



TO: Mayor and Councilmembers

FROM: Vyto Adomaitis, Neighborhood Services and Public Safety Director

CONTACT: Jaime A. Valdez, Principal Project Manager

SUBJECT: Revised Mayor's Letter to Santa Barbara County Sheriff Bill Brown
Regarding Police Brutality and Racism

RECOMMENDATION:

Receive and provide direction on a revised draft of the Mayor's letter to Santa Barbara County Sheriff Bill Brown Regarding Police Brutality and Racism.

BACKGROUND:

On June 8, 2020 the City Council held a Special City Council meeting that was largely a result of the tragic deaths of George Floyd, Breonna Taylor, Ahmaud Arbery, Sean Reed, Tony McDade, and Meagan Hockaday at the hands of law enforcement officers, and the ensuing activism, advocacy and protests that developed across the country. Several councilmembers requested that staff draft the items listed below for City Council's consideration.

- A resolution that states the City's position on the issues of police brutality and racism; and,
- A letter to Santa Barbara County Sheriff Bill Brown requesting collaboration to end police brutality.

At the Special City Council meeting of June 8, 2020, the City Council received 61 unduplicated public comments regarding the proposed resolution. The City Council considered, and ultimately approved Resolution No. 20-37 Condemning Police Brutality and Declaring Racism a Public Health Emergency (Attachment 1).

The City Council directed that the original Mayor's letter (Attachment 2) be sent to the Public Safety and Emergency Preparedness Standing Committee (Committee) for review and be brought back to the City Council after the Committee met with the Santa Barbara County Sheriff's Office (SBSO), including Sheriff Bill Brown.

DISCUSSION:

Resolution No. 20-37 made a commitment to stand in solidarity with the people of Goleta and Healing Justice Santa Barbara, a local Black led and Black Centered organizing collective in Santa Barbara County, in opposing police brutality and calling for a declaration of racism as a public health emergency. According to its website, www.hjsb.org, "Healing Justice Santa Barbara aspires to uplift all Black/African-Americans to affirm that they are deserving of safety, love, equity, respect, and joy."

The original Mayor's letter (Attachment 2) was drafted, but was never sent, on behalf of the City Council, commends the SBSO and acknowledges its excellent working relationship with the City. Moreover, it condemns police brutality and declares racism a public health emergency. Lastly, it provides a list of actions from the Healing Justice Santa Barbara organizing collective and asks the SBSO for its support in exploring options to meet the actions requested.

The Committee, SBSO staff and City staff met on three different occasions for a total of four hours on July 9, 2020, August 6, 2020, and September 2, 2020, to review the actions list in the Mayor's letter and make recommendations and revisions to the Mayor's original letter to bring back to the City Council. The revised letter, provided in "track changes" (Attachment 3) and as in a clean version (Attachment 4), was the result of a collaborative and constructive public process. That public process, inclusive of the three public meetings, included 33 public comments (six oral and 27 via email).

Pursuant to Council's June 8th direction, the Mayor's letter was sent to the Committee for review and input and was to be brought back to the full City Council for final consideration. The Committee recommends that the Council receive and file this report and the revised letter, but not to actually send the revised letter to Sheriff Bill Brown. The Committee felt that the three committee meetings provided a forum for responses and input from the SBSO that addressed the issues/demands in the original Mayor's letter, thus sending a formal letter was deemed unnecessary and redundant.

FISCAL IMPACTS:

There are no fiscal impacts associated with this action.

ALTERNATIVES:

The City Council can choose not to accept the recommendations of the Committee and send the revised letter to Sheriff Brown or could provide alternative direction to staff.

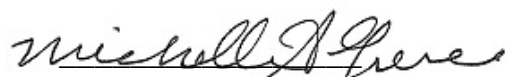
Reviewed By:


Kristine Schmidt
Assistant City Manager

Legal Review By:


Michael Jenkins
City Attorney

Approved By:


Michelle Greene
City Manager

ATTACHMENTS:

1. Resolution No. 20-37 Condemning Police Brutality and Declaring Racism a Public Health Emergency
2. "Original" (unsent) Letter to Santa Barbara County Sheriff Bill Brown, dated June 8, 2020
3. "Revised" Letter to Santa Barbara County Sheriff Bill Brown, dated October 6, 2020, in "Track Changes"
4. "Revised" Letter to Santa Barbara County Sheriff Bill Brown, dated October 6, 2020, "Clean Version"

Attachment 1

Resolution No. 20-37 Condemning Police Brutality and Declaring Racism a
Public Health Emergency

RESOLUTION NO. 20-37

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GOLETA, CALIFORNIA, CONDEMNING POLICE BRUTALITY AND DECLARING RACISM A PUBLIC HEALTH EMERGENCY

WHEREAS, the Declaration of Independence defined the United States of America as a democracy based on the unalienable rights of life, liberty and the pursuit of happiness, and government by the consent of the people; and the 14th Amendment instilled equality of the races into the US Constitution; and

WHEREAS, from slavery to Jim Crow laws to the modern criminal justice system, black people in this country have been brutalized and dehumanized for centuries, including Santa Barbara County's first black enslaved resident, Jerry Forney; and

WHEREAS, the struggles of black people have been highlighted most recently by alarming findings that black Americans are dying from COVID-19 at a much higher rate compared to white Americans due to systemic, structural racism; and

WHEREAS, in the 21st Century, black people in America continue to live in fear of losing their lives at the hands of law enforcement or members of white supremacist groups; and

WHEREAS, on February 23, 2020, America witnessed the shooting and killing of 25-year-old Ahmaud Arbery, an unarmed black man going for a jog, by two white men in Glynn County, Georgia; and

WHEREAS, on March 13, 2020, 26-year-old emergency medical worker Breonna Taylor was shot and killed by police inside her home after a "no-knock" raid; and

WHEREAS, on May 27, 2020, 46-year-old father of two, George Floyd, pleaded for his life and was ultimately killed, handcuffed and on the ground, while a police officer pushed his knee into his throat for nine minutes; and

WHEREAS, these types of acts of racism and death continue to plague our country despite many pleas for change; and

WHEREAS, the recent acts of racisms have sparked advocacy, activism and protests across the country with groups such as Black Lives Matter demanding action be taken to end this violence; and

WHEREAS, in alignment with the goal of creating a safe and welcoming community, we value human rights, peace, respect, inclusivity and equity, and recognize that we derive strength from our diversity;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GOLETA, AS FOLLOWS:

SECTION 1.

The City Council is committed to making Goleta a welcoming, inclusive, and safe community for everyone. While we promote free thought and speech, we condemn racism and police brutality, hate speech, bigotry, violence and prejudice.

SECTION 2.

The City Council is committed to standing in solidarity with the people of Goleta and the Black Lives Matter movement and is dedicated to creating a community where all people can safely, freely and fully engage in our democracy without the fear of those that have sworn to protect them.

SECTION 3.

The City Council declares the issue of racism to be a public health emergency.

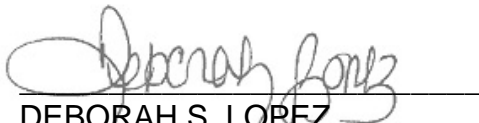
SECTION 4.

The City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.


PASSED, APPROVED AND ADOPTED this 8th day of June 2020.


PAULA PEROTTE
MAYOR

ATTEST:


DEBORAH S. LOPEZ
CITY CLERK

APPROVED AS TO FORM:


MICHAEL JENKINS
CITY ATTORNEY

STATE OF CALIFORNIA)
COUNTY OF SANTA BARBARA) ss.
CITY OF GOLETA)

I, DEBORAH S. LOPEZ, City Clerk of the City of Goleta, California, DO
HEREBY CERTIFY that the foregoing Resolution No. 20-37 was duly adopted by
the City Council of the City of Goleta at a regular meeting held on the 8th day of
June, 2020, by the following roll call vote of the City Council:

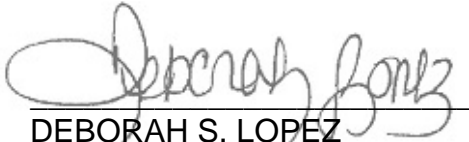
AYES: MAYOR PEROTTE, MAYOR PRO TEMPORE RICHARDS,
 COUNCILMEMBERS ACEVES, KASDIN AND KYRIACO

NOES: NONE

ABSENT: NONE

ABSTENTIONS: NONE

(SEAL)


DEBORAH S. LOPEZ
CITY CLERK

Attachment 2

“Original” (unsent) Letter to Santa Barbara County Sheriff Bill Brown, dated June 8, 2020

June 8, 2020

Sheriff Bill Brown
P.O. Box 6427
Santa Barbara
CA 93160

RE: Condemning Police Brutality and Declaring Racism a Public Health Emergency

Dear Sheriff Bill Brown:

The City of Goleta thanks you and the Santa Barbara County Sheriff's Department for your continued partnership, support and protection of the City of Goleta residents since the City's incorporation in 2002. Especially during this unprecedented public health crisis, we value the commitment you show to providing quality services to our community and collaborating with our City staff to ensure our residents are safe in the face of crises of all kinds. It is with this spirit of collaboration and partnership in mind that we write this letter to you seeking once again to rally together in solidarity to overcome another crisis facing our community: the challenges of racism and police brutality that our country continues to endure.

The latest tragedy against George Floyd has kindled the flame of advocacy, activism, protests, and support for the Black Lives Matter (BLM) movement taking place around the world. The Goleta City Council stands in solidarity with the local Healing Justice Santa Barbara organization, which is demanding action be taken to stop the police brutality, violence and incarceration of black people.

In response to the latest tragedies of police brutality in the United States and the justified demands of the Healing Justice Santa Barbara organization and Black Lives Matter movement, the Goleta City Council has adopted a resolution condemning police brutality and declaring racism a public health emergency. The Healing Justice Santa Barbara organization has demanded the following action be taken at Police Departments in Santa Barbara County:

- Demanding transparency and accountability from Police

Departments.

- Disbanding internal department investigations of police misconduct.
- Creation of a civilian review board, with members selected by the community, to investigate occurrences of police misconduct.
- Prioritization of mental health services and rehabilitation before arresting and incarcerating black people.
- Updating police departments' use of force policies to center and focus on de-escalation.
- Stopping the isolation/quarantine of inmates attending court or waiting to be in contact with their lawyers.
- Reducing jail admissions by redirecting people to community-based mental health and substance abuse treatment services.
- Demanding institutional support for an annual Juneteenth celebration, including a city and county commitment to allocate funds for this annual celebration of black emancipation and liberation.

We ask for your support in these matters by exploring options for your department to begin to implement these requests of the local Healing Justice Santa Barbara organization. Keeping in mind our limited knowledge of what policies and measures you and the department have already implemented, we appreciate all and every action taken to end police brutality and systemic racism that exists in our society.

The City of Goleta greatly appreciates your consideration of these issues and looks forward to further discussing how together we can continue to best protect the citizens of Goleta. Thank you again for your leadership and partnership during these challenging times.

Sincerely,

Paula Perotte
Mayor, City of Goleta

Attachment 3

“Revised” Letter to Santa Barbara County Sheriff Bill Brown, dated October 6, 2020, in “Track Changes”

~~June 8, 2020~~ October 6, 2020

Sheriff Bill Brown
P.O. Box 6427
Santa Barbara
CA 93160

RE: Condemning Police Brutality and Declaring Racism a Public Health Emergency

Dear Sheriff Bill Brown:

The City of Goleta thanks you and the Santa Barbara County Sheriff's ~~Department~~ Office ("Sheriff's Office") for your continued partnership, support and protection of the City of Goleta residents since the City's incorporation in 2002. Moreover, we sincerely appreciate you and your team's collaboration in addressing the demands and concerns presented in the original draft letter and the finalization of this letter at the Public Safety and Emergency Preparedness Standing Committee meeting of September 2, 2020. Especially during this unprecedented public health crisis, we value the commitment you show to providing quality services to our community and collaborating with our City staff to ensure our residents are safe in the face of crises of all kinds. It is with this spirit of collaboration and partnership in mind that we write this letter to you seeking once again to rally together in solidarity to overcome another crisis facing our community: the challenges of racism and police brutality that our country continues to endure.

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Justice Santa Barbara ~~organization~~ organizing collective has demanded the following action be taken at Police Departments in Santa Barbara County:

- Demanding transparency and accountability from Police Departments.
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- Prioritization of mental health services and rehabilitation before arresting and incarcerating black people.
- Updating police departments' use of force policies to center and focus on de-escalation.
- Stopping the isolation/quarantine of inmates attending court or waiting to be in contact with their lawyers.
- Reducing jail admissions by redirecting people to community-based mental health and substance abuse treatment services.
- Demanding institutional support for an annual Juneteenth celebration, including a city and county commitment to allocate funds for this annual celebration of black emancipation and liberation.

We acknowledge that as of June 8, 2020 the Sheriff's Office has responded to these concerns via three meetings with our Public Safety and Emergency Preparedness Standing Committee ("Committee) held on July 9th, August 6th, and September 2nd of 2020. The City, through its collaboration with the Sheriff's Office and the public via the Committee, would like to address the above demands with the following restated and Council-concurring language:

- Demanded-Continued transparency and accountability from Police Departments, and in particular the Sheriff's Office.
- With regard to ~~D~~disbanding internal department investigations of police misconduct:
 - Sheriff Brown noted that the Sheriff's Office is transparent as evidenced by publishing information, including use of force statistics.
 - Sheriff Brown provided his feedback that certain types of internal investigations, in particular those regarding sexual abuse and use of force, can be made public now that were previously confidential in nature due to a change in the law in 2019, thereby providing additional transparency.
 - Disbanding would also be problematic as the Sheriff's Office uses internal investigations to address complaints and as an audit system for policies and procedures. Moreover, it would be impractical to pursue certain approaches in one contract city versus other contract cities.

