

**SUPPLEMENTAL REPORTS & COMMUNICATIONS I**  
**Office of the City Clerk**

**City Council of the City of Napa**  
**Regular Meeting**  
**June 23, 2020**

**FOR THE CITY COUNCIL OF THE CITY OF NAPA:**

**EVENING SESSION:**

**13. SPECIAL PRESENTATIONS:**

**13.A. Local Economic Outlook.**

- PowerPoint Presentation by City Staff.

**14. PUBLIC COMMENT:**

- Email from Allie Pittenger received on June 22, 2020. \*
- Email from Kara Brunzell received on June 23, 2020. \*
- Email from Riley Gilbert received on June 23, 2020. \*
- Email from Kim Gilbert received on June 23, 2020. \*
- Email from Doris Jonas received on June 23, 2020. \*
- Email from Mitzi Andros received on June 23, 2020. \*
- Email from Eve Ryser received on June 23, 2020. \*

**15. ADMINISTRATIVE REPORTS:**

**15.A. Napa Police Department Use of Force Policy**

- PowerPoint Presentation by City Staff.
- Letter from Chief Plummer regarding 8Can'tWait Campaign dated June 16, 2020.
- Email from Grace Rodden received on June 22, 2020.
- Email from Areli Hernandez received on June 22, 2020. \*
- Email from Alex Northcutt received on June 23, 2020. \*
- Email from Ji-Hyun Cho received on June 23, 2020. \*
- Email from Cate Beekman received on June 23, 2020. \*
- Email from Molly Hendry received on June 23, 2020. \*
- Email from Brian Roy received on June 23, 2020. \*
- Email from Sang Nguyen received on June 23, 2020. \*
- Email from Nick Gordon received on June 23, 2020. \*
- Email from Jess Raphael received on June 23, 2020. \*
- Email from Abe Gardner received on June 23, 2020. \*
- Email from Cathy Odom received on June 23, 2020. \*
- Email from Tom Solberg received on June 23, 2020. \*
- Email from Emily Mills received on June 23, 2020. \*
- Email from Kerri Akem-Hernandez received on June 23, 2020.
- Email from Kerri Akem-Hernandez received on June 23, 2020.\*
- Email from Jason Kishineff received on June 23, 2020.\*
- Email from Genesis Perez received on June 23, 2020.

***\*EMAIL OR HANDWRITTEN COMMENTS WILL BE READ INTO THE RECORD BY CITY STAFF  
DURING THE MEETING.***

# CITY OF NAPA

## THE ECONOMY 2020: WHAT'S NEXT?

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**NAPA, CA**

**JUNE 23, 2020**

**Robert Eyler, PhD**

**President, Economic Forensics and Analytics Inc.**

**Professor, Economics, Sonoma State University**

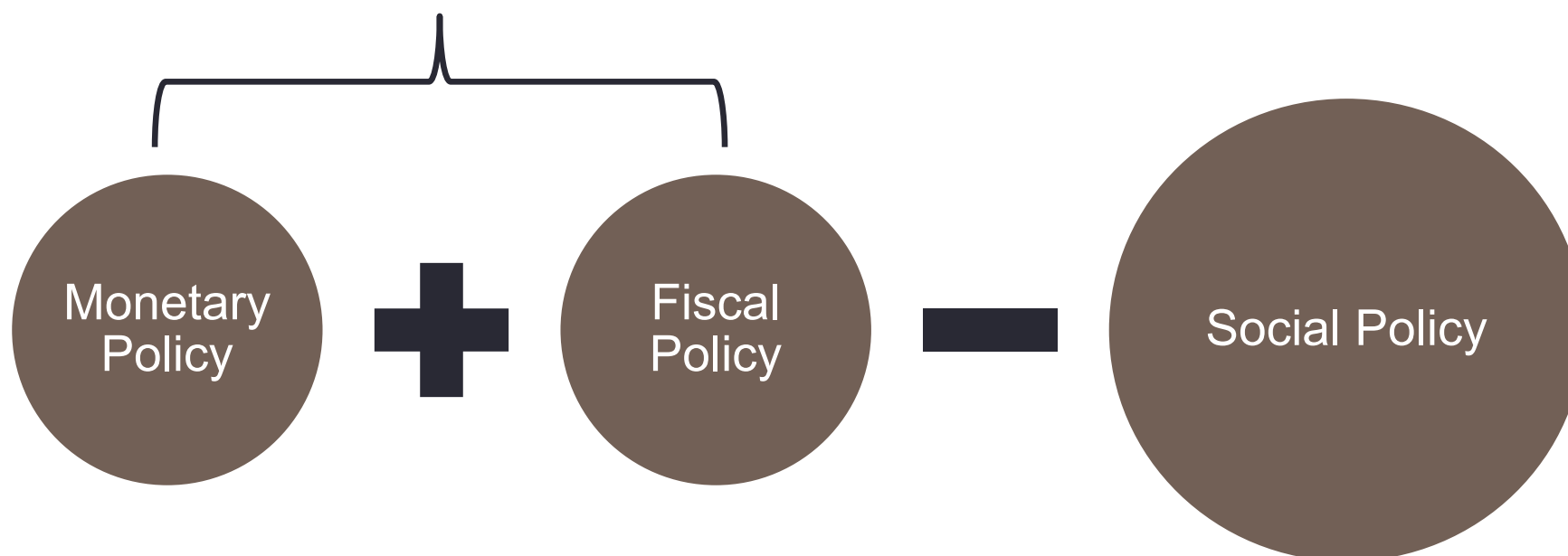
**[eyler@econforensics.com](mailto:eyler@econforensics.com)**

# Overview

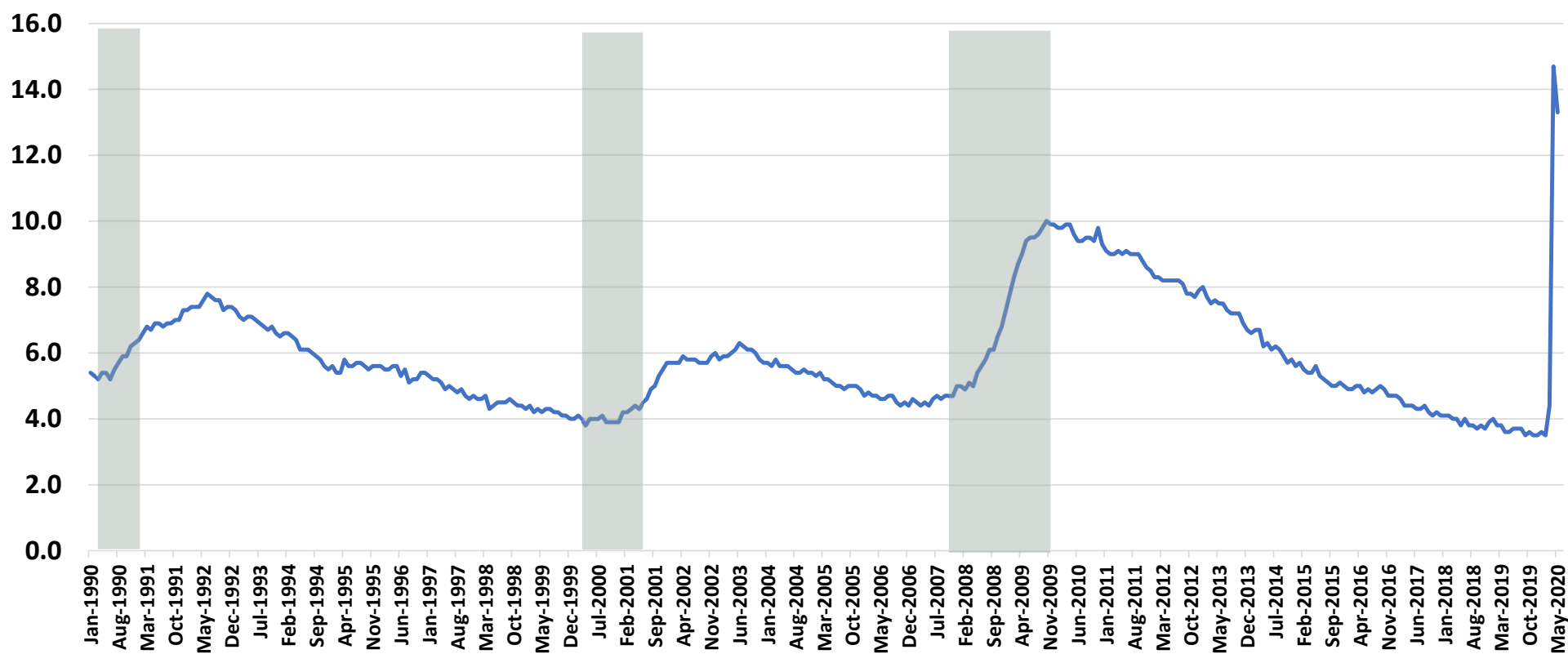
- Data on Jobs and Recovery: Since April 2019
  - **US Unemployment in May 2020 13.3%, 17.7 million jobs lost since May 2019**
  - **CA 16.3% unemployment in May 2020, 3.066 million jobs lost since May 2019**
  - Napa at 14.4% unemployment: exposure on low occupancy in hotel and tourism flow (City of Napa 15.5%)
- Re-opening concerns: what to consider
  - Tourism season: will cases also rise and force change?
- What do the forecasts look like?
- What to watch: jobs, housing and COVID-19 cases

