Santa Clara County Supervisor Susan Ellenberg represents a diverse population of more than 400,000 residents in District 4. This district includes the unincorporated communities of Burbank and Cambrian, as well as the cities of Campbell and Santa Clara and a number of neighborhoods in West San Jose.

Susan currently serves as the Chair of the County’s Public Safety and Justice Committee. The Public Safety and Justice Committee is responsible for oversight of the criminal justice system. This committee reviews policy recommendations relating to the Criminal justice departments including the Office of the District Attorney, Office of the Public Defender, Alternate Defender, Superior Court, Office of the Sheriff, Probation Department, Department of Correction, Pretrial Services, and Medical Examiner-Coroner. It also hears regular reports from these departments and reviews policy proposals either as directed by the Board of Supervisors or in preparation for presentation to the Board of Supervisors.

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The genesis of these Community Conversations came after seeing and hