

From: kathryn hedges <[REDACTED]>
Sent: Monday, June 29, 2020 11:42 AM
To: The Office of Mayor Sam Liccardo <[REDACTED]>
Cc: City Clerk <[REDACTED]> District1 <[REDACTED]> District3 <[REDACTED]>
District4 <[REDACTED]> District5 <[REDACTED]> District 6 <[REDACTED]> District7
<[REDACTED]> District8 <[REDACTED]> District2 <[REDACTED]> District 10
<[REDACTED]> District9 <[REDACTED]>
Subject: Agenda Item 2.24



[External Email]

Dear Mayor and Council Members:

I am a San Jose resident who follows the ongoing news about the San Jose Police Department (SJPD). I am extremely concerned that the City plans to approve the terms of a collective bargaining agreement between the City and the San Jose Police Officers' Association (SJPOA) that was negotiated before the recent discovery of outspoken racists in the San Jose Police Department. This is unsurprising after their recent conduct at the Black Lives Matter protests a month ago, some of which I witnessed myself. Their hatred and hunger for violence was frightening--and unacceptable in people sworn to protect and serve.

We do not yet know the extent of the virulent racism in SJPD because our investigations have only begun. We have discovered the tip of the iceberg with these specific officers who posted disgraceful comments about the citizens they swore to serve and protect. But we don't know how much these officers' beliefs may have affected convictions, let alone police misconduct. We don't know who else shares their beliefs but was more discreet in expressing them.

If we have officers with racist attitudes towards Black, Muslim, and other residents, they will not provide the service our people need--all San Jose residents, regardless of creed or color. Even if SJPD officers don't commit specific, illegal acts of racism, such as false testimony, planting evidence, or improper use of force, they will not treat all our residents with the same respect they do the most privileged among us. That is unacceptable, morally and for practical reasons: communities that justifiably mistrust SJPD will see the police as the problem, not a potential solution, when crimes occur. They won't step forward as witnesses. They won't get restitution or safety from future crimes.

We don't necessarily need to know the complete results of the investigation to renegotiate the contract, but it is imperative that we refrain from locking the City into an agreement that could prevent us from making sweeping changes to the San Jose Police Department. At the very least, there should be a mechanism in the contract to declare it null and void if the investigations show that SJPD should be disbanded to create a more fair, just, and effective solution.

I believe that what we really need is to disband SJPD as it now exists and create a new system of specialists for community problem-solving, emergency response, and enforcement of civil matters (parking, permits, etc.). We need to focus on restorative justice and eliminating the social conditions that push people into crime and keep them from getting off that path. If someone commits crimes to support a drug habit, but they can't get help getting off drugs and they can't get a legitimate job, what do you think they're going to do? They're going to keep committing crimes to support themselves and their drug habit. We have failed them and then we punish them? And don't get me started on the criminalization of homelessness.

If we ratify that agreement, we will be agreeing not to disband the department if needed. Don't let the SJPOA stop the City from taking necessary measures to protect its residents. Their mission is to protect their members. Your mission is to protect the residents.

Kind regards,

Kathryn Hedges

From: Mary Helen Doherty

Sent: Monday, June 29, 2020 4:22 PM

To: City Clerk

Cc: District3

Subject: June 30,2020, Item 2.24 Approval of Terms of Agreement with SJPD

Dear Mayor and Councilmembers,

I request your no vote on Item 2.24, Approval of the Terms of Agreement with San Jose Police Department. Approval of a labor agreement with SJPD at this time without extensive review & amendments to its accountability provisions as they relate to racist comments and other race related public safety issues is premature and disrespectful.

Thank you for giving serious consideration to my recommendation for a NO vote on this item.

Mary Helen Doherty

District 3 resident

From: Maria Guttenbeil

Sent: Tuesday, June 30, 2020 8:56 AM

To: City Clerk

Subject: Agenda Item 2.24



[External Email]

Hello,

I oppose the extension of the contract for the San Jose Police Department without accountability and negotiation of the contract in public.