# A Tale of Three Policies

Bigger once social policy fades

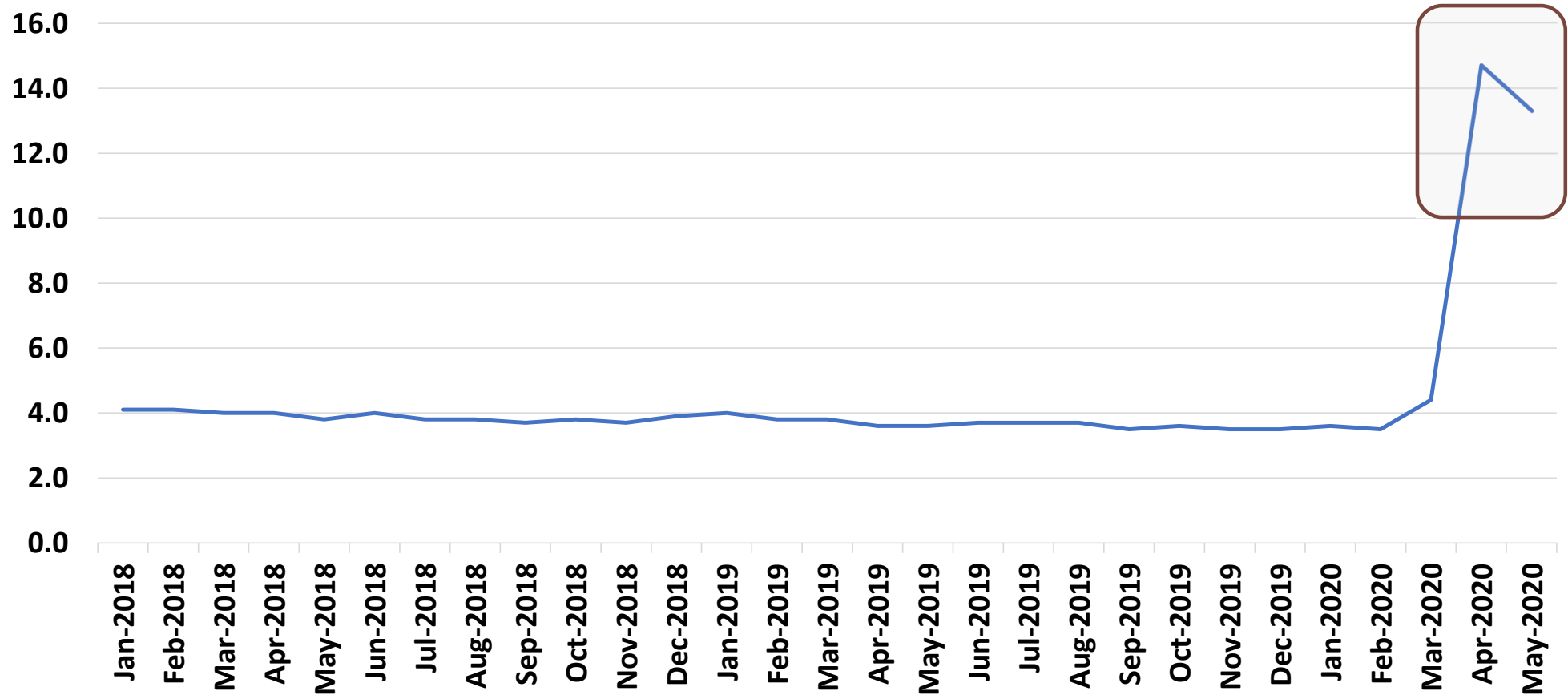


# US U Rate (%), Jan 1990 to May 2020, % of Labor Force



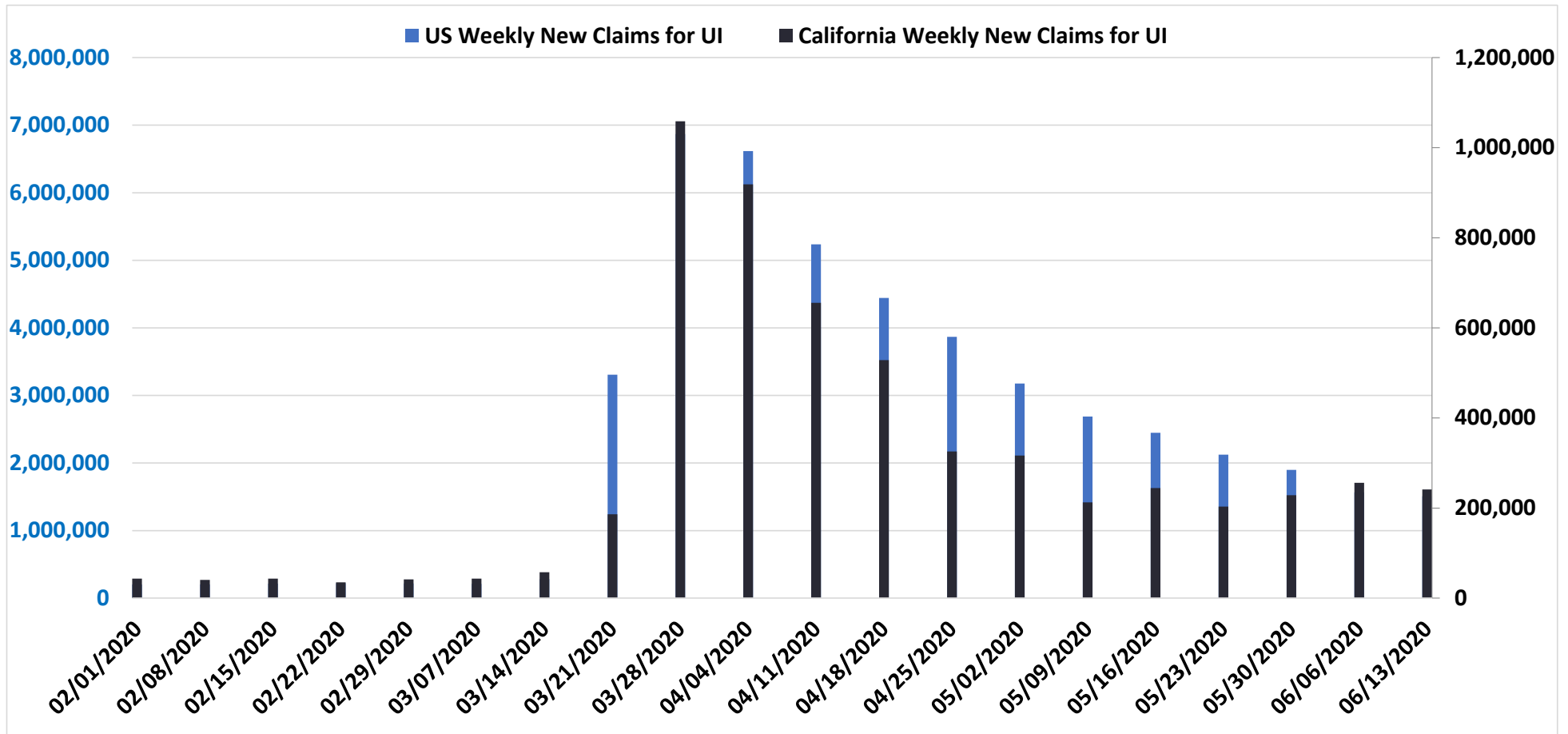
Source: BLS and EFA

## US U Rate (%), Jan 2018 to May 2020, % of Labor Force



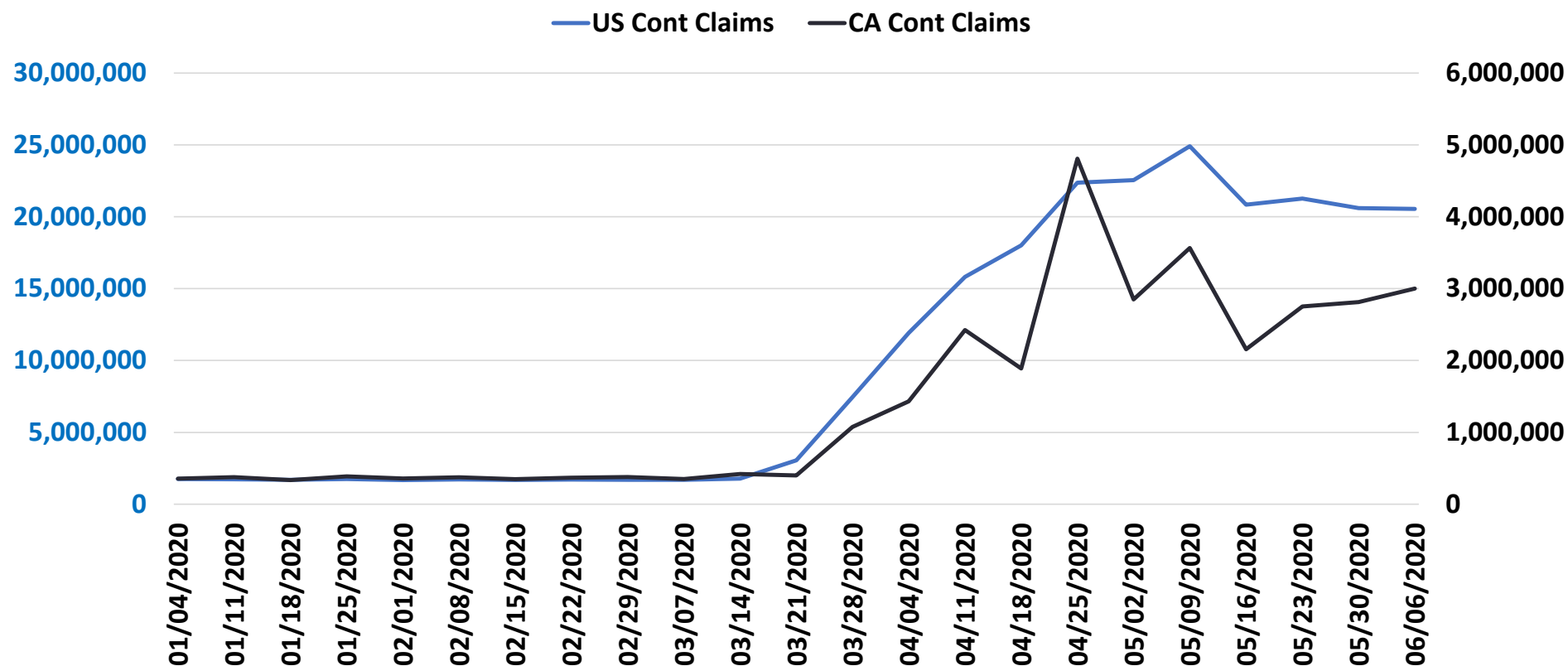
Source: BLS and EFA

## Weekly Claims: Have we already peaked? Feb – June 2020



Source: Federal Reserve and EFA

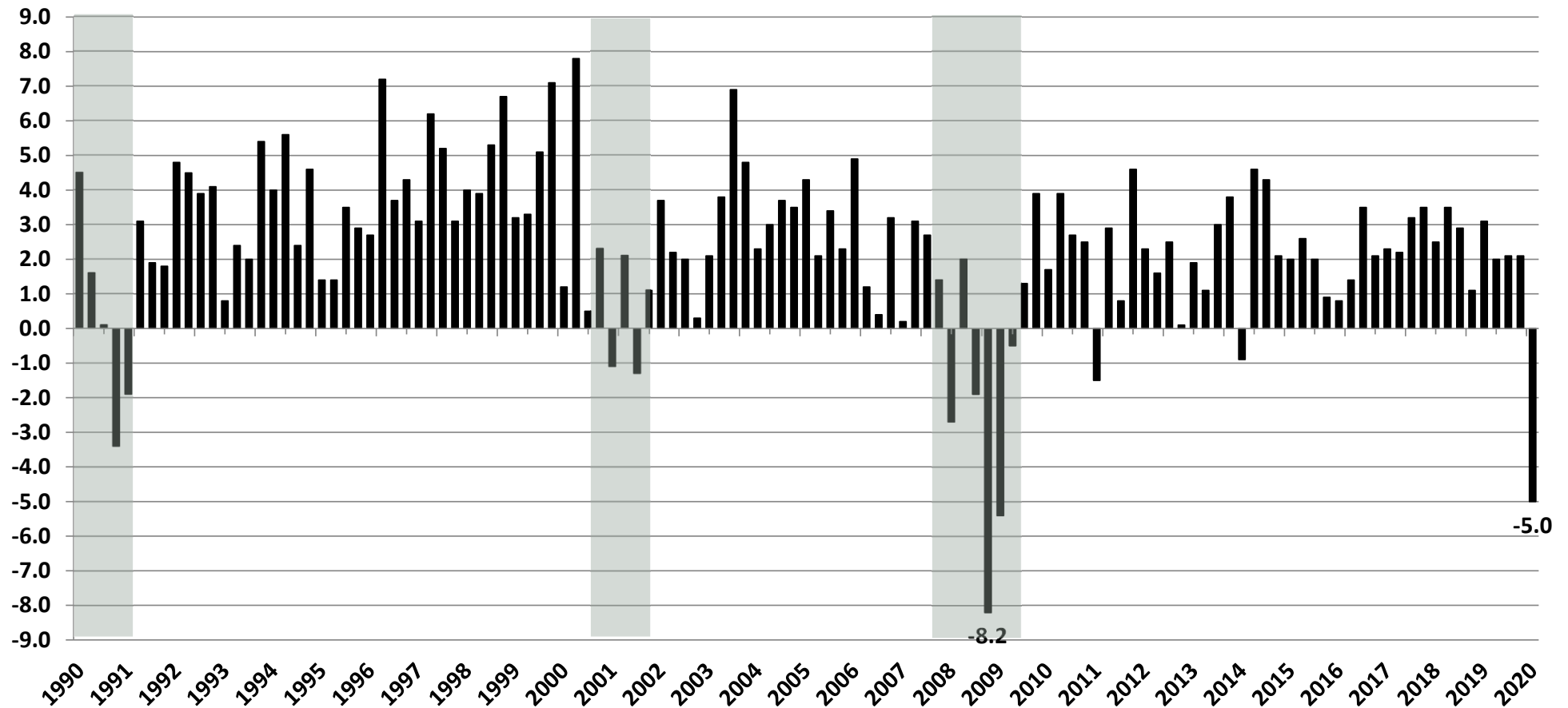
## US and CA Continued UI Claims, Weeks on UI, Jan 2020 – May 2020, Seasonally Adjusted



Source: BLS and EFA

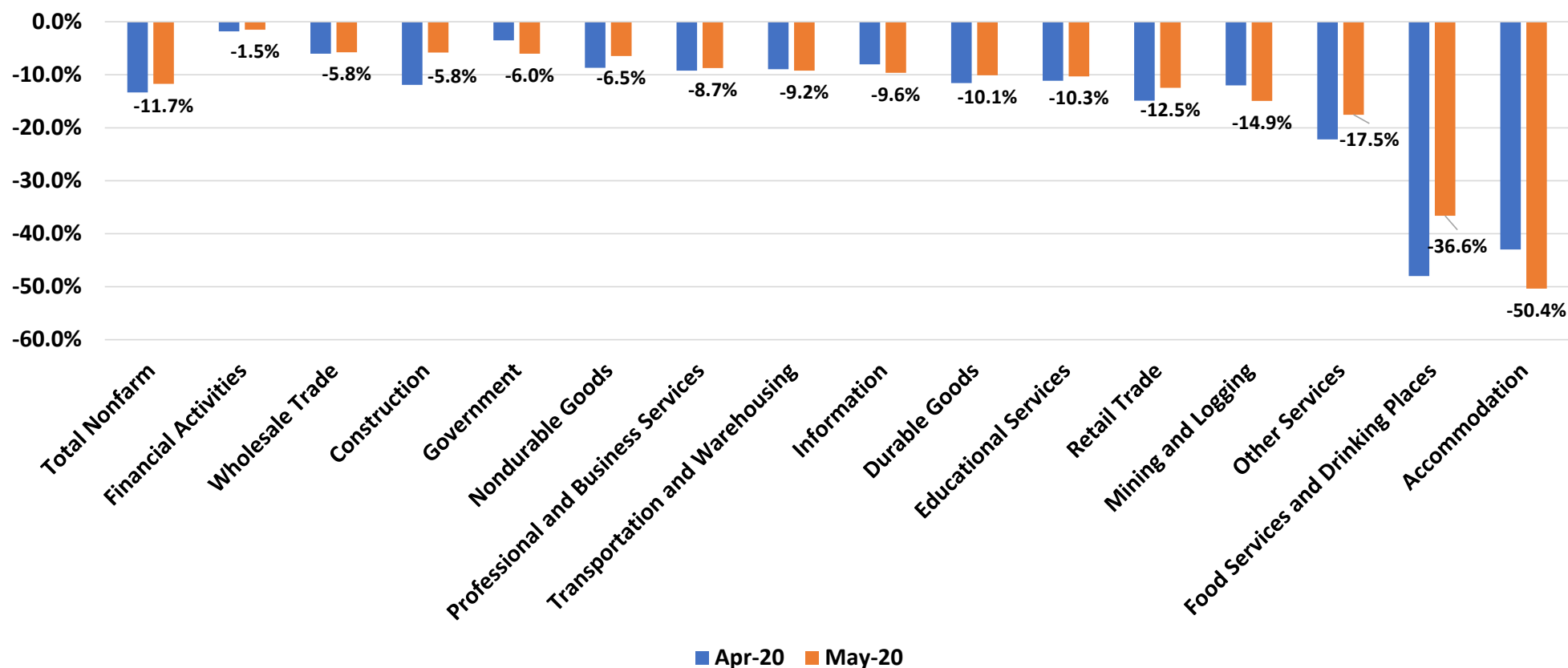


# US Real GDP Growth, SAAR, % Change, 1990-2020 Q1



Source: Bureau of Economic Analysis and EFA

# Jobs Lost (% Change from Previous Year), US, April and May 2020, Selected Industries



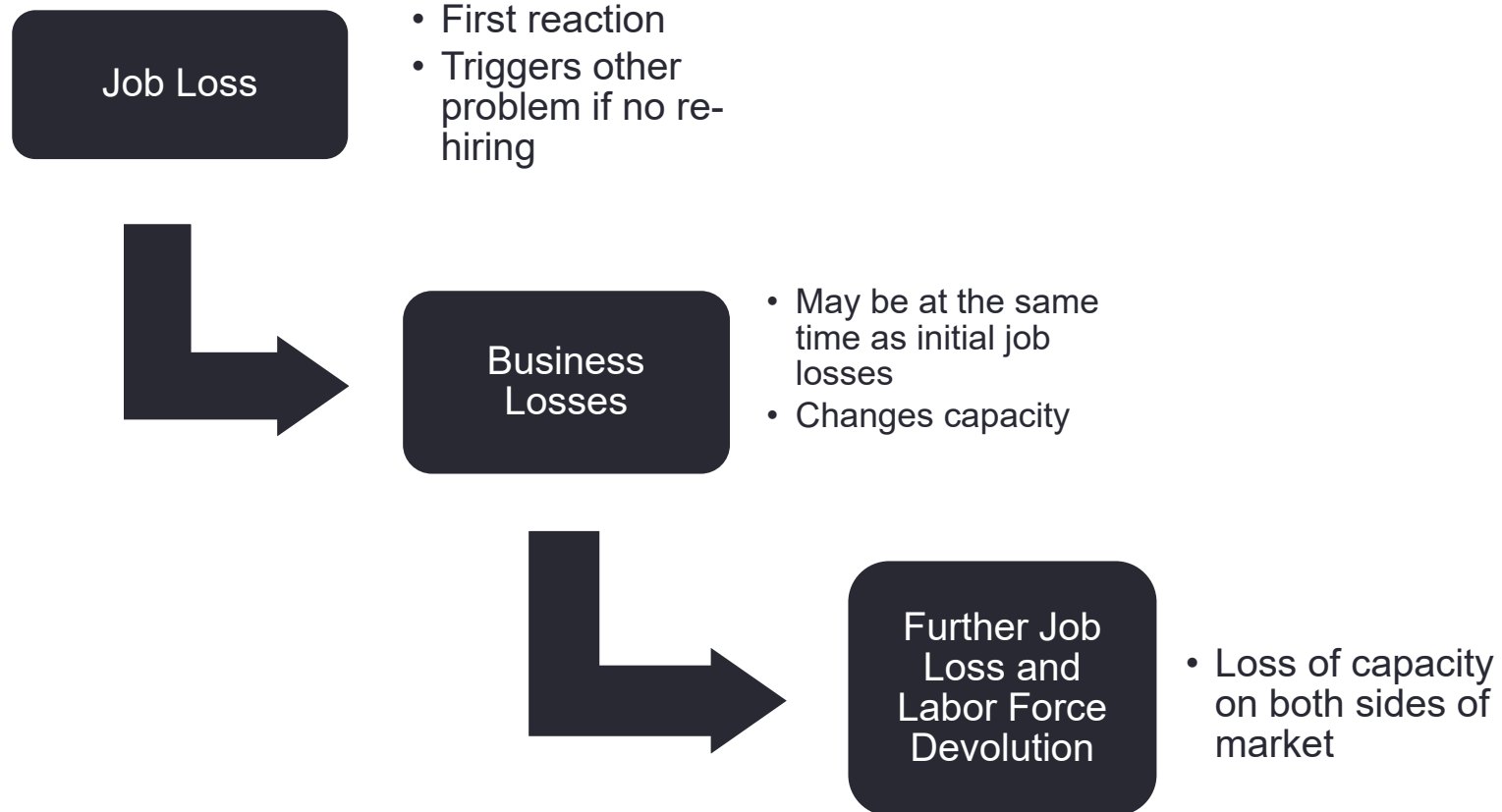
Source: Bureau of Labor Statistics and EFA

# Philadelphia Fed Survey of Forecasters

Source: Philadelphia Federal Reserve Branch

Median Forecasts for Selected Variables in the Current and Previous Surveys						
	Real GDP (%)		Unemployment Rate (%)		Payrolls (000s/month)	
	Previous	New	Previous	New	Previous	New
<i>Quarterly data:</i>						
2020:Q2	2.1	-32.2	3.5	16.1	168.6	-7,647.8
2020:Q3	2.0	10.6	3.5	12.9	132.8	2,328.9
2020:Q4	2.1	6.5	3.6	11.0	116.7	900.9
2021:Q1	2.2	6.8	3.6	9.3	114.5	514.9
2021:Q2	N.A.	4.1	N.A.	8.8	N.A.	739.1
<i>Annual data (projections are based on annual-average levels):</i>						
2020	2.0	-5.6	3.6	10.8	168.5	-933.3
2021	2.0	3.1	3.6	8.1	125.2	314.4
2022	2.0	4.1	3.7	6.2	N.A.	N.A.
2023	2.0	2.2	3.9	5.1	N.A.	N.A.

