already been approved, the community is just waiting on hiring and placement. (Placement Options 1c or 1d auditor reports directly to Chief of Police or City Council are both non starters) The auditor reporting to the City Attorney or directly to City Manager are the only serious proposals. The police department does not need city approval to seek accreditation. However, national accreditation is not a replacement for local accountability.

The mission of the City Subcommittees on Racial Equity and Police Reform was to "engender an Alameda that is safe, welcoming, and supportive of Black, Indigenous, and People of Color (BIPOC) to live, work, play and pray. " This cannot and should not be rewritten to "an environment where its residents and visitors may live, work, and play free of crime and/or the perception of crime."

I call on the City Council to follow through on its commitment to community oversight. Let's not forget that the incidents that brought us to this point did not concern the "professionals," they shocked the consciousness of the community. No solution "for" us without us. Any proposal that does not include real movement toward a community commission is hollow.

Sincerely,

Jennifer Rakowski
Police Department Accountability and Oversight Member

Date: October 28, 2022

To: Mayor and Alameda City Council Members

From: Michael Robles-Wong

Subject: Open letter regarding Council consideration of civilian oversight of APD

I spent 20 years in law enforcement. Police officers do a job that routinely puts their life at risk, taking actions relying on the certainty that they will be treated fairly and backed up by their department when those actions follow department policy. This level of **trust** has to be present if the community that they protect expects to be able to recruit and retain the very best of this profession, and to foster an environment where there is no reluctance by officers to take the initiative to protect and serve.

Trust and distrust. These are the two central issues at the heart of whether and how the proposed civilian oversight of APD could be approached. The Council could implement some oversight mechanism that would be staffed by community members to address the **distrust** a not insignificant part of our community harbors about law enforcement and APD. The police have to **trust** a new process if this process helps the police regain the **trust** of the community.

I was a Reserve Police Officer when Berkeley implemented the Police Review Commission (PRC) back in the 1970s. A completely separate investigative and disciplinary process was created because of the community **distrust** of the Police Department to police itself. In part, this was an attempt to lift the veil of secrecy by allowing the community to see for themselves the actions of the police. Then as now, civil service employees have the right of due process and of representation. These should not be replaced by the court of public opinion.

Officers and their legal representatives perceived the PRC as a “kangaroo court”, and **distrusted** the process, disagreeing with being exposed to double jeopardy. Most egregious was the City failing to appoint unbiased commissioners who could weigh evidence objectively and make decisions without a presumption of guilt. Where officers and their representatives **trusted** the internal department and external DA and court processes, they completely **distrusted** the process and members of the PRC. Witness Officers called before the PRC routinely refused either to appear and/or testify.

I believe that an Alameda version of a similar PRC directed to re-investigate the actions of front-line staff, will be similarly doomed to failure, especially if the PD is not already under a consent decree to comply with restructuring/reorganization. Perhaps the insertion of an oversight committee should reside at the command level of the PD. This is, after all, a largely management problem if the Council perception is that the front-line staff performance needs to be changed.

From: [Lorin Laiacona Salem](#)
To: [City Clerk](#); [Manager Manager](#); tdaysog@alamedca.gov; [Trish Spencer](#); [John Knox White](#); [Marilyn Ezzy Ashcraft](#); [Malia Vella](#)
Subject: [EXTERNAL] 11/1 Item 7-E Police Oversight
Date: Friday, October 28, 2022 11:39:44 AM

Mme. Mayor and Councilmembers,

I'm submitting a public comment for item 7-E regarding police oversight. While I am glad to see this item on a Council meeting agenda, I am dismayed that none of the proposed solutions seem to capture the direction of the subcommittees on Racial Justice and Police Reform. They were very clear in their recommendations back in March of 2021, which were then unanimously adopted by this Council, that there should be civilian-led police oversight that would not include APD or police affiliates of any kind. In order to meaningfully hold police accountable for missteps, bad moves, or violent actions, such as the killing of Mario Gonzalez by APD in 2021, Alameda must commit to independent oversight that involves the community.

Staff is recommending option 3: a Police Auditor reporting to the City Attorney's Office plus national accreditation from CALEA. While I support having the auditor report to the City Attorney and see no reason against national accreditation, neither of these are a replacement for civilian accountability.

When Council directs staff on this agenda item, I'm asking that they consider what civilian accountability means. I urge the council to act in accordance with their past commitments and votes and continue to respect the work of community members around police oversight. This means forming and empowering a genuine civilian oversight board. Commissions and boards are a regular part of local government. Why is the police department treated differently?