Best,

M. Maria Guttenbeil

From: sayoung2 [REDACTED]
Sent: Tuesday, June 30, 2020 9:05 AM
To: City Clerk <city.clerk@sanjoseca.gov>
Subject: 2.4 city council



[External Email]

I request that item 2.24 be pulled from the agenda so that the council can discuss this separate.
Thank you
--
Stanley Young

From: Heather Mahan <[REDACTED]>

Sent: Monday, June 29, 2020 4:55 PM

To: City Clerk <[REDACTED]> Liccardo, Sam <[REDACTED]> Jones, Chappie <[REDACTED]> Jimenez, Sergio <[REDACTED]> Peralez, Raul <[REDACTED]> Diep, Lan <[REDACTED]> Carrasco, Magdalena <[REDACTED]> Davis, Dev <[REDACTED]> Esparza, Maya <[REDACTED]> Arenas, Sylvia <[REDACTED]> Foley, Pam <[REDACTED]> Khamis, Johnny <[REDACTED]>

Subject: 06/30/2020 SJ City Council Agenda Item 2.24

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[External Email]

Dear Mayor and City Council,

I am writing as a resident of San Jose District 3. Given the recent discovery of SJPd current and former officers making racist and xenophobic comments in a private Facebook group[*] I urge you not to extend the Police Officer Association contract. As it stands, the contract makes it nearly impossible to fire officers for misconduct, including racist comments (or excessive physical violence for that matter). Mayor Sam Liccardo has stated[**] that in the past, an SJPd officer was fired for racist remarks, but rehired due to "an unaccountable, unreviewable arbitrator." How can we hold officers accountable if the current contract - which still includes this opaque arbitration process - is approved?

I also agree with Raj Jayadev of Silicon Valley De-Bug: "Every case they have been involved in must be re-opened and re-investigated, as these officers have delegitimized the validity of those arrests." Second, active officers need to be immediately removed. I hope you'll read Silicon Valley De-Bug's full response here: <https://www.siliconvalleydebug.org/stories/a-call-for-public-safety-in-san-jose-remove-all-san-jose-police-officers-dismantle-the-sjpd-and-re-imagine-public-safety-without-that-racist-institution>

I hope the City Council is beginning to see that the problem with the police along with the legacy legislation and unions that support them, is bigger than just a few "bad apples".

Sincerely,
Heather Mahan, San Jose District 3

[*] See articles:

<https://www.sanjoseinside.com/news/sjpd-officers-mock-muslims-blm-protesters-on-facebook/>

<https://abc7news.com/san-jose-police-department-report-news-sjpd-facebook/6273485/>

<https://www.mercurynews.com/2020/06/26/san-jose-police-officers-racist-facebook-posts-exposed-by-blogger/>

[**] See tweet: <https://twitter.com/sliccardo/status/1276875741339070464>

June 29, 2020

To San Jose City Mayor Liccardo and City Council Members,

We are calling for the negotiations between the City of San Jose and the San Jose Police Officers Association to be done publicly. While we understand that the negotiations in prior years have been held in closed door sessions — it is clear that the content and subject of the negotiations are absolutely central to the general public’s interest and well-being. As such, it is vital that there is transparency of the negotiation process that is literally about the lives and future safety of our community. Though contract negotiations between police unions and cities have generally been conducted outside of the public view, there is precedent where this has occurred in other jurisdictions — such as [Austin, Texas](#).

San Jose is coming off of the largest mass protests it has ever seen. The uprisings, led by Black and Brown youth, families directly impacted by police violence, and under the charge of Black Lives Matter, ceased the city and demanded responses from elected officials. The movement called for a divestment of the police department and an investment in community, and a [formal proposal was submitted by the families who lost loved ones to police and their supporters](#) that garnered over 2,600 signatories and 30 plus community organizations in just two days. Another 3,500 signed the online [change.org](#) petition as well. Despite the groundswell of support for the public safety blueprint, and hours of public comment echoing the call, it was flatly denied by City Council members during the budget hearings. And last week a scandal of [San Jose police officers making racist threats](#) made national headlines. The accountability, or ability to shrug off responsibility, of these officers (and other officers who are exposed of wrong action) very well can be determined by how the city’s contract with the San Jose Police Officers Association contract is written.

For these cumulative reasons — there has never been a time where the public would be more engaged in the negotiations of the police union contract than right now. Indeed, several platform points in the “De-fund SJPDP // Invest in Community” proposal can be achieved through what is included or excluded from the contract agreements. For example, the divestment framework can be a critical lens to process pay scale agreements, disincentivizing use of force can be influenced by what qualifies as promotion standards, and eliminating paid administrative leave for officers who shoot or kill can be addressed in the negotiation.

We urge the City Council, in the spirit of transparency, authentic civic engagement, and in honor of the families who have lost loved ones to police in San Jose to make the contract negotiations with the San Jose Police Officers Association public.

Sincerely,

Silicon Valley De-Bug

The Families of Aaron James Phillips, Anthony Nuñez, Antonio Guzman Lopez, Diana Showman, Jacob Dominguez, Jennifer Vazquez, Jesus Geney Montes, Phillip Watkins, Richard Harpo Jacquez, Rudy Cardenas

From: Rowan Fairgrove

Sent: Monday, June 29, 2020 9:01 PM

To: Liccardo, Sam ; District3 <district3@sanjoseca.gov>; City Clerk <city.clerk@sanjoseca.gov>

Subject: 2.24 SJPOA Agreement



[External Email]

Dear Mayor Liccardo and Councilmember Peralez,

We are in the midst of a global movement against police brutality and systemic racism that is grounded in the call for greater accountability for those in power. Accountability on behalf of the police and accountability from all our elected leaders and our out of control SJPd. The recent Facebook group scandal, the ongoing prevalence of officer involved shootings, and the UTEP study of show how unbalanced and out of touch our current police department is.

Approving the terms of the Agreement with the San José Police Officers'

Association (SJPOA) for the Term of July 1, 2020 Through June 30, 2021 seems unwise. This is not the time for business as usual. I urge the Council NOT to approve this Agreement.

Sincerely,

Rev. Rowan Fairgrove

District 3

From: Brian Parkman < >
Sent: Monday, June 29, 2020 9:27 PM
To: City Clerk <city.clerk@sanjoseca.gov>
Subject: Agenda item 2.24

[External Email]

Hello council members,

My name is Brian Parkman and I live in district 6 in San Jose. It would Be the best interest to the public to pull agenda 2.24 from the consent calendar as the poa contract deserves to have a its own section that the public can give comment.

Brian Parkman

From: Norma Rodriguez >
Sent: Monday, June 29, 2020 10:16 PM
To: City Clerk <city.clerk@sanjoseca.gov>
Subject: Item 2.24



[External Email]

Hi,

I am writing to ask that item 2.24 be pulled from the consent agenda.

Thank you

2.24

From: Annie Koruga <[REDACTED]>

Sent: Monday, June 29, 2020 10:47 PM

To: City Clerk <[REDACTED]>

Subject: Item 2.24

[?]

[External Email]

Hi!

As a member of the public, I'm requesting that agenda item 2.24 be pulled from the consent calendar of the 6/30 SJ City Council Meeting. As per the agenda "If a member of the City Council, staff, or public requests discussion on a particular item, that item may be removed from the Consent Calendar and considered separately."

Sincerely,

Annie

From: Karl Sinclair <[REDACTED]>
Sent: Tuesday, June 30, 2020 7:51 AM
To: City Clerk <[REDACTED]> CouncilMeeting <[REDACTED]>
Subject: Item 2.24 Approval of the Terms of an Agreement with the San Jose Police Officers Association



[External Email]

Hello city council. My name is Karl Sinclair with Silicon Valley DSA. The extension of the POA contract is a done deal this year, but we urge you to direct the City Manager to negotiate hard for a fair contract that is fair to the City. As our representatives in this process, you need to protect the public and prevent these huge raises and bonuses that are wasting so much of our tax money. Defunding the Police means stopping the obscene raises and bonuses and breaking the stranglehold the Police Department has on our City. Lest I remind the council this is the same police force that protects racist members and traffics far right conspiracy theories. This is the same police force who shoot projectiles at protestors for fun while crying crocodile tears about imaginary bricks.

We need to stop their raises, and limit their overtime. The Police Department is out of control has been sucking up our funding for way too long. We need you, Council, to represent the City's best interests, and stop wasting our money on an infrastructure of violence. Defund the Police and start with the POA!

From: Jonathan Gomez <[REDACTED]>

Sent: Tuesday, June 30, 2020 7:22 AM

To: City Clerk <[REDACTED]>

Subject: Agenda Item 2.24



[External Email]

Greetings,

I ask that the San Jose City Council not approve extending this contract. Listening to the stories of family members who lost their loved ones to SJP, the recent public display of violence in response to peaceful protest, and the racist and xenophobic comments by SJP officers, past and present, leaked to the public should cause great alarm. I demand that you make the contract negotiations public. Thank you.

--

Dr. Jonathan D. Gomez

From: Ambar Gonzalez <[REDACTED]>

Sent: Tuesday, June 30, 2020 4:11 AM

To: City Clerk <[REDACTED]> Liccardo, Sam <[REDACTED]> Jones, Chappie
<[REDACTED]> Jimenez, Sergio <[REDACTED]> Peralez, Raul
<[REDACTED]> Diep, Lan <[REDACTED]> Carrasco, Magdalena
<[REDACTED]> Davis, Dev <[REDACTED]> Esparza, Maya
<[REDACTED]> Arenas, Sylvia <[REDACTED]> Foley, Pam
<[REDACTED]> Khamis, Johnny <[REDACTED]>

Subject: Agenda Item 2.24 - public comment

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[External Email]

I'm Ambar G. from district 3.

We've already said it to you when you were diciding the budget: defund police. If you claim to support your community then **support ending contracts with the police union**. We've been saying defund police for the past month in your meetings, on the streets, on social media. You even got a national audience this past week after SJPD's rampant racism and support of brutality against BIPOC was exposed.

Do the right thing today and end police union contracts. And after that, work with us to create programing that supports transformative justice for black and brown people in SJ. We have the opportunity to imagine and create something different together.

Listen.

Ambar Gonzalez

From: Fiona Cheung [mailto: [REDACTED]]
Sent: Tuesday, June 30, 2020 10:27 AM
To: City Clerk < [REDACTED]>
Subject: Comment - San Jose Council Meeting - 2.24 and 3.3



[External Email]

Dear City Council,

I have been a resident of San Jose for almost all my life and am e-mailing today to express my concerns around extending the police union contract and expanding the Independent Police Auditor review authority.

I understand gaining (or regaining) the public trust has always been a priority at the San Jose City Council and as you may guess, trust is currently eroding daily. I have reviewed the contract with SJPOA signed in 2017 and understand this contract expires today, June 30, 2020. The initial 10% raise in fiscal year 2017 seemed excessive; while I understand the continued retention bonuses seem necessary to maintain staffing, I hope you also hear the voices of many families who have lost their loved ones to police violence and shootings. I hope you will consider the historic lack of accountability and transparency within the police unions, and reverse this narrative by encouraging transparency in your negotiations with the police union. Back in 2019, it was the San Jose Police Union that tried to overturn AB392 with SB230, trying to skirt around police accountability in their use of force. Thus, our residents have reason to distrust the police unions and their protection over SJPD, and to demand fair, transparent negotiations in the contract.

To support my points about increasing accountability for police actions, I support you expanding the Independent Police Auditor review authorities, and I hope that your actions will truly reflect this. I want to note that many citizens feel skeptical of this item and have observed that your 2020-2021 budget did not increase funding towards the IPA. As such, I urge you to please prove your citizens wrong and truly grant them the power, funding, and control to conduct these independent reviews and increase police accountability.

Thank you for your time, and I hope you all stay healthy and well.

Best,
Fiona Cheung
Resident of San Jose, CA

From: Kaila Silveira [mailto: [REDACTED]]
Sent: Tuesday, June 30, 2020 10:26 AM
To: City Clerk < [REDACTED]>
Subject: June 30th SJ Council Meeting



[External Email]

Dear San Jose Councilmembers,

My name is Kaila Silveira, and I am emailing you as a concerned citizen about the agenda items 2.24, 2.27, 3.3, and 3.10 that you will be voting on in today's council meeting.