# To Avoid: Loss of Capacity



# Depth and Duration

# **City of Napa, Napa County and California: Brief Overview**

## Industry Changes, CA Dept of Finance Forecast, Compared to 2019 Q4, 2020-2023

Industry	2020 Q4	2021 Q4	2022 Q4	2023 Q4	2019 Q4 % of total
Construction	-17.6%	-27.7%	-19.2%	-13.9%	5.1%
Machinery, Computers and Transportation	-22.8%	-16.3%	-15.8%	-10.3%	4.5%
Food, Textiles and Other Manufacturing	-7.8%	-6.2%	-5.2%	-2.3%	3.0%
Retail Trade	-32.0%	-23.6%	-22.4%	-15.0%	9.5%
Wholesale Trade and Utilities	-29.7%	-21.2%	-18.7%	-8.6%	4.2%
Transport and Warehousing	-1.8%	2.9%	8.1%	15.0%	3.7%
Information	-9.0%	-3.0%	2.9%	9.4%	3.4%
Financial Activities	-9.8%	-7.0%	-6.0%	-2.0%	4.5%
Professional, Scientific, Tech Services & Mgt.	-8.9%	-4.5%	-1.9%	1.8%	9.2%
Administrative, Waste Mgt and Remediation	-42.6%	-33.6%	-30.9%	-26.8%	6.5%
Educational Services	-4.0%	0.1%	3.6%	9.1%	2.2%
Health Services	5.3%	6.3%	7.5%	9.0%	13.9%
Leisure and Hospitality	-46.9%	-35.5%	-33.9%	-27.8%	11.7%
Other Services	-46.3%	-34.5%	-34.0%	-27.6%	3.6%
Government	0.3%	0.5%	1.4%	1.9%	15.0%

## May 2020, Changes in Labor Force Variables California, City of Napa and Napa County, Since May 2019

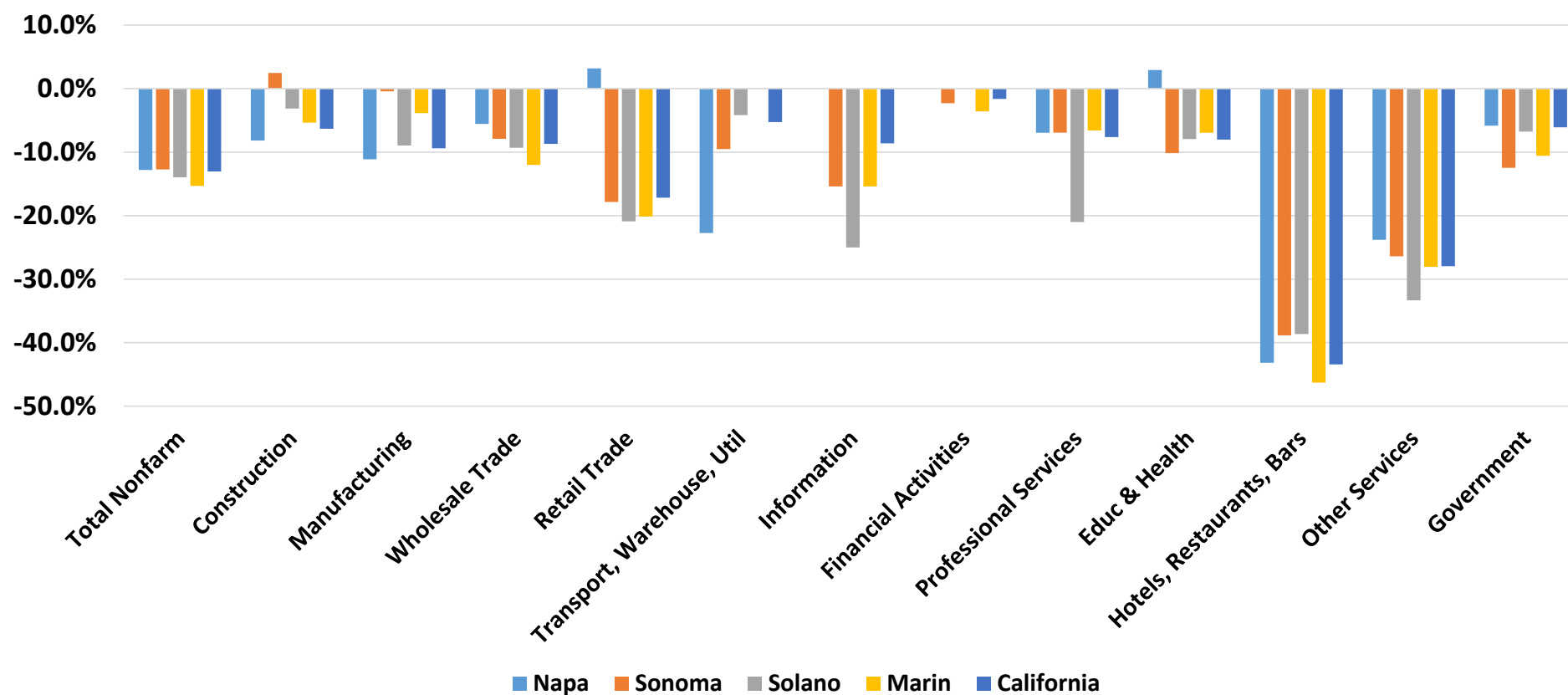


Labor Force Variables	Change California Employees	% Change	Change Napa County Employees	% Change	Change City of Napa Employees	% Change
Civilian Labor Force	-856,000	-4.4%	100	0.1%	-700	-1.7%
Civilian Employment	-3,082,200	-16.6%	-9,400	-13.3%	-6,200	-15.0%
Civilian Unemployment	2,226,300	<b>15.9%</b>	9,600	<b>14.4%</b>	5,400	<b>15.5%</b>

**These data are for the residents of City of  
Napa and Napa County**



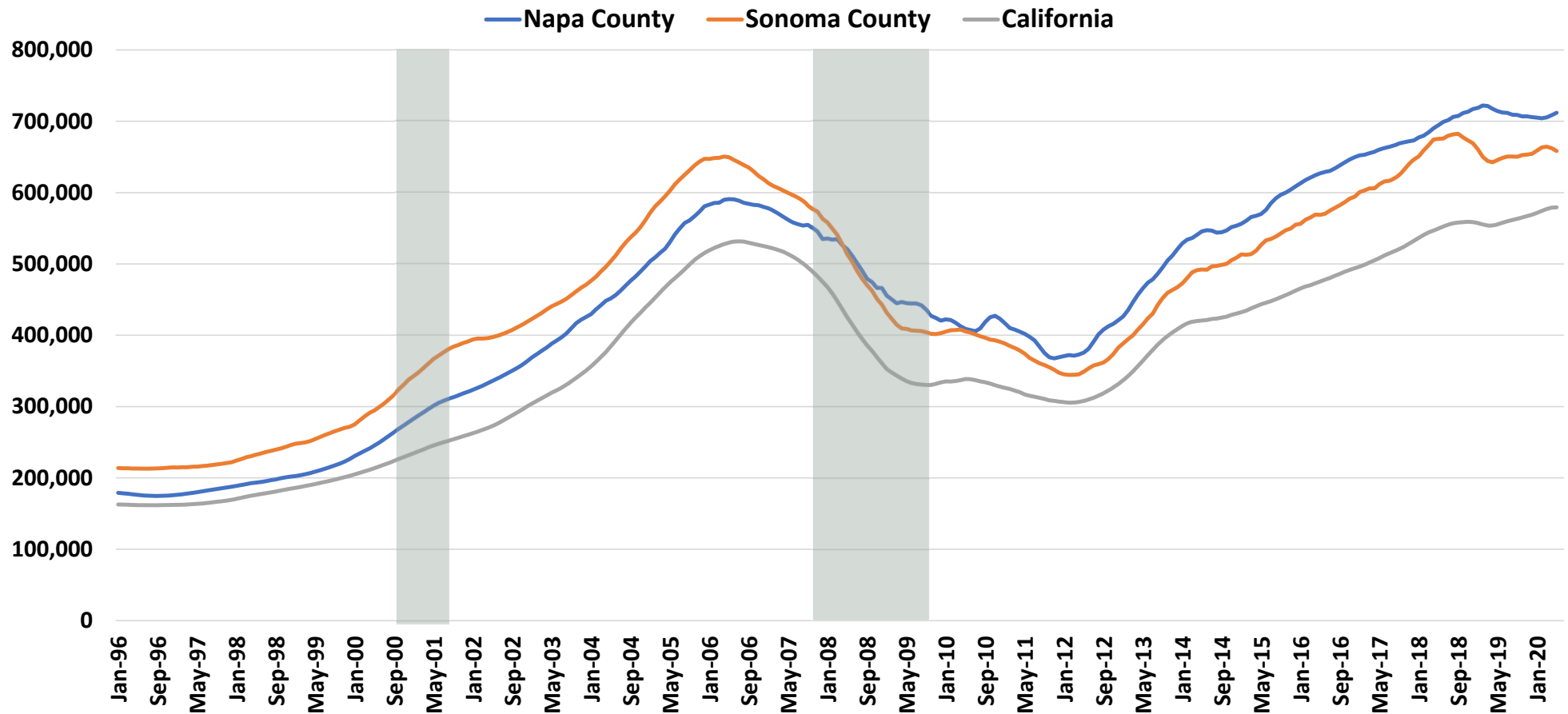
## Jobs Changes, May 2019 – May 2020, % Change, Selected Industries, CA and North Bay



# Economic Development Triage

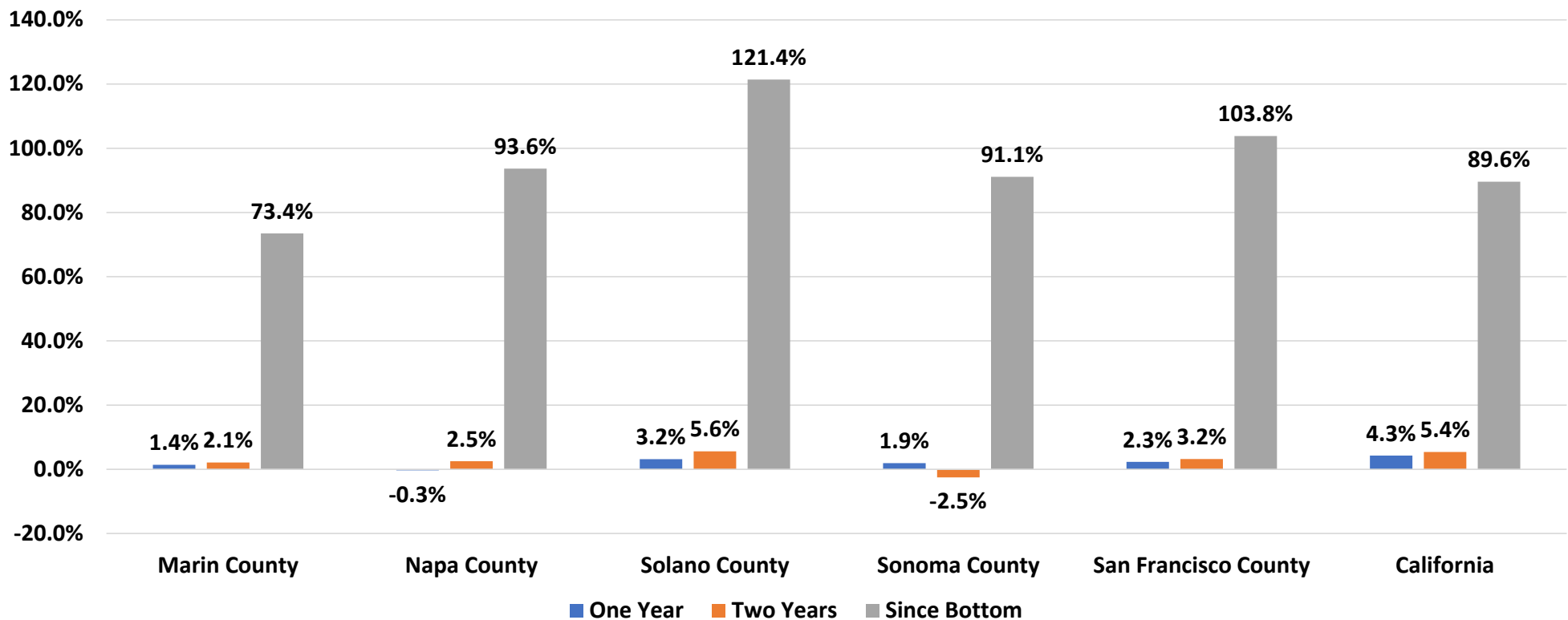
- Initial turn still in the shadow cast
- Tourism: Napa and Summer 2020?
  - Local hotels to rely on state and regional audience
  - Movement of people likely to be very competitive
- Downtowns: across region, City of Napa specifically
  - Local retailers and restaurants: tied to flow of people
  - Local retailers and restaurants: tied to residential income
- Housing and Commercial Construction
- Multiplier impacts of local businesses and wages: thinking local when you shop