Thank you,

Lorin Salem
Alameda resident

From: [Savanna Cheer](#)
To: [City Clerk](#)
Cc: [Manager Manager](#); [John Knox White](#); [Malia Vella](#); [Tony Daysog](#); [Trish Spencer](#); [Marilyn Ezzy Ashcraft](#)
Subject: [EXTERNAL] Public Comment for Item 7-E, Nov 1 CC meeting
Date: Friday, October 28, 2022 9:50:22 AM

Hello:

I'm submitting a public comment for item 7-E regarding police oversight. While it was great to finally see this item on a Council meeting agenda, there certainly could have been a more focused approach to the plan forward. Six options, most of which include the police, doesn't seem to capture the direction of the subcommittees on Racial Justice and Police Reform. They were very clear in their recommendations back in March of 2021 and you unanimously voted to advance many of those recommendations, including police oversight. The volunteer committee members directly outlined that any police oversight gesture from the City should be civilian-led and should *not* include APD or police affiliates of any kind. I agreed then, and I agree now. The way forward has to be *civilian* oversight. Otherwise, it isn't really community oversight, is it? It's just cops directing the show and being given space to sidestep actual accountability or control steps forward. In order to meaningfully hold police accountable for missteps, bad moves, or violent actions, Alameda must commit to independent oversight that involves the community.

APD is not different from other police departments. Policing is policing in the U.S. APD officers killing Mario Gonzalez in 2021 and assaulting Mali Watkins in the street in 2020 is example enough that police violence *does* happen in our community. Elected officials and community members alike should want to do anything and everything to avoid this violence. Past actions would show that involving the community in making change was important to some of the five City Council people at one point. So much so that, Marilyn Ezzy Ashcraft and Malia Vella proposed setting up subcommittees on Police Reform and Racial Equity. If y'all don't follow through completely now, how can you lead with integrity from here on out?

I'm asking the City Council to consider what accountability means. I urge council to act with accountability to their past commitments and votes, and continue to respect the work of community members around police oversight. *There is no solution "for" us without us!*

Thank you,
Savanna Cheer

From: [Marilyn Rothman](#)
To: [City Clerk](#)
Subject: [EXTERNAL] Re: 7e Police Accountability
Date: Friday, October 28, 2022 8:46:52 AM

None of the proposals tonight meet the criteria of police accountability recommended by the citizen committee and accepted by THIS Council a year and a half ago.

Only citizen oversight meets this criteria. Having an auditor and getting accreditation is only a baseline for police oversight.

REAL oversight must be provided by a committee of non-APD citizens from the community, in order to meet the criteria accepted unanimously by Council August 2021.

Marilyn Rothman
Alameda citizen, homeowner

From: [Niyi Omotoso](#)
To: [City Clerk](#)
Cc: [Niyi Omotoso](#)
Subject: [EXTERNAL] Public comment for Item 7-E
Date: Thursday, October 27, 2022 6:46:07 PM

Good evening,

I will be unable to attend Tuesday 11/1/22 meeting so sending my written public comment for the record below:

As a concerned citizen of Alameda and in keeping with previous recommendations as we work towards a more socially and racially just city, important that oversight of our police department lie with our community. Very important that our police department be accountable to us as their employers and have an oversight committee full of diverse community members from our city. We want our oversight committee to reflect our city and oversight to reflect our city's values in a way we are continuously heard and direct what we want our police to do.

Greatly appreciated. Thank you!

Omoniyi Omotoso, MD
email: niyi1978@hotmail.com



Hayward - South Alameda County Branch

NAACP

1218 B Street | Hayward, California 94541

October 27, 2022

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To: Hon. Marilyn Ezzy Ashcraft, Mayor
Distinguished Members of the City Council
Nancy Bronstein, Interim City Manager
Yibin Shen, City Attorney
Nishant Joshi, Chief of Police

SENT VIA EMAIL

Re: Recommendations regarding Police Accountability

Dear Distinguished Ladies and Gentlemen:

As a community stakeholder, our organization strongly supports the City's efforts to strengthen community policing and accountability in order to reduce crime and fortify public trust in law enforcement. To that end, we have reviewed the Steering Committee's recommendations regarding certain action items that focus on the Alameda Police Department and other City programs and policies, and it is our highest recommendation that the City Council adopt the "*Police Auditor/Advisor and CALEA Accreditation*" option.

Our recommendation is based on our 113 year-old brand, the experience of our executive team, and on our history of partnering with, and providing P.O.S.T Certified Equity Training to local law enforcement agencies. Our executive team includes two high level Alameda County Deputy District Attorneys who are subject matter experts in police policy and procedures, and who understand the need for an independent Auditor/Advisor to have immediate and direct access to the top decision makers in the department.

Moreover, our branch President, Mrs. Freddie M. Davis, is a civil rights icon, who sat on a committee that oversaw the accreditation process by the Commission on Accreditation for Law Enforcement Agencies (CALEA) for the Hayward Police Department during the Charles Plummer administration. CALEA sets the mark of professional excellence for public safety agencies, and compliance with its standards reflects an agency's commitment to progressive reform and accountability. During the HPD accreditation process, Mrs. Davis was instrumental in recommending policy and procedure changes that resulted in the agency's accreditation by CALEA.

Based on the foregoing, it is our highest recommendation that the City Council adopt the "*Police Auditor/Advisor and CALEA Accreditation*" option for police accountability.

Freddie M. Davis, President

Hayward - South Alameda County NAACP Unit 1040