For item 2.24 (Extending the Police Union Contract), I urge you to **VOTE AGAINST AND DO NOT EXTEND THIS ACTION** as it continues to fund SJPd when those funds should be distributed to other community services.

For action item 2.27 (BLM Resolution), I urge you to **MAKE POLICY AND GIVE OPPORTUNITY THAT SUPPORTS THE BLM MOVEMENT** not just proclaim the resolution. You have a job to protect and serve your citizens so your actions need to speak louder than words!

For action item 3.3 (Expanding Independent Police Auditor Review Authority), I urge you to **VOTE AGAINST THIS ACTION** as the historically the IPA has not been very active or powerful in helping produce productive change.

For action item 3.10 (Increasing Power of Mayor Liccardo by Extending His Term by Two Years), I urge you to **VOTE AGAINST THIS ACTION**. By extending his term, you will allow him to continue ignoring the BLM movement demands and blocking policy that could implicate change. We need new leadership that will **FIGHT AND ACTUALLY REPRESENT** what the citizens need.

For weeks, we've have been peacefully protesting, sharing our ideas, and collaborating on how to implement change. We've spoken so now it's up to you to make it happen. We need policies that will provide opportunity and protection **FOR EVERYONE**.

A concerned citizen,

Kaila

From: Oscar Sandoval [mailto: [REDACTED]]
Sent: Tuesday, June 30, 2020 10:20 AM
To: City Clerk < [REDACTED]>
Subject: Agenda Items- 2.24 , 2.27 , 3.10



[External Email]

Hello,

My name is Oscar Sandoval and I am an educator, artist, and D10 resident. I'm calling on the entire council to NOT approve extending the contract with the San Jose Police Officers Association. This agreement **must be renegotiated** with input from the public. The current agreement is bloated, and millions of those dollars can be reallocated to crucial social services in our city that can eliminate the need for police officers in the first place. It's ridiculous that some of these funds are being used to pay police who have murdered San Jose residents, it pays for internal investigations in misconduct cases that protect police officers, and, worst of all, it pays cops that make heinous, racist comments like the ones leaked from the private Facebook group. If y'all didn't have the courage to stand on the right side of history, and progress, when we demand that you all , OUR elected officials, to defund SJPd, you have another chance here. Be on the right side of history. Don't approve this contract, and allow the public to be a part of this process.

Also the BLM statement is a farce. Unless it is backed by legitimate systemic change (Office of Racial Equity is not an example of systemic change) than it's just as bad as taking a knee as officers continue to kill and harass San Jose residents. It masks San Jose as a city of "progress", when it in fact is lagging behind Oakland, SF, and other big cities that are taking REAL action to protect its Black and Brown communities.

Lastly, Sam Liccardo's "Strong Mayor" proposal is disturbing, especially given his justification that residents want him to have more power to take action to address police violence in our city. This is the same dude that compared defunding racist and killer police system to defunding teachers. As an educator myself I'm disgusted, and a bit fearful now knowing that Liccardo feels empowered to defend police officers over teachers. Do NOT approve this resolution/proposal. Any changes should go through the charter revision commission and be a public process. There does not need to be an automatic extension.

I hope y'all take action to defend marginalized communities in San Jose today. If y'all choose not to, the preventable deaths and anguish inflicted on our communities will be on your hands.

Best,

Oscar Sandoval

From: Capella Yee [mailto: [REDACTED]]

Sent: Tuesday, June 30, 2020 10:04 AM

To: City Clerk < [REDACTED] > CouncilMeeting < [REDACTED] >

Subject: June 30 Agenda Item 2.24



[External Email]

Dear City Council,

As a resident of San Jose I am writing to ask that you NOT extend the police Union contract. Instead of continuing to fund a police department that criminalizes our citizens, I ask that we use that money to support and uplift our community through social services that ultimately address the same needs (housing, mental health) that police officers have no business responding to. So much energy, pain, suffering, and resilience over the last centuries has created this moment of change. Please do not let it go wasted.