# Median Home Prices, Jan 1996 to May 2020, Current \$

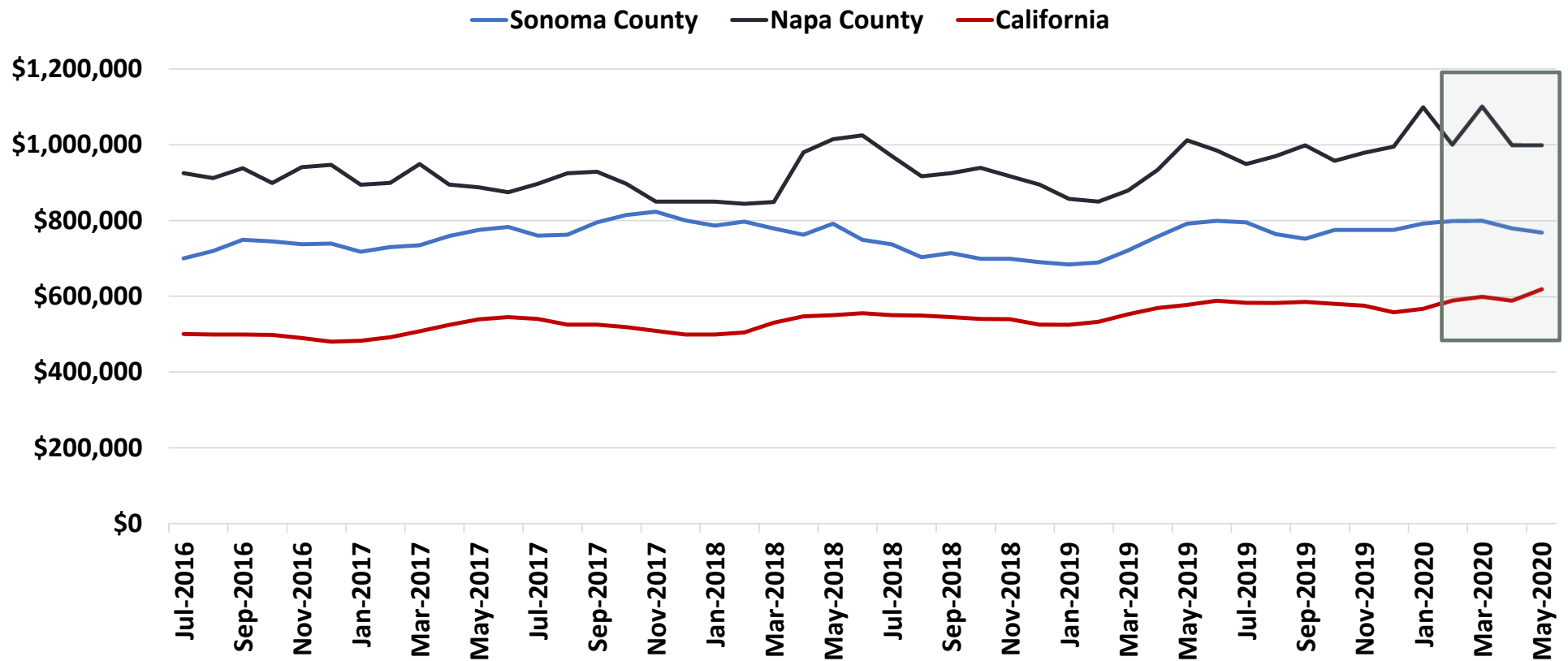


Source: Zillow™ Research

## Housing Price Growth, Compared to May 2020, % Change, Selected Counties and CA

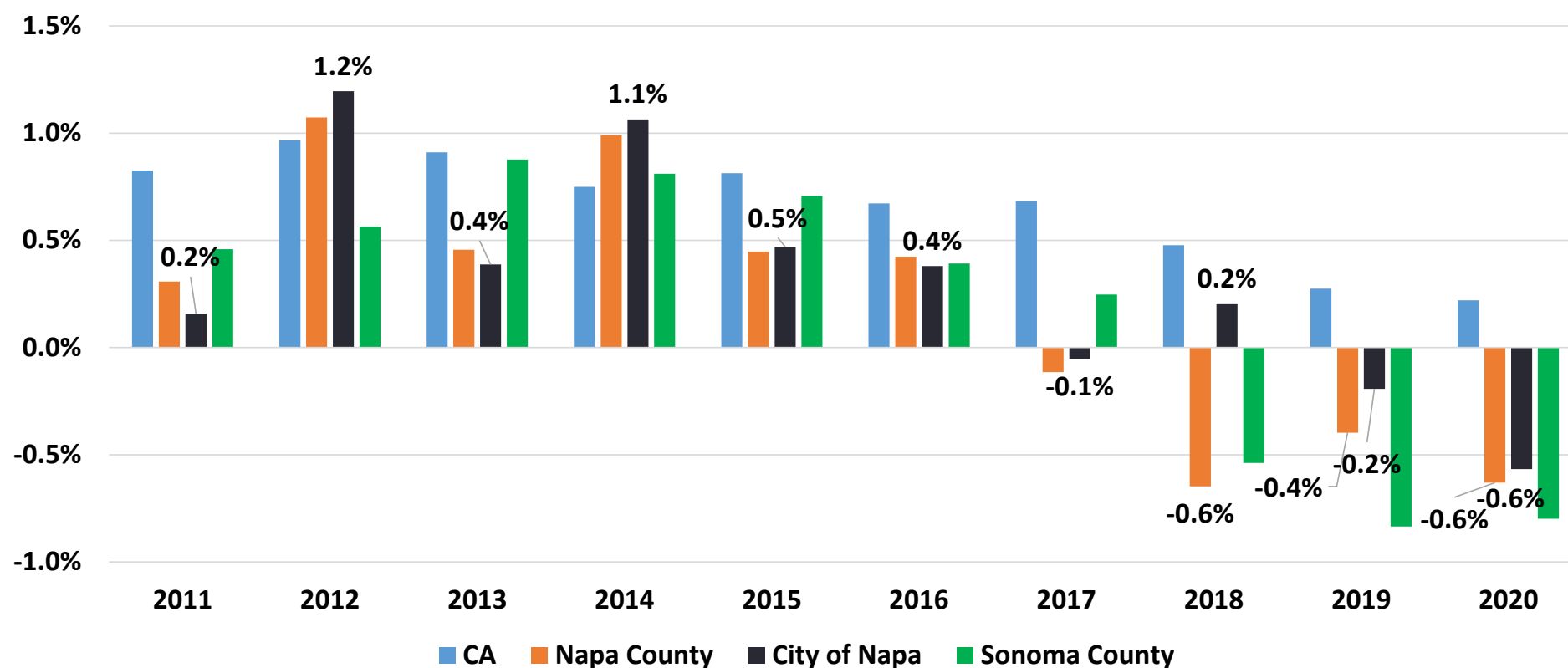


# Median Listing Price, July 2016 – May 2020, Current \$, Napa, Sonoma and CA



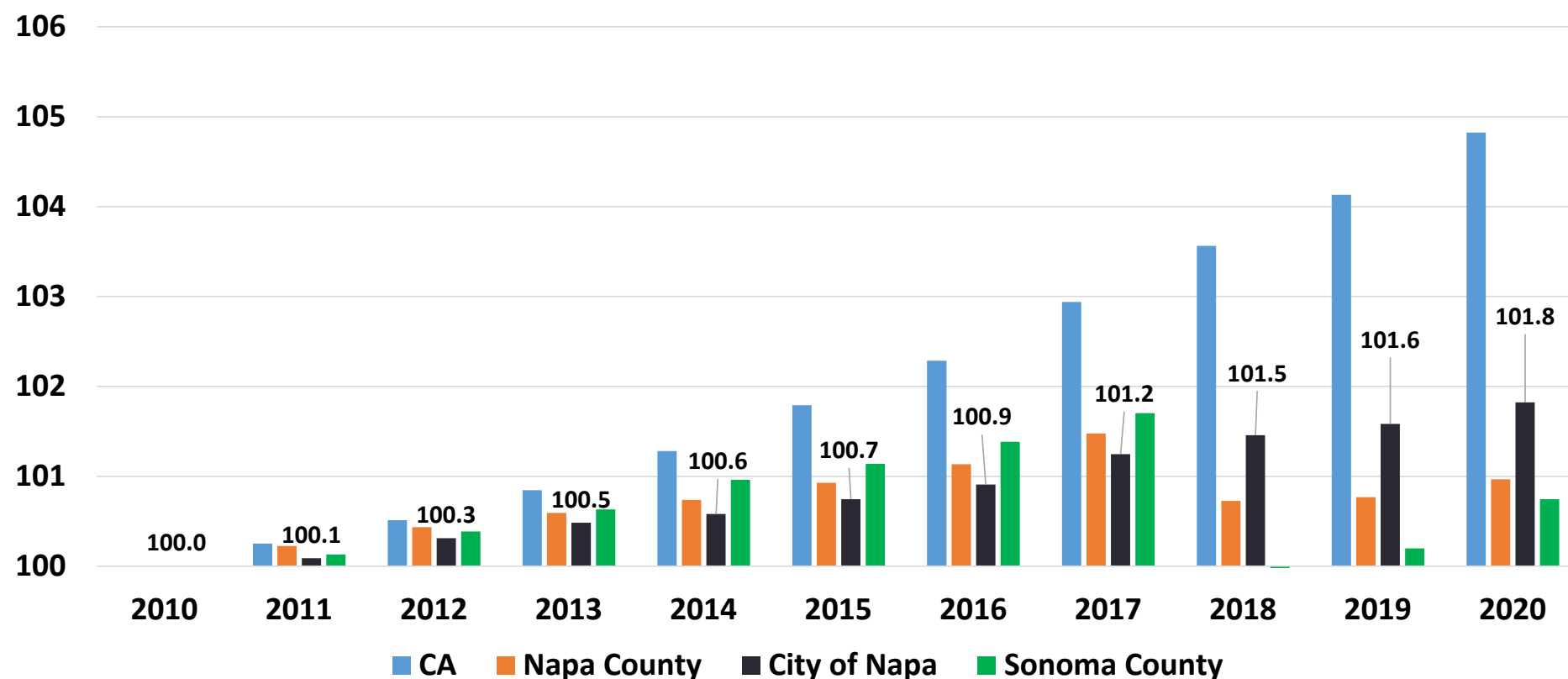
Source: Realtor.com and FRED (St Louis FED)

## Population Growth, 2012-2020, % Change from Previous Calendar Year, Napa, Sonoma and CA



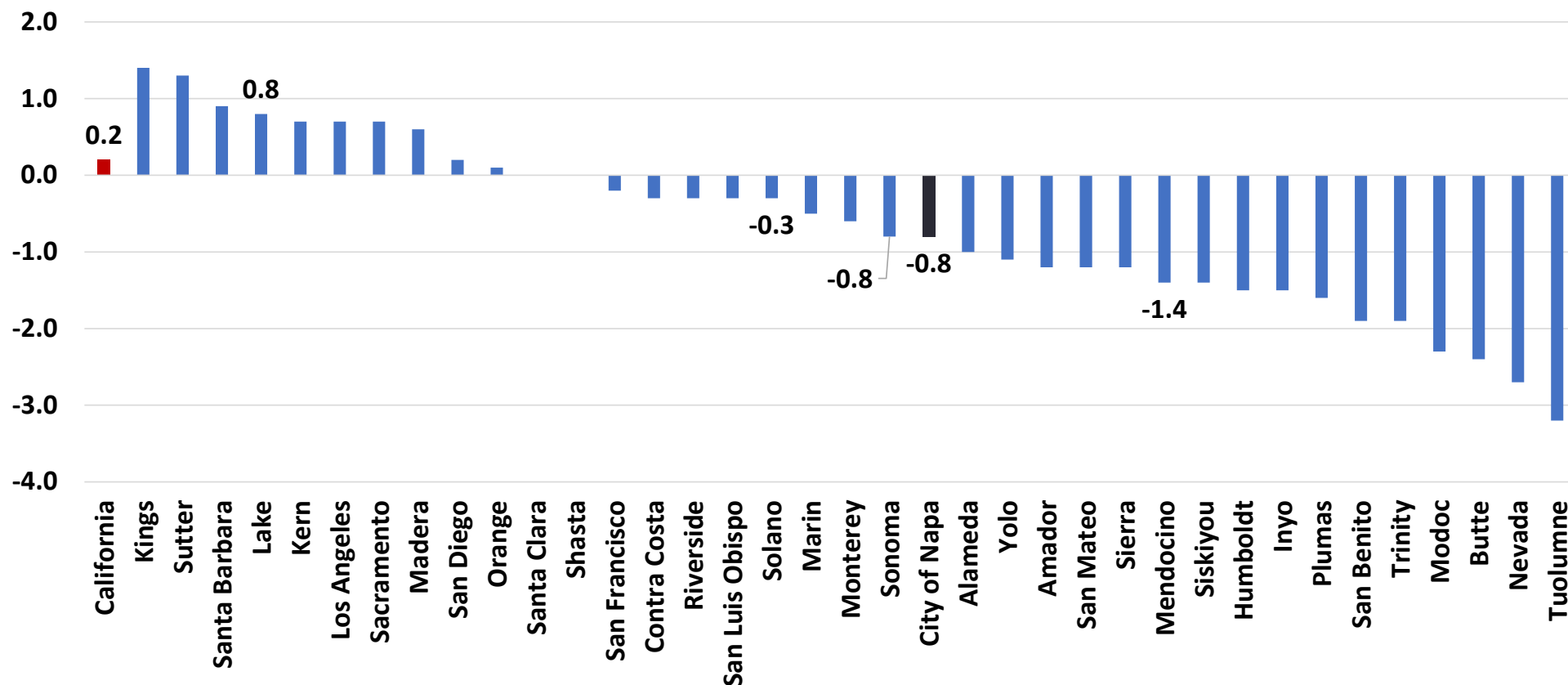
Source: California Department of Finance

## Housing Units Growth, 2012-2020, Index, 2010 = 100, Napa, Sonoma, City of Napa and CA



Source: California Department of Finance

## Housing Forecast, May 2020, Zillow™ Research, % Change for the coming year to May 2021, Median Home Price Growth



Source: Zillow™ Research



## So What for City of Napa?

- Wine Industry, multiple layers
  - Off-premise up generally due to shelter in place
  - On-premise down, overall down
  - Big concern: coming harvest for labor and contracts and demand as inventories build up
- Tourism, tied and not tied to wineries
  - Restaurants slowly re-opening: how will demand play out?
  - Hotels: need flow and we may see a lot from Bay Area just to get out
  - Re-infection a big issue, Lassen County as a cautionary tale
- Housing markets: will there be a change that is like 2008, 2009, 2010?
- North Valley and South Valley dichotomy
  - Economic development challenges likely large for City of Napa and American Canyon
  - Both need to consider more economic diversity
- Opportunities: health care services and manufacturing

**Thanks!**  
**Questions?**  
**eyler@econforensics.com**  
**@bobby7007**

**From:** [Allie Pittenger](#)  
**To:** [Clerk](#)  
**Subject:** COMMENT TO COUNCIL FOR JUNE 23, 2020 MEETING – PLEASE READ  
**Date:** Monday, June 22, 2020 11:40:46 PM

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[EXTERNAL]

To the Mayor and City Council Members of Napa:

I am deeply concerned about the recent events that occurred to divide the community with the Back the Blue protest and Vice Mayor Doris Gentry's involvement with white supremacist and self-proclaimed Proud Boy Ben Bergquam. Not only did Ben Bergquam stoke hateful messaging in Napa by promoting the Blue Lives Matter message alongside racist and anti-LGBTQA+ rhetoric, but he also had the audacity of flashing white power hand symbols with a "Napa Nice" smile. If you don't believe this, you don't need to. The videos of these events are posted on the internet for the rest of eternity.

I urge you to acknowledge that the City of Napa will not tolerate this divisive, racist, and hateful behavior from our Vice Mayor or any other members of this Community. Not now and not ever. The public platform that our city provided for this Proud Boy is a moral failure and an embarrassment. I know that Doris has received what she would probably refer to as "hate" and "bullying" on Facebook over the last week regarding these events. But, Doris, please understand that this is not hate or bullying. You are not a victim. These are questions from your concerned constituency. Your constituents have a right to question your actions. You must remember that per the City Council Organizational Chart on the city website, you all report to the Residents of Napa. You must remember that you represent ALL the residents of Napa, not just those residents who look like you. You answer to us. You will be held accountable. Doris, we don't want to hear your defensive explanations behind your intent. It's not about intent. It's about impact. Your actions have perpetuated a white supremacist, divided community. You should be ashamed.