- With regard to the ~~Creation~~ creation of a civilian review board, with members selected by the community, to investigate occurrences of police misconduct:-
 - Sheriff Brown opined that establishing and using a civilian review board would be extremely time intensive, costly, impractical, and ultimately unwarranted. Sheriff Brown shared that of the nearly 18,000 law enforcement agencies nationwide only about 150 have such civilian review boards and almost all are in metropolitan areas. Moreover, he shared that the majority of those established have deep rooted histories of serious distrust and transparency issues that continue today.
- ~~Prioritization of~~Continue to prioritize mental health services and rehabilitation before arresting and incarcerating ~~black-all~~ people:-
 - The Sheriff's Office contends that prioritization of mental health services and rehabilitation responses over arrest and incarceration does not just apply to black people but to all people.
 - The Sheriff's Office noted they have been a leader in prioritizing mental health services and diversion in lieu of arrest and incarceration for those suffering from mental illness and/or substance abuse. In partnership with the County's Behavioral Wellness Department, the Sheriff's Office fields 3 Co-Response teams consisting of a Sheriff's Deputy and a mental health clinician. These teams work together to keep mentally ill people out of jail unless absolutely necessary due to the severity of a crime.
- ~~Updating~~Continue periodic reviews of police departments' use of force policies to center and focus on de-escalation.
 - According to the SBSO: "Policy states deputies are to consider the use of force de-escalation, crisis intervention tactics and other alternatives to the use of force when possible and practical."
 - Sheriff Brown expanded by saying the Sheriff's Office review of policies happens in an on-going fashion and neither he nor his staff believe there is a need to change the existing policy related to de-escalation.
- With regard to ~~S~~stopping the isolation/quarantine of inmates attending court or waiting to be in contact with their lawyers:-
 - Sheriff Brown informed the Committee that this policy has changed. When the COVID-19 Pandemic first struck, strict isolation of inmates upon intake and after returning from court did take place. Then a change allowed inmates returning from Court to return back to General Population after using N-95 masks and having their temperature checked. Recently, after an outbreak of COVID-19 in the Jail, the Sheriff's Office had to go back to utilizing isolation (quarantine) if an inmate had not worn a mask

throughout their court visit or they were symptomatic upon return to the Jail. This change in policy was required in order to protect inmates and Jail staff.

- Reducing jail admissions by redirecting people to community-based mental health and substance abuse treatment services.
 - Sheriff Brown noted his previous response about prioritizing mental health services and rehabilitation over arrest and incarceration. Further, in adherence to Proposition 36, the numbers of inmates are at their lowest level in 50 years at the County Jail. The Sheriff's Office looks for every alternative to incarceration. Sheriff Brown also shared that this approach is being pursued in all jurisdictions and among all law enforcement agencies in Santa Barbara County.
- Demanding institutional support for an annual Juneteenth celebration, including a city and county commitment to allocate funds for this annual celebration of black emancipation and liberation.
 - The City Council took action on this item. A placeholder was included in the budget for FY 20/21 for this purpose.

We ask for your continued support in these matters by exploring options for your department to begin to implement or continue these those requests of the local Healing Justice Santa Barbara organizationorganizing collective that are actionable and appropriate. Keeping in mind our limited knowledge of what policies and measures you and the department have already implemented We especially appreciate you and your team addressing the substance of these demands with our Public Safety & Emergency Preparedness Standing Committee over the past few months., ~~w~~We appreciate all and every action taken to end police brutality and systemic racism that exists in our society.

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Sincerely,

Paula Perotte
Mayor, City of Goleta

Attachment 4

"Revised" Letter to Santa Barbara County Sheriff Bill Brown, dated October 6, 2020, in "Clean Version"

October 6, 2020

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P.O. Box 6427
Santa Barbara
CA 93160

RE: Condemning Police Brutality and Declaring Racism a Public Health
Emergency

Dear Sheriff Bill Brown:

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- With regard to the creation of a civilian review board, with members selected by the community, to investigate occurrences of police misconduct:
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- Continue to prioritize mental health services and rehabilitation before arresting and incarcerating all people:
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Sincerely,

Paula Perotte
Mayor, City of Goleta