Thank you
Capella Yee

From: Hing Potter [mailto: [REDACTED]]
Sent: Tuesday, June 30, 2020 10:49 AM
To: City Clerk < [REDACTED]>
Subject: June 30 Agenda Item 2.24



[External Email]

To City Council and San Jose Mayor,

RE: Agenda Item 2.24

I demand, as a citizen of San Jose, that you pull Agenda Item 2.24 from the Consent Agenda and allow for public comments and remarks to be made in a transparent, accessible and fair way. This should be a separate item discussion.

Thank you,
Hing Potter, M.Ed. (*he/him/his*)
San Jose, Ca

From: Benjamin Landers <>

Sent: Tuesday, June 30, 2020 1:03 AM

To: City Clerk <city.clerk@sanjoseca.gov>

Subject: City Council Consent Vote -re: item 2.24



[External Email]

Dear City Clerk,

Hello. I hope you're having a nice day.

I, as a member of the public and a resident of San Jose, ask that item 2.24 be pulled from consent for the city council meeting on 6/30/2020.

I believe it needs to be discussed by the council separately, with separate time for public comment on this specific issue.

Thank you,
Ben Landers

From: Joe Ethier [mailto: [REDACTED]]
Sent: Tuesday, June 30, 2020 12:34 PM
To: City Clerk < [REDACTED] >; Liccardo, Sam < [REDACTED] >; Jones, Chappie < [REDACTED] >; Jimenez, Sergio < [REDACTED] >; Peralez, Raul < [REDACTED] >; Diep, Lan < [REDACTED] >; Carrasco, Magdalena < [REDACTED] >; Davis, Dev < [REDACTED] >; Esparza, Maya < [REDACTED] >; Arenas, Sylvia < [REDACTED] >; Foley, Pam < [REDACTED] >; Khamis, Johnny < [REDACTED] >
Subject: 6/30/20 Council Meeting | Agenda Item 2.24 | Public Comment | POA Contract

[?]

[External Email]

My name is Joe Ethier and I'm a resident of District 3.

I'm writing regarding the renewal of the city's POA contract. I strongly urge the council to reject the renewal of the contract as-is, and instead begin negotiations on a new contract that will allow the city to meaningfully hold the police department accountable. The independent auditor (and even the chief of police for that matter) need to be able to impose real consequences on the police misconduct, up to and including fines and prosecution. It would be a very different conversation if the POA had a history of protecting those within the department who speak out against and expose misconduct. Instead, it shields those officers who commit misconduct, ensuring minimal consequences even in cases of wrongdoing that would be career-enders in any other line of work. Police should be held to a *higher* standard of conduct, not a lower one, while the POA prevents holding them to *any* meaningful standard.

Please listen to what the community has been telling you. Times are rapidly changing. Public opinion is quickly shifting away from the old mythology that we somehow need a militarized force perpetually menacing our city in order to live safely and prosper. The chance to renegotiate the POA contract is a chance to take a bold step towards a better future instead of clinging to the fears of the past, and it comes at an opportune time when the public is eager to move forward with change. It's time to grow and evolve.

Joe E.

From: Jessica Gutierrez
Sent: Tuesday, June 30, 2020 10:41 AM
To: City Clerk <city.clerk@sanjoseca.gov>
Subject: Agenda item 2.24



[External Email]

Do NOT approve extending this contract. We need accountability and transparency before any negotiations are agreed upon!

--

Jessica Gutierrez

From: Kevin Khong <kevinKhong93@gmail.com>

Sent: Tuesday, June 30, 2020 11:38 PM

To: CouncilMeeting <CouncilMeeting@sanjoseca.gov>; City Clerk <city.clerk@sanjoseca.gov>

Subject: Agenda Item 2.24

[External Email]

I'm Kevin with Silicon Valley DSA. The extension of the POA contract is a done deal this year, but we urge you to direct the City Manager to negotiate hard for a fair contract that is fair to the City. As our representatives in this process, you need to protect the public and prevent these huge raises and bonuses that are wasting so much of our tax money. Defunding the Police means stopping the obscene raises and bonuses and breaking the stranglehold the Police Department has on our City.

We need to stop their raises, and limit their overtime. The Police Department has been sucking up our funding for way too long. We need you, Council, to represent the City's best interests, and stop wasting our money on an infrastructure of violence. Defund the Police and start with the POA!

Best, Kevin