As leaders in this community, you all share the responsibility to publicly vocalize that racism, social injustice and discrimination are inconsistent with our community's values and that we are committed to embracing diversity and creating an inclusive community where all residents feel safe, respected and valued. I urge you, Mayor and City Council Members, to utilize empathy and self-reflect on your white privilege, your position of power in this community, and how your actions may be inadvertently contributing to racism. Overt racism is easy to spot. But our community needs to understand that covert racism is just as dangerous and damaging. Covert forms of racism include unconscious bias, colorblindness, denial of white privilege, All Lives Matter, and Blue Lives Matter, all of which are socially acceptable. But we cannot be complicit in allowing these covert behaviors to occur in this community. We must exhibit integrity and denounce racism in all its forms. I urge you to join me in choosing to be anti-racist by fighting racism and hate wherever we encounter it, whether it's within the community or within ourselves. All lives can't matter until black lives matter.

Peace and Blessings,  
Allie Pittenger



**From:** [Kara Brunzell](#)  
**To:** [Clerk](#)  
**Subject:** "COMMENT TO COUNCIL FOR JUNE 23, 2020 MEETING – PLEASE READ"  
**Date:** Tuesday, June 23, 2020 12:15:10 PM

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[EXTERNAL]

We are in the middle of a pandemic in which cases are rising, not falling. Yet we have reopened for business, going back to business as usual rather than using strict rules that would allow us to reopen safely. People drive from all over to Napa, and many refuse to distance or wear masks. We hear stories of maskless customers yelling at cashiers and of tourists purposely coughing in the face of residents. Why are we tolerating these behaviors? In Ensenada right now, mask wearing is strictly enforced and temperature tests required for building entry. Surely we have the capacity to implement such common sense measures. Our cases are now doubling every 21 days. If the City continues to sit on its hands and hope people suddenly start using common sense, lives will be lost. Our local economy will also be far more devastated than if we implement safety measures.

This dire situation highlights Doris Gentry's unsuitability for a council role in a time of crisis, since she has publicly advocated people ignore public health advice. Gentry's contempt for science, lack of concern for the health of her constituents, unwillingness to respond to criticism, and disdain for the LGBT community are her most egregious failures. Napa deserves better leadership.

Kara Brunzell

**From:** [Riley Gilbert](#)  
**To:** [Clerk](#)  
**Subject:** COMMENT TO COUNCIL FOR JUNE 23, 2020 MEETING PLEASE READ  
**Date:** Tuesday, June 23, 2020 12:42:57 PM

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[EXTERNAL]

Mayor and esteemed council, I am writing today to thank Vice Mayor Doris Gentry for her quick response to the community's concern over outdoor dining permit fees that our local restaurants were being charged and for getting those fees waived. I also wanted to thank Doris for Her weekly zoom meetings and daily facebook posts keeping the people informed throughout the covid crisis. I run into people all the time who tell me they have been able to stay informed from Doris's presence on social media. it is great to have a Vice Mayor who assumes leadership roles and brings the important information to the people. Riley Gilbert [REDACTED]

**From:** [kim gilbert](#)  
**To:** [Clerk](#)  
**Subject:** COMMENT TO COUNCIL FOR JUNE 23, 2020 MEETING-PLEASE READ  
**Date:** Tuesday, June 23, 2020 1:09:59 PM

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[EXTERNAL]

Thank you Mayor and council for listening to my comment,  
I would this opportunity to thank Doris Gentry for her leadership in this time of turmoil. She has consistently posted about important and timely issues and kept us abreast of how the city is approaching them. She has also taken the time to answer my questions or if unable to answer them herself, she has sought the answer out and responded promptly. I tell all my friends that if they want to get something done or get answers to their questions regarding the city of Napa then Doris Gentry is their gal!!

Thank you,

Kim Gilbert  


Sent from my iPad

**From:** [Doris Jonas](#)  
**To:** [Clerk](#)  
**Subject:** COMMENT TO COUNCIL FOR JUNE 23, 2020 MEETING-PLEASE READ AT 6:30pm  
**Date:** Tuesday, June 23, 2020 2:48:40 PM

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[EXTERNAL]

I want to thank Doris Gentry for her leadership role as Vice Mayor. Thank you for Doris Gentry for getting the restaurant outdoor table fee waived. I have found that she is trustworthy, honest and compassionate. If you have a problem, she listens and works hard to find a solution. Doris has a business background and embraces new ideas and takes action. Doris is able to negotiate and work with others to create and execute policies that will enable to make and our community thrive.

**From:** [Mitzi Andros](#)  
**To:** [Clerk](#)  
**Subject:** COMMENT TO COUNCIL FOR JUNE 23, 2020 MEETING – PLEASE READ” edited version  
**Date:** Tuesday, June 23, 2020 4:52:05 PM

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[EXTERNAL]

Dear Clerk:

I submitted a letter earlier today at 2:54pm. I realized I made a mistake and have edited it. Please read the edited version below and disregard the first letter.

Begin forwarded message:

**From:** Mitzi Andros <[mitzia@me.com](mailto:mitzia@me.com)>  
**Subject:** COMMENT TO COUNCIL FOR JUNE 23, 2020 MEETING – PLEASE READ”  
**Date:** June 23, 2020 at 2:54:14 PM PDT  
**To:** [clerk@cityofnapa.org](mailto:clerk@cityofnapa.org)

Dear Napa City Council and Napa Citizens:

I want to thank our Mayor Jill Techel and Police Chief Robert Plummer- because of your hard work and due diligence and working through the hard parts and creating a Town and a Police Force that we all can be proud of, I believe we have shown the world in our own small ways of how a town can work and work together as a community for the people by the people. And this level of excellence needs and deserves to be protected by the people and for the people.

While we have some rising stars and and some shining stars on our towns horizons and sitting in seats of governance there is also another matter floating to the surface in the aftermath and response to the Black Lives Matter movement. Remember the scene from the movie Grumpy Old Men, when Walter Matheuw threw a dead fish into the back of his friends car and shut the door so it could rot and make the car smell like rotten old fish -, Doris Gentry you have caused a Stench in our beloved town and its time to throw you out and I am calling for your immediate resignation. We have something to protect and grow on here in Napa and we need to focus on our shining stars and rising stars not the rotten fish in the back seat of an old car. Doris Gentry your time in politics is up.  
Sincerely  
Mitzi Andros



[REDACTED]

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**From:** Eve Ryser <[REDACTED]>  
**Sent:** Tuesday, June 23, 2020 4:26 PM  
**To:** Clerk  
**Subject:** public comment for 6/23/20 city council meeting

**Categories:** Unverified Contact

[EXTERNAL]

To Mayor Techel and the City Council,  
I am extremely distressed and disappointed to report that, on Saturday night or Sunday morning, someone in our community removed every last trace of the Black Lives Matter memorial site, which was initiated at Fuller Park on June 10th, and which had been authorized by Mayor Techel and Katrina Gregory of the Parks department to remain in place through the end of this evening, June 23rd.

This memorial was organized by my thirteen year old daughter Maya, to offer our community a safe, socially distant, peaceful place to reflect and honor those we've lost to racist violence and police brutality. This afternoon, we received confirmation from the Parks Department that this was not the result of a simple miscommunication with park staff, and that none of their employees were involved in removing the memorial items.

My daughter and I had planned on clearing the site ourselves and saving any unclaimed artwork. I'm so dismayed that the beautiful messages, flowers and art work (including my daughter's latest contribution, a beautiful portrait of Breonna Taylor that took her three days to complete) have been stolen. I'm saddened that others who contributed items they wished to reclaim will not have the opportunity to do so, as we had promised.

I'm heartbroken that someone in our town took this destructive and disappointing action. I feel it is crucial that you, our local government officials, be made aware that this beautiful, peaceful memorial site had been completely dismantled without authorization. While some might dismiss it as the work of teenagers playing a prank, the fact that every single item has been removed suggests a more coordinated, pre-meditated effort from someone who took issue with the messages affirming that Black Lives Matter and honoring some of the many victims of racist violence and police brutality.

The destruction of this beautiful memorial site did not take place in a vacuum. I have lived here for twenty years, and my eyes have truly been opened in the past month to the presence of outright, loud and proud racism, bigotry and ignorance within my community. Along with many other like minded citizens, I have also become aware of a great deal of tacit approval of and association with these beliefs and attitudes, including those of known white supremacists. Public figures, those in positions of power, (including the president of the city's police union) and prominent business owners have been dismissive of the Black Lives Matter movement's goals on social media. Some have even been associated with those who espouse white supremacist ideology.

I am encouraged that Chief Plummer is here tonight to begin to address the community's serious concerns about police use of force. This is necessary, but not sufficient.

It is my fervent hope that this city council, as well as the mayor and council members elected by voters in November, will commit to an actively anti-racist agenda, rather than continuing to turn away from the ugly truth that racism is alive and well in our community.

Sincerely,  
Eve Ryser



# Napa Police Department

June 23, 2020

Section Introduction or Summary

# **NAPA PD USE OF FORCE POLICY**

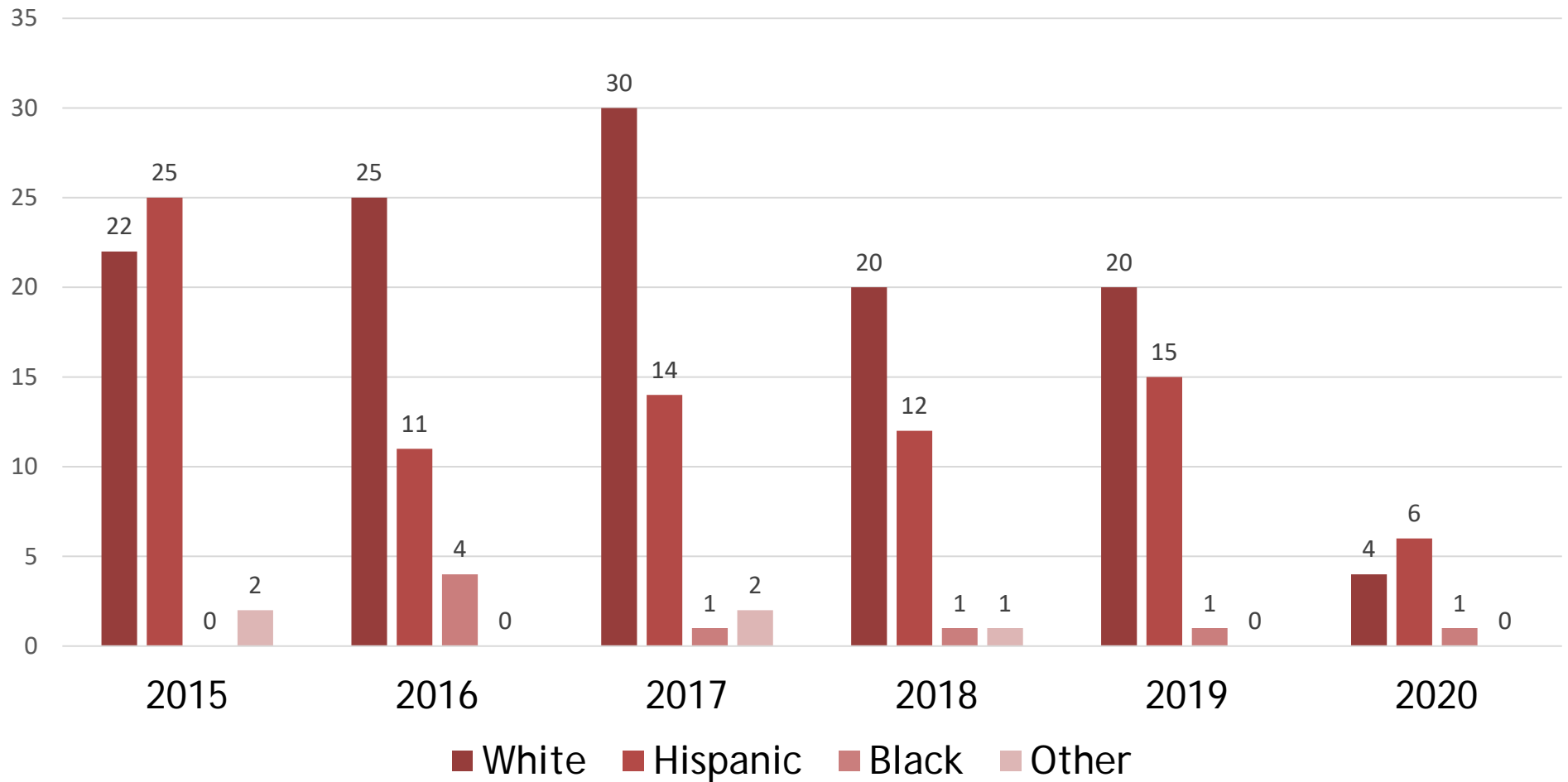


# Use of Force Purpose and Scope

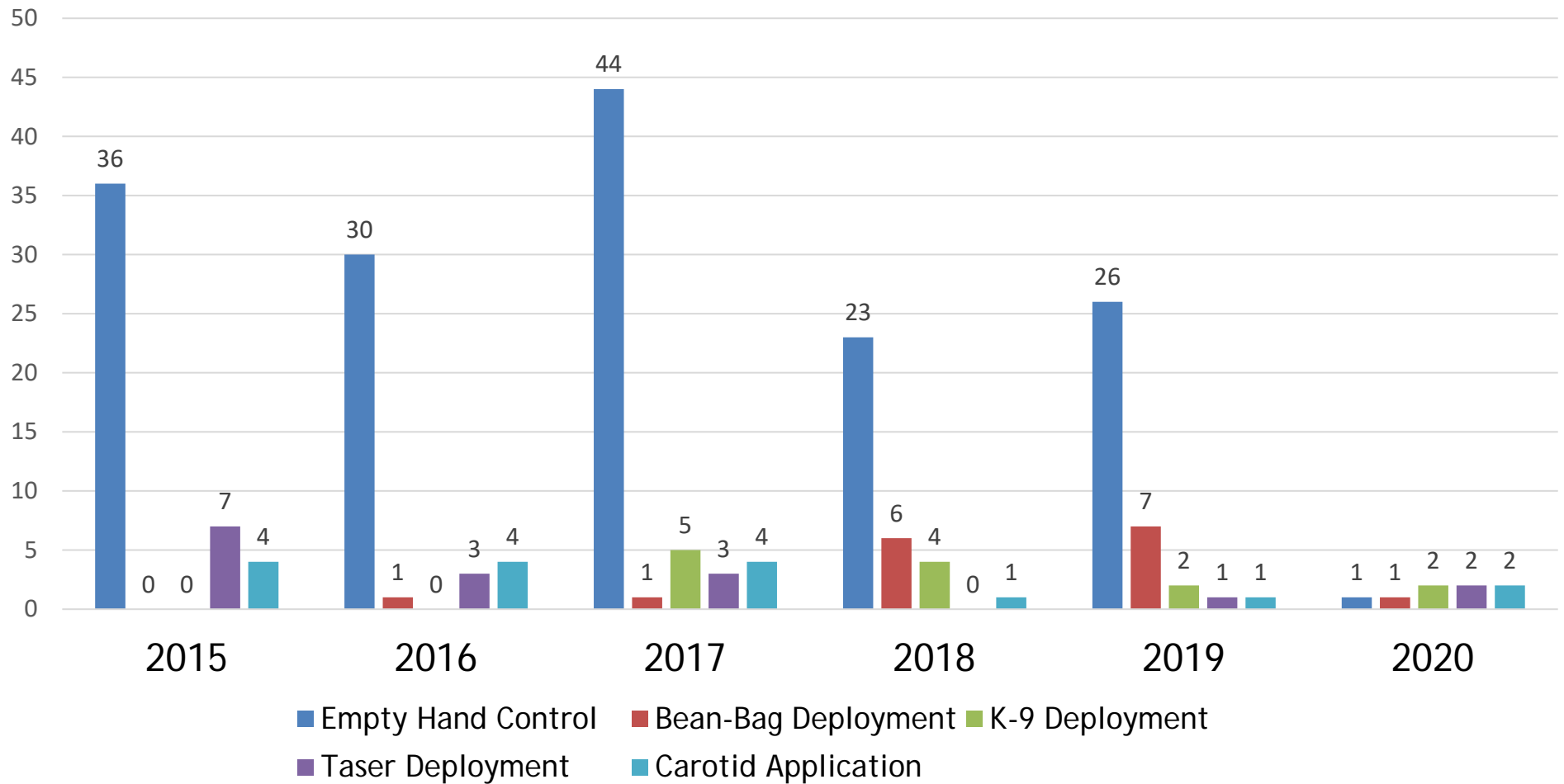
- Officers shall use only that amount of force that reasonably appears necessary given the facts and totality of the circumstances known to or perceived by the officer at the time of the event to accomplish a legitimate law enforcement purpose (Penal Code § 835a).



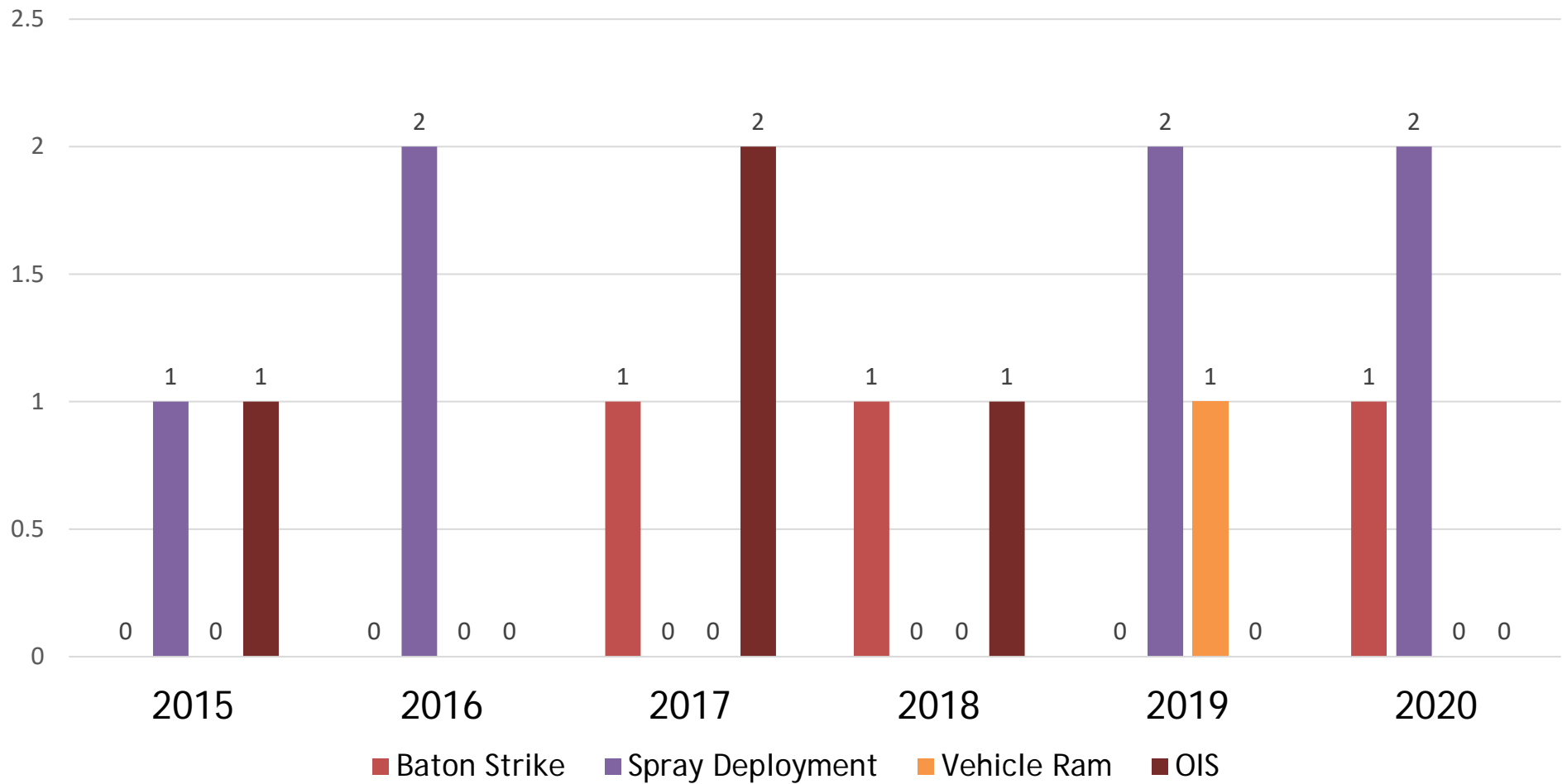
## Demographics From Use of Force Reports



## Type of Force Used



## Type of Force Used





Year	Arrests	Citations	Total	Use of Force Incidents	Percentage
2015	3804	2955	6759	49	0.72%
2016	2933	2906	5839	40	0.68%
2017	2493	3095	5588	47	0.84%
2018	2414	2935	5349	34	0.63%
2019	2306	3456	5762	36	0.62%
2020*	715	146	861	11	1.20%

\*Up to May 31st



# 8 CAN'T WAIT CAMPAIGN

- **Carotid Control Hold**
- **De-Escalation**
- **Shooting at Moving Vehicles**
- **Force Continuum**



# 8 CAN'T WAIT CAMPAIGN

- **Require Warning Before Shooting**
- **Exhaust All Alternatives Before Shooting**
- **Duty Intervene**
- **Use of Force Reporting**



# Next Steps

- **My Brothers Keeper**
- **21<sup>st</sup> century policing model**
- **Continue dialogue with the PCC organizers**
- **Chief multicultural council that meets monthly and discusses issues within the community**
- **Address the types of calls for service officers respond to i.e. Homeless issues, Mental health challenges, and substance abuse**



# Questions

?





## Police Department

June 16, 2020

Greetings Napa Community,

I, like many police leaders and city officials, have received requests for responses to the 8Can'tWait campaign. I wanted to take the opportunity to share with our community how the Napa PD policies address the campaign. Since taking over at the Napa PD, my philosophy has been to be transparent, which has helped the PD build trust. We wanted to take the opportunity to share some of our philosophies and policy with you as it relates to recent events as well.

Napa PD recognizes and respects the value of all human life and dignity without prejudice to anyone. The sanctity of human life is at the heart of everything we do. To ensure our officers are held accountable as well as the public, we have a comprehensive Body Worn Camera program.

In 2019, the California Police Chiefs Association led law enforcement stakeholder engagement in discussions that ultimately set a new legal standard for peace officers' use of deadly force in California (AB 392, Weber) and CPCA sponsored legislation. This set a national precedent by establishing a minimum use of force policy standard for all departments (SB 230, Caballero). Most of the policies outlined in the 8Can'tWait campaign have been captured by these two new landmark laws.

However, several provisions, most notably the requirement officers' exhaust all alternatives, were not included in either bill due to shared concerns by law enforcement and policymakers. Instead, alternatives to those provisions were embraced to accomplish our shared goal of reducing deadly force incidents.

### **De-Escalation Requirement:**

SB 230 requires that "officers utilize de-escalation techniques, crisis intervention tactics, and other alternatives to force when feasible." SB 230 also mandates each policy require officers to conduct all duties in a manner that is fair and unbiased. Additionally, SB 230 requires all officers be trained in alternatives to deadly force and de-escalation techniques.



**(Napa PD Policy 300.2):** *When feasible based on the circumstances members will incorporate and utilize conflict resolution and de-escalation techniques as part of their force options as listed in Napa Police Department Crisis Intervention Incidents policy. De-escalation techniques include, but are not limited to:*

- (a) Gathering information about the incident,*
- (b) Assessing risks,*
- (c) Gathering resources (personnel and equipment),*
- (d) Using time, distance, cover,*
- (e) Using crisis intervention techniques,*
- (f) Communicating and coordinating a response.*

**Require warning before shooting:**

AB 392 states: “where feasible, a peace officer shall, prior to the use of force, make reasonable efforts to identify themselves as a peace officer and to warn that deadly force may be used, unless the officer has objectively reasonable grounds to believe the person is aware of those facts.” This requirement is consistent with federal case law.

**(Napa PD Policy 300.4): Deadly Force Applications**

*Where feasible, the officer shall, prior to the use of force, make reasonable efforts to identify themselves as a peace officer and to warn that deadly force may be used, unless the officer has objectively reasonable grounds to believe the person is aware of those facts. Officers shall not use deadly force against a person based on the danger that person poses to him/ herself, if an objectively reasonable officer would believe the person does not pose an imminent threat of death or serious bodily injury to the officer or to another person (Penal Code § 835a).*

**Duty to Intervene:**

SB 230 sets forth a “requirement that an officer intercede when present and observing another officer using force that is clearly beyond that which is necessary, as determined by an objectively reasonable officer under the circumstances.” This provision is consistent with federal law as well.

**(Napa PD Policy 300.2.1): DUTY TO INTERCEDE**

*Any officer or supervisor present and observing another officer using force that is clearly beyond that which is objectively reasonable under the circumstances shall, when in a position to do so, intercede to prevent the use of unreasonable force. Before electing to intercede, an officer or supervisor should take into account the possibility that other officers may have additional*





*information regarding the threat posed by the subject(s). An officer or supervisor who observes another employee use force that exceeds the degree of force permitted by law should promptly report these observations to a supervisor.*

#### **Require Comprehensive Reporting:**

SB 230 already requires “comprehensive and detailed requirements for prompt internal reporting and notification regarding a use of force incident.” Additionally, legislation from 2015 (Assembly Bill 71) requires statewide detailed reporting requirements on serious use of force incidents. SB 230 also requires officers to report excessive force they witness.

#### **(Napa PD policy 300.5): REPORTING THE USE OF FORCE**

*Any use of force by a member of this department shall be documented promptly, completely and accurately in an appropriate report, depending on the nature of the incident. The officer should articulate the factors perceived and why he/she believed the use of force was reasonable under the circumstances. To collect data for purposes of training, resource allocation, analysis and related purposes, the Department may require the completion of additional report forms, as specified in department policy, procedure or law. Each use of force is reviewed up the chain. An annual analysis is conducted to identify any trends of force by members, training needs, equipment needs, and policy revision updates.*

#### **Ban Chokeholds and Strangulations:**

SB 230 requires that “an officer may only use a level of force that they reasonably believe is proportional to the seriousness of the suspected offense.” Any excessive force beyond this requirement is unreasonable. CPCA does not have a position on the outright ban of less lethal force options, but instead leaves that to each agency for determination. However, any use of force should meet this standard.

#### **(Napa PD Policy 300.3.4) Carotid Control Hold**

*The carotid control hold may only be used when other control techniques have failed or are inappropriate and deadly force may become objectively reasonable if the carotid control hold is not used. Any neck restraint or any force intended to restrict a person's airway, unless deadly force is justified, is not permitted.*

#### **Ban Shooting at Moving Vehicles:**

Again, outright prohibitions in all circumstances does not account for situations where the driver of a vehicle may be threatening death or great bodily injury to others. SB 230 requires





“Comprehensive and specific guidelines for the application of deadly force,” which should include guidance on the limited situations that would warrant shooting at moving vehicles.

**(Napa PD Policy 300.4.1 Shooting at or from moving vehicles)**

*Shots fired at or from a moving vehicle are rarely effective. Officers should move out of the path of an approaching vehicle instead of discharging their firearm at the vehicle or any of its occupants. An officer should only discharge a firearm at a moving vehicle or its occupants when the officer reasonably believes there are no other reasonable means available to avert the threat of the vehicle, or if deadly force other than the vehicle is directed at the officer or others. Officers should not shoot at any part of a vehicle in an attempt to disable the vehicle.*

**Require Use of Force Continuum**

The use of force continuum is an outdated model that has proven impractical, even dangerous, when applied in real life situations. Instead, policies should focus on requiring officers to create space and separation in an attempt to utilize de-escalation techniques, which is captured in the training and policy requirements within SB 230.

**Require Exhaust all Alternatives Before Shooting**

Arguably the most controversial provision in 8CantWait’s platform, this requirement was rejected in AB 392 debate because of the untenable position it puts officers and departments in, by permitting second-guessing of split-second decisions. Instead, the focus should be on training alternatives to deadly force, requirements on proportional force, and de-escalation requirements, all of which are contained in SB 230. If this requirement is implemented, an officer’s decision concerning the use of force alternative should be judged based upon the totality of the circumstances and reasonable officer standard in AB 392.

*Napa PD officers are instructed in the philosophy of Distance, Cover, and Time while trying to slow down the momentum. We encourage our officers to exhaust all other alternatives, including non-force and less lethal force options, prior to resorting to deadly force. We offer our officers several less-lethal options that include pepper spray, pepper balls, tasers, the wrap, bean bag munitions and batons.*

All Napa Police Department Policies can be found on the Napa Police Department website or by clicking [here](#).

**From:** [Steve Potter](#)  
**To:** [Clerk](#)  
**Subject:** FW: [Insert your unique subject line here]  
**Date:** Monday, June 22, 2020 3:45:52 PM

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-----Original Message-----

From: grace rodden <gracerodden10@gmail.com>  
Sent: Monday, June 22, 2020 1:38 PM  
To: Jill Techel <jtechel@cityofnapa.org>; Robert Plummer <rplummer@cityofnapa.org>; Steve Potter <spotter@cityofnapa.org>; Scott Sedgley <SSedgley@cityofnapa.org>; Doris Gentry <dgentry@cityofnapa.org>; Liz Alessio <lalessio@cityofnapa.org>; Mary Luros <mluros@cityofnapa.org>  
Subject: [Insert your unique subject line here]

[EXTERNAL]

Dear Mayor Techel, Chief Plummer, City Manager Potter, and Napa City Council Members,

My name is [insert your name], and I am a resident of [insert your city/state]. I am writing to you today to demand that you immediately redirect funding from the Napa Police Department towards BIPOC communities.

The senseless killings of George Floyd, Breonna Taylor, Tony McDade, and countless others have demonstrated the infuriating prevalence of police violence and brutality in communities across America. While these events are devastating, they should not come as a surprise. Since the 1600s, policing has been a tool to enforce the social order — an order that oppresses and brutalizes BIPOC Americans.

For too long, policy-makers and law enforcement have upheld a system founded upon racialized fear to brutalize and devastate BIPOC communities. Additionally, most policing reforms (e.g. implicit bias training, diversification, and enhanced accountability) fail to address the root problems inherent to policing, as demonstrated by the implementation (and clear failure) of these programs in the Minneapolis Police Department.

Thus, I am demanding that you take the following actions immediately:

1. Defund the Napa Police Department by reinvesting 50% of this budget in BIPOC communities, collaborating with leaders from these communities to identify areas of need (including, but not limited to healthcare, housing, and education). This could mean transforming the role of first responders — for most calls, social workers, mental health experts, and community leaders have the right expertise to solve the problem, as seen in Dallas.
2. Abolish qualified immunity and other legal protections for police officers who have committed acts of violence. Nearly every single officer involved in racialized violence has never faced serious punishment. Hold officers to the same legal standard as the rest of the citizenry and punish these acts of unnecessary violence.
3. Demilitarize the local police force immediately. This includes, but is not limited to, stopping the deployment of excessively militarized police (especially in the ongoing demonstrations), restricting police departments from using federal grant money for military weaponry, returning whatever military equipment has already been received, banning no-knock raids, and restricting the use of SWAT teams.
4. Open investigations into all officers with reports of police abuse and release body counts for all officers.
5. Cut all ties between the Napa Police Department and local public schools.
6. Ban ICE from all protests and gatherings in Napa.

These actions are only first steps. Racialized police brutality is a systemic problem that requires federal, state, and local action, and I am demanding that you do your part. Black Lives Matter.

Sincerely,  
Grace rodden

Sent from my iPhone

**From:** [Arelí Hernández](#)  
**To:** [Clerk](#)  
**Subject:** COMMENT TO COUNCIL FOR JUNE 23, 2020 MEETING – PLEASE READ  
**Date:** Monday, June 22, 2020 11:27:57 PM

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[EXTERNAL]

15A: As Black people across the United States are dying at the hands of law enforcement, our communities are mourning the deaths of George Floyd, tortured to death by Minneapolis police, and Breonna Taylor, an EMT killed by officers while asleep in her bed in Louisville, and Sean Monterrosa shot while kneeling by a police officer at a protest in Vallejo. Their names are added to a devastatingly long list of people who have been killed at the hands of law enforcement - it is time for us to make different decisions. Police should not be the front line responders to every emergency or call for help.

The City Council must not advocate for police reform when the data suggests that reforms do not work. Police body cameras do not prevent violence. In fact, the murder of Rayshard Brooks last week occurred by an officer wearing a body camera. Bias and diversity training have not been shown to work. For example, see Harvard Professor Dobbin's research here. Bans on chokeholds do not work, as the police killing of Eric Garner reminds us - he was killed by an illegal chokehold. Rather than slow-moving reforms that often increase police budgets, we need to redirect the funds immediately.

I want a city that is safe for everyone. That is why I urge you to defund the police and divert their funds into services that prevent crime. We cannot wait: how many more people will be arrested, harassed, or killed by the police by then? The future of public safety is a future of prevention, by community services and unarmed specialists, rather than punishment backed by armed force and incarceration. I implore you, for our sake, to reorient our city to this future.

We demand a budget that adequately and effectively meets the needs of at-risk Napa residents during this trying and uncertain time, when livelihoods are on the line. We demand a budget that supports community wellbeing, rather than empowers the police.

In Napa, fulfilling these demands require making dramatic changes in our city's budget.

Our budget should reflect our values, and the current budget does not. I am appalled to see that 32% of Napa's general fund goes to Napa's Police Department. I am writing to demand that Napa defund the police and prioritize community well-being.

We do not need to "reform" the Police use of force policy. We need to defund Napa Police Department.

Napa City Council: what steps are you taking to defund the police and ensure that those funds are directed to community well-being and not policing?

Best,

Areli Hernández  
Santa Clara University '19  
Ethnic Studies, Political Science, Spanish  
Pronouns: she/her/hers/ella

**From:** [Alex Northcutt](#)  
**To:** [Clerk](#)  
**Subject:** COMMENT TO COUNCIL FOR JUNE 23, 2020 MEETING – PLEASE READ - agenda item 15.A.  
**Date:** Tuesday, June 23, 2020 10:41:51 AM

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[EXTERNAL]

I would like the following message read as a public comment on 6/23 regarding Agenda Item 15.A. "Napa Police Dept use of force policy:

First of all thank you to Chief Plummer for making himself available to discuss this important issue. But I think without specificity and statistics it is difficult to know if these policies are actually working. with that in mind I would like to know.

1. In the last 5 years has any NPD officer been disciplined for violating the Us of Force Policy?
2. Has any current NPD officer ever been disciplined for violating the Use of Force Policy?
3. Has Chief Plummer ever seen Body Cam Footage where he would have handled the situation differently than the officer's on scene? What is the process for dealing with cases that might not amount to formal disciplinary action?
4. What policies are there for an officer to intervene when they believe a fellow officer is using excessive force and/or for reporting excessive use of force confidentially? In the last 5 years has any officer complained about a fellow officer's unlawful use of force?
5. Has an officer ever been disciplined for turning off - or failing to turn on - their body worn camera in a situation where force was used against an individual?
6. Would Chief Plummer be open to establishing a citizen review board for instances where officers kill individuals in the line of duty? What about cases where an individual is hospitalized due to officers' use of force?
7. Would Chief Plummer be willing to have another town hall with the other heads of law enforcement including DA Allison Haley?

Thank you.  
~Alex Zocchi.

**From:** [Ji-Hyun Cho](#)  
**To:** [Clerk](#)  
**Subject:** COMMENT TO COUNCIL FOR JUNE 23, 2020 MEETING – PLEASE READ - agenda item 15.A  
**Date:** Tuesday, June 23, 2020 11:22:26 AM

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[EXTERNAL]

I would like the following message read as a public comment on 6/23 regarding Agenda Item 15.A. "Napa Police Dept use of force policy":

As a concerned citizen and participant in Napa's criminal justice system I am glad to see discussion regarding implementing policies from the 8 Can't Wait campaign. I have the following questions:

1. Will you support a Citizens' Review Board on Police Practices and Police Misconduct in Napa?
2. Do you support implementing all policies to come into compliance with 8 Can't Wait? If so, how soon can this happen.
3. Has an officer ever been disciplined for turning off - or failing to turn on - their body worn camera in a situation where force was used against an individual?
4. Would you support even more stringent guidelines than called for in the 8 Can't Wait campaign for the use of force against minors and those that are clearly suffering from a mental health episode?

Thank you,  
Ji-Hyun Cho  
Napa, CA

**From:** [Cate Beekman](#)  
**To:** [Clerk](#)  
**Subject:** COMMENT TO COUNCIL FOR JUNE 23, 2020 MEETING – PLEASE READ - agenda item 15.A  
**Date:** Tuesday, June 23, 2020 11:28:58 AM

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[EXTERNAL]

Hello,

Thank you for taking question from the community, and considering our concerns.

Due in part to the presence of the Napa State Hospital, there are many people in Napa who have mental health issues. How are Napa Police Officers trained to identify when mental health concerns are present, and to deescalate conflicts involving mental health? What is the NPD policy for pursuing 5150 procedures as opposed to arrests for criminal charges?

Cate Beekman  
Attorney at Law



**From:** [Molly Hendry](#)  
**To:** [Clerk](#)  
**Subject:** COMMENT TO COUNCIL FOR JUNE 23, 2020 MEETING – PLEASE READ - agenda item 15.A.  
**Date:** Tuesday, June 23, 2020 11:38:50 AM

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[EXTERNAL]

I would like the following message read as a public comment on 6/23 regarding Agenda Item 15.A. "Napa Police Dept use of force policy"

Thank you to Chief Plummer for opening himself up to this discussion. Honest, open discussion is the first step, but if it is not followed up with substantive change, the discussion is utterly meaningless. I'm interested primarily in knowing what policies and procedures are currently in place to ensure officers' compliance with the department's Use of Force Policy, as well as what changes the department might make in the future to ensure officer accountability and to enhance the communities trust in local law enforcement.

1. Is there an internal, independent, review process set up for cases involving PC 69 and PC 243(c), to determine whether the officers actions and use of force were reasonable and appropriate given the circumstances?
2. If so, please describe that process, including the names of the person(s) responsible for conducting such reviews, and where and how that review is documented?
3. An internal review policy is irrelevant if it is never actually enforced, so, in the past 5 years, how many times has the internal reviewer found an officer to be in violation of the department's Use of Force Policy?
4. In the past 5 years, how many times has an officer in his department been *disciplined* for violating the Use of Force Policy?
5. If the answer to the above question is "0", or "none to my knowledge" does Chief Plummer honestly believe every one of his officers has conducted himself in compliance with the department's Use of Force Policy, in every encounter, with every citizen, every day, for the past 5 years?
6. If there is no such review process in place, how does Chief Plummer assure his officers are conducting themselves lawfully and respectfully in their encounters with the citizens of our community?
7. Is Chief Plummer open to the idea of the creation of an independent, citizen review board to handle complaints of police misconduct?
8. Does Chief Plummer expect Allison Haley, and the deputy prosecutor's in the DA's office, to report instances of excessive force, abuse of authority, and/or violation of the department's Use of Force Policy, if the prosecutors review police reports and body worn camera footage that they believe demonstrates any of the above?
9. Is Chief Plummer willing to have a follow up townhall with the District Attorney, Allison Haley?

Thank you,  
Molly Hendry

6/23  
**From:** [Brian Roy](#)  
**To:** [Clerk](#)  
**Subject:** COMMENT TO COUNCIL FOR JUNE 23, 2020 MEETING – PLEASE READ - agenda item 15.A.  
**Date:** Tuesday, June 23, 2020 11:44:11 AM

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[EXTERNAL]

I would like the following message read as a public comment on 6/23 regarding Agenda Item 15.A. “Napa Police Dept use of force policy:

Thank you, Chief Plummer, for making yourself and the Department available for public comment and review. My question is this:

Will you speak candidly to give us your view of the difficulties, as an administrator of justice, that the current police officer's union contract with the City of Napa poses to sincere efforts toward eliminating police officer abuse when identified? Specific to those obstacles, what do you believe would improve your ability to discipline and remove officers who violate the civil rights of residents?

Thank you for your time this evening,  
Brian Roy

**From:** [Sang Nguyen](#)  
**To:** [Clerk](#)  
**Subject:** COMMENT TO COUNCIL FOR JUNE 23, 2020 MEETING – PLEASE READ - agenda item 15.A  
**Date:** Tuesday, June 23, 2020 11:49:24 AM

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[EXTERNAL]

Hello,

I would like the following message read as a public comment on 6/23 regarding Agenda Item 15.A. “Napa Police Dept use of force policy”:

As a concerned citizen, husband, father and I would like the following changes to be implemented:

1. Create an independent citizen review board on police use of force and misconduct.
2. Adoption of policies consistent with 8 can't wait.
3. Disciplinary action for failing to intervene and report fellow officers who commit misconduct.
4. Disciplinary action for officers who violate body worn cameras policies.
5. Overhall of policies of arrests and charges for Penal Code section 148 and 69 violations.

Thank you for your time.

**From:** [REDACTED]  
**To:** [Clerk](#)  
**Subject:** COMMENT TO COUNCIL FOR JUNE 23, 2020 MEETING – PLEASE READ - agenda item 15.A.  
**Date:** Tuesday, June 23, 2020 12:07:07 PM

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[EXTERNAL]

I would like the following message read as a public comment on 6/23 regarding Agenda Item 15.A. "Napa Police Dept use of force policy":

Thank you for taking my questions.

Will you welcome a citizen oversight board to investigate allegations of police misconduct?

Will you implement all 8 can't wait policies within Napa Police Department immediately?

Sincerely,

Nick Gordon

**From:** [Jess Raphael](#)  
**To:** [Clerk](#)  
**Subject:** COMMENT TO COUNCIL FOR JUNE 23, 2020 MEETING – PLEASE READ  
**Date:** Tuesday, June 23, 2020 12:28:11 PM

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[EXTERNAL]

I would like the following message read as a public comment on 6/23 regarding Agenda Item 15.A. “Napa Police Dept use of force policy”:

Thank you, Chief Plummer, for your continuing efforts to tackle this important issue. As a 30 year criminal law practitioner in the Valley, I have seen a startling decline since the era of Chief Dan Monez in the manner in which our local law enforcement deals with the mentally ill. It seems as if 5150 welfare commitments of people experiencing mental health episodes have often been replaced as a policing strategy with custodial arrests for misdemeanor or felony Resisting or Obstructing Arrest. In many of these cases, rather than utilize mental health workers to assist, unnecessary and excessive force is used by officers to apprehend and restrain mentally compromised detainees. Any physical resistance (including a simple tensing of the arms) is charged by our DA's Office as a felony and the disabled person is trundled to jail (or the hospital for the injuries received) instead of to mental health treatment. What special training are NPD officers receiving for deescalation and compassionate treatment of mentally ill detainees to avoid unnecessary force? What ideas do you have to properly direct these individuals into the treatment arena instead of incarceration and prosecution? Is DA Alison Haley on board?

--

Jess Raphael  
Counsel for the Accused

"You should never wear your best trousers when you go out to fight for freedom and truth." - Henrik Ibsen

**From:** [Abe Gardner](#)  
**To:** [Clerk](#)  
**Subject:** COMMENT TO COUNCIL FOR JUNE 23, 2020 MEETING – PLEASE READ - agenda item 15.A.  
**Date:** Tuesday, June 23, 2020 12:59:22 PM

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[EXTERNAL]

Hello,

I would like the following message read as a public comment on 6/23 regarding Agenda Item 15.A. “Napa Police Dept use of force policy”:

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Trust in law enforcement is at the center of the challenges to address violence against BIPOC today. Some City Council members and the Chief have implied that we are complying with the recommended 8cantwait policies, but where 8cantwait calls for requirements, Napa's policy has suggestions. It cuts away at trust to say we are following 8cantwait when we actually fall short. Just as trust is undermined by police reports saying "I guided him to the ground" when video shows someone being slammed to the pavement. Sometimes force is necessary, but reasonable and evidence based changes to policy will reduce the pain and violence against BIPOC that punctuate our headlines everyday and lives. Whether you think that is a problem in Napa (I do) or if you just want to make sure it doesn't become a problem here, please work to build trust by opening up to changes in policy and more transparent reporting that will better protect us all.

I've lived in Napa or Sonoma nearly my whole life, I've worked in our justice system for over 11 years, and I hope to the following changes:

1. Implement "8 can't wait" policies rather than recommending similar policies that fall short.
2. Create an independent citizen review board on law enforcement misconduct.
3. Discipline for officers who fail to intervene and report other officers' misconduct.
4. Disciplinary action for officers who violate body worn cameras policies as well as public access data on the same (like whose batteries consistently are not charged and when cameras stop recording during contacts).
5. Overhall policies of arrests and recommending charges for Penal Code section 148 and 69 violations.
6. Support parallel county and state level reforms when they eventually start their way through the legislature.

City Council members: please consider funding for law enforcement more consistent with our comparable cities to allow funding for other programs and staff who are dispatched to incidents where an armed response is unnecessary.

Abe Gardner

**From:** [Cathy Odom](#)  
**To:** [Clerk](#)  
**Subject:** COMMENT TO COUNCIL FOR JUNE 23, 2020 MEETING-PLEASE READ  
**Date:** Tuesday, June 23, 2020 2:40:22 PM

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[EXTERNAL]

Re: 15A 191-2020 Napa Police Department Use of Force

Thank you Chief Plummer for presenting on use of force in the Napa Police Department. I, also, would like to see a choke hold and carotid restraint no longer used on anyone, anytime in our country. It is a time to look at past practices and change how we deal with suspects on the streets and have positive, safe policing.

Before you came to Napa, Chief Plummer, we had a multi-Officer shooting on Meek Avenue in Alta Heights on November 8th, 2010. Two officers shot Richard Poccia at the same time and he died. This shooting death was investigated by the 2011-12 Grand Jury. Many things went wrong that day, from no notification to neighbors, leaving the body on the street for many hours (13), and a fatality of a man who was not carrying a gun.

The 2011-12 Grand Jury report advised that Napa setup a new, unprejudiced Civilian Police Review Board. Involving civilians to hear reports of police brutality, shootings and unfair racist Police stops is needed in our community, not just for an officer involved shooting. It is 2020, and we still do not have an independent board to review complaints of citizens and learn which are the bad cops with lots of physical complaints.

You also noted in your letter, Chief Plummer, about section 300.2.5 Carotid Restraint. This is something that can result in losing consciousness and/dying, such as George Floyd. This section 300.2.5 of Napa Police's manual was included in the 2011-12 Grand Jury Report. We recently read a post from Darlene Elia, President of the Napa Police NPOA- Napa Police Officer Association, regarding the killing of George Floyd:

"As a police officer with the Napa Police Department for over 17 years, I cannot understand how a law enforcement officer could believe his actions of kneeling on someone's neck was justified. This is not how members of the Napa Police Officers Association have been trained to control a subject. "

Darlene Elia started on 2003, which was before the Meek Avenue shooting and death of Richard Poccia in 2010. The carotid hold, or neck hold, was in use at that time. Has Darlene Elia, or any other officer, used this carotid neck hold on any people while getting arrested? Where are the reports on that? Who has been trained on this outdated procedure?

Going forward, Chief Plummer, there's a lot we need to do and work on here in Napa regarding racism and fair treatment. We do need to take a strong look at how we are arresting people, how Napa Police treat people of color. And we need an independent review board to look at complaints of police brutality and racism.

Thank you for hearing my voice,

Cathy Odom

**From:** [Tom Solberg](#)  
**To:** [Clerk](#)  
**Subject:** Comment to Council for June 23 Meeting - Please Read  
**Date:** Tuesday, June 23, 2020 2:41:34 PM

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[EXTERNAL]

[Comment to Council](#)



Thank you City Council Members and employees of the city of Napa for your dedication in service to the people of Napa and the many political positions you take regarding state, national and global issues on our behalf. These issues are all of our issues.

My name is Tom Solberg. I am a long time resident and educator here in Napa. I have the honor of teaching the leaders of tomorrow and you all better start paying attention. One of the most poignant statements I ever heard in my civics class was when, after a particularly heated debate about social change and the slow pace of these changes, one student announced with the strength of a great orator, "Mr. Solberg, thank God old people die!" Funny, but great social changes occur over generations.

When I hear some of you say, "Blue Lives Matter" or "All Lives Matter" as a retort to our voices chanting, "Black Lives Matter" you diminish the Black Lives movement with your ignorance. You diminish it by suggesting that these statements are equivalent. They are not. This is the definition of a false equivalency. Blue and All Lives Matter statements are superficial and show your lack of understanding of the people you were voted, or hired, to serve. The words Black Lives Matter encapsulates the **truth** of the 244 year history of the United States and our economic, political, educational, public safety and many more institutions that have been established, promulgated and maintained for the benefit of our white European population.

We, in the field of education and those of you in politics, are well aware of our country's dark history. Now is the time for confession and action , "...in Order to make a more perfect Union".

The citizens on the streets today are the leaders of tomorrow. Some of them will be your replacements. So wake up! Understand what they are demanding. Understand your duty to these voices. We all want to be on the right side of history.

Thank you.

**From:** [Emily Mills](#)  
**To:** [Clerk](#)  
**Subject:** COMMENT TO COUNCIL FOR JUNE 23, 2020 MEETING - PLEASE READ - ITEM 15A  
**Date:** Tuesday, June 23, 2020 2:44:22 PM

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[EXTERNAL]

Item 15.A

I was highly disturbed to see the unedited video of the Napa Sheriff's deputy shooting Branden Nylander in the back and head on April 24th. It was released without audio and quickly written off as a "suicide by cop". The unedited video left me with questions.

I would like to know Napa Police Department's current policies on releasing dash and body cam video and can Napa citizens be guaranteed they will be unedited and include audio?

Additionally, I noticed a previous Napa officer-involved shooting where it appears the DA cleared the officers involved before the results of their drug tests were returned. What are the Napa Police policies on drug testing officers involved in shootings and releasing that information to the public?

I hope these questions can be addressed in the presentation on officers' use of force.

Emily Mills

6-23-2020

**From:** Keri Akemi-Bezayiff <[REDACTED]>  
**Sent:** Tuesday, June 23, 2020 3:38 PM  
**To:** Jill Techel; Jill Techel; Doris Gentry; Liz Alessio; Mary Luros; Scott Sedgley; Clerk  
**Subject:** "COMMENT TO COUNCIL FOR JUNE 23, 2020 MEETING – PLEASE READ"\_Referencing Agenda Items 4A, 13A, 15A  
**Attachments:** Agenda (1).pdf  
**Categories:** Unverified Contact

[EXTERNAL]

Good afternoon Mayor Jill Techel and Napa City Council Members,  
I am writing you to ask a formal review of the Napa Police Department and Sheriff's Department budget with community collaboration to reduce funding and reallocate funding to community service needs and to implement 8 Can't wait <https://8cantwait.org/> now. Those in solidarity with looking to evaluate our local law enforcement does not mean Police will not be funded, but not we are asking that they are not overfunded. We are asking to truly evaluate the budget to redistribute the City budget to improve the quality of lives for all citizens.

As a concerned citizen, I would like to be part of the conversation to review the following:

- Review of our police use of force policies
- Engaging our community by including a diverse range of input, experiences and stories
- Reporting our findings to our community and seeking feedback
- Reforming our community's police use of force policies.

By considering defunding the Police & Sheriff's department, this is what it means:

- \* Reassessing our values
- \* Investing in our communities
- \* Investing in our people
- \* Removing law enforcement from schools
- \* Evaluating protocols of resources that require police & shifting the responsibility of needs to Mental Health Counselors, Social Workers, etc.
- \* Funding schools, with education specialists and counselors
- \* Funding our Ethnic & Diversity programs to protect our social equity
- \* Funding our hospitals and increasing funding for Mental Health Resources
- \* Funding our community services
- \* Funding our infrastructure

I have personal stories that I am in the process of organizing to share with you at a future date to help provide ways to reflect and improve our Napa Sheriff's department and Police Department.

In summary, since I have lived here in Napa, I have experienced many wonderful things, but unfortunately I have faced discrimination in our community and unfair treatment & intimidation from the Napa Sheriff's Department and Napa Police Department. I will briefly share highlights of these events, and will offer a formal letter to provide at a future date.

\* 2010 I was pulled over twice by an officer in American Canyon, one day and the same officer the following day for no valid reason. Except I have dark brown hair and I look hispanic, although I am actually Native American.

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after his presentation to ask if the officer was still working and to ask that they try to improve treatment of victims and crimes against women. It felt good to acknowledge the injustice by the department to someone in a leadership role to be considered an equal, an upstanding citizen and a person whose voice might carry value to advocate for women like myself.

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These are just some of the incidents I have personally faced while living here in Napa, and I have similar encounters with law enforcement from my childhood through adulthood, although I am not a criminal and never have committed a crime. I am a mother of 3 children, a business owner, a community leader and a person of color who identifies as native american, our family includes Mexican and LGBTQ+ members as well. I think we can learn a lot from each other as individuals, as humans, and acknowledge that the system is flawed and needs improvement. We also need to examine why so much funding is necessary for the Police & Sheriff's department, when other much needed community programs are being cut.

Thank you in advance for taking the time to read my concerns and personal story. I look forward to more ways that I can be involved to be part of the solution. I will also be voting this Fall and using my advocacy to ensure that those who are not aligned with values of social justice and intersectionality can be sure that your days are numbered and we will vote you out of the City Council and ensure that you will not become our next Mayor.

Regards,

Keri Akemi-Hernandez  
[REDACTED]

**From:** Keri Akemi-Bezayiff <[REDACTED]>  
**Sent:** Tuesday, June 23, 2020 4:25 PM  
**To:** Clerk  
**Subject:** Re: "COMMENT TO COUNCIL FOR JUNE 23, 2020 MEETING – PLEASE READ"\_Referencing Agenda Items 4A, 13A, 15A

**Categories:** Unverified Contact

[EXTERNAL]

Thank you. I can shorten my statement to 100 words and then have you provide my complete submission to include with the written record afterwards.

Good afternoon Mayor and City Council Members,

I am writing you to ask a formal review of the Napa Police Department and Sheriff's Department budget with community collaboration to reduce funding and reallocate funding to community service needs and to implement 8 Can't wait <https://8cantwait.org/> now. Those in solidarity with looking to evaluate our local law enforcement does not mean Police will not be funded, but not we are asking that they are not overfunded. We are asking to truly evaluate the budget to redistribute the City budget to improve the quality of lives for all citizens.

~ Keri Akemi-Hernandez

On Tue, Jun 23, 2020 at 4:20 PM Clerk <[clerk@cityofnapa.org](mailto:clerk@cityofnapa.org)> wrote:

My apologies Keri, typo below...your comment is over 1000 words, not 100.

Tiffay

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**From:** Clerk <[clerk@cityofnapa.org](mailto:clerk@cityofnapa.org)>

**Sent:** Tuesday, June 23, 2020 4:13 PM

**To:** Keri Akemi-Bezayiff <[k.be.ismy@gmail.com](mailto:k.be.ismy@gmail.com)>

**Cc:** Clerk <[clerk@cityofnapa.org](mailto:clerk@cityofnapa.org)>

**Subject:** Re: "COMMENT TO COUNCIL FOR JUNE 23, 2020 MEETING – PLEASE READ"\_Referencing Agenda Items 4A, 13A, 15A

Good afternoon Keri,

Comments to be read into the record have a 500 word maximum, and your email is over 100 words, therefore the comment will be included in our written record and we will ensure this is included in our evening supplemental packet to City Councilmembers.

Thank you,

Tiffany Carranza  
City Clerk  
City of Napa

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**From:** Keri Akemi-Bezayiff <[k.be.ismy@gmail.com](mailto:k.be.ismy@gmail.com)>

**Sent:** Tuesday, June 23, 2020 3:38 PM

**To:** Jill Techel <[Jilltechel@comcast.net](mailto:Jilltechel@comcast.net)>; Jill Techel <[jtechel@cityofnapa.org](mailto:jtechel@cityofnapa.org)>; Doris Gentry <[dgentry@cityofnapa.org](mailto:dgentry@cityofnapa.org)>; Liz Alessio <[lalessio@cityofnapa.org](mailto:lalessio@cityofnapa.org)>; Mary Lueros <[mlueros@cityofnapa.org](mailto:mlueros@cityofnapa.org)>; Scott Sedgley <[SSedgley@cityofnapa.org](mailto:SSedgley@cityofnapa.org)>; Clerk <[clerk@cityofnapa.org](mailto:clerk@cityofnapa.org)>

**Subject:** "COMMENT TO COUNCIL FOR JUNE 23, 2020 MEETING – PLEASE READ" \_Referencing Agenda Items 4A, 13A, 15A

[EXTERNAL]

Good afternoon Mayor Jill Techel and Napa City Council Members,

I am writing you to ask a formal review of the Napa Police Department and Sheriff's Department budget with community collaboration to reduce funding and reallocate funding to community service needs and to implement 8 Can't wait <https://8cantwait.org/> now. Those in solidarity with looking to evaluate our local law enforcement does not mean Police will not be funded, but not we are asking that they are not overfunded. We are asking to truly evaluate the budget to redistribute the City budget to improve the quality of lives for all citizens.

As a concerned citizen, I would like to be part of the conversation to review the following:

- Review of our police use of force policies
- Engaging our community by including a diverse range of input, experiences and stories
- Reporting our findings to our community and seeking feedback
- Reforming our community's police use of force policies.

By considering defunding the Police & Sheriff's department, this is what it means:

- \* Reassessing our values
- \* Investing in our communities
- \* Investing in our people
- \* Removing law enforcement from schools
- \* Evaluating protocols of resources that require police & shifting the responsibility of needs to Mental Health Counselors, Social Workers, etc.
- \* Funding schools, with education specialists and counselors
- \* Funding our Ethnic & Diversity programs to protect our social equity
- \* Funding our hospitals and increasing funding for Mental Health Resources
- \* Funding our community services
- \* Funding our infrastructure

I have personal stories that I am in the process of organizing to share with you at a future date to help provide ways to reflect and improve our Napa Sheriff's department and Police Department.

In summary, since I have lived here in Napa, I have experienced many wonderful things, but unfortunately I have faced discrimination in our community and unfair treatment & intimidation from the Napa Sheriff's Department and Napa Police Department. I will briefly share highlights of these events, and will offer a formal letter to provide at a future date.

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Regards,

Keri Akemi-Hernandez  


[REDACTED]

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**From:** Jason Kishineff <[REDACTED]>  
**Sent:** Tuesday, June 23, 2020 3:51 PM  
**To:** Clerk  
**Subject:** Comment on item 15.A

**Categories:** Unverified Contact

[EXTERNAL]

I appreciate looking at the use of choke holds, however much of what is being looked at (i.e. using every measure of deescalation before use of deadly force and training) is already mandated by law. I went to Sacramento and lobbied for AB 392, watched it signed into law by Gov. Newsom, and I consider it a smoke screen that you are discussing this as if it is a voluntary act on your part. You're trying to make yourselves and the police department look good. In fact, I know of several incidents where deadly force was used unnecessarily by the Napa PD and by the Napa Sheriffs Department. I don't need to go over those in detail here and now, but there simply is no excuse for not implementing a citizen oversight board that has the authority to hire and fire officers, and even the Chief, by unanimous decision. After all, these are public employees, who work for the people. And if the people want an officer removed, it should be so. The board should also have some say over the police budget, what it's spent on and whether enough has been spent in any given year. Police are supposed to protect and serve the people, keeping us all safer. But too often, through no fault of the officers themselves, that's not how they are used.

Thank you,

Jason Kishineff



**From:** Mary Luros  
**Sent:** Tuesday, June 23, 2020 5:04 PM  
**To:** Clerk  
**Subject:** Fwd: Defund the police

Sent from my iPad

Begin forwarded message:

**From:** Genesis Perez <[REDACTED]>  
**Date:** June 23, 2020 at 5:02:30 PM PDT  
**To:** Mary Luros <MLuros@cityofnapa.org>  
**Subject:** Defund the police

[EXTERNAL]

As Black people across the United States are dying at the hands of law enforcement, our communities are mourning the deaths of George Floyd, tortured to death by Minneapolis police, and Breonna Taylor, an EMT killed by officers while asleep in her bed in Louisville, and Sean Monterrosa shot while kneeling by a police officer at a protest in Vallejo. Their names are added to a devastatingly long list of people who have been killed at the hands of law enforcement - it is time for us to make different decisions. Police should not be the front line responders to every emergency or call for help.

The City Council must not advocate for police reform when the data suggests that reforms do not work. Police body cameras do not prevent violence. In fact, the murder of Rayshard Brooks last week occurred by an officer wearing a body camera. Bias and diversity training have not been shown to work. For example, see Harvard Professor Dobbin's research here. Bans on chokeholds do not work, as the police killing of Eric Garner reminds us - he was killed by an illegal chokehold. Rather than slow-moving reforms that often increase police budgets, we need to redirect the funds immediately.

I want a city that is safe for everyone. That is why I urge you to defund the police and divert their funds into services that prevent crime. We cannot wait: how many more people will be arrested, harassed, or killed by the police by then? The future of public safety is a future of prevention, by community services and unarmed specialists, rather than punishment backed by armed force and incarceration. I implore you, for our sake, to reorient our city to this future.

We demand a budget that adequately and effectively meets the needs of at-risk Napa residents during this trying and uncertain time, when livelihoods are on the line. We demand a budget that supports community wellbeing, rather than empowers the police.

In Napa, fulfilling these demands require making dramatic changes in our city's budget.

Our budget should reflect our values, and the current budget does not. I am appalled to see that 32% of Napa's general fund goes to Napa's Police Department. I am writing to demand that Napa defund the police and prioritize community well-being.

We do not need to "reform" the Police use of force policy. We need to defund Napa Police Department.

Napa City Council: what steps are you taking to defund the police and ensure that those funds are directed to community well-being and not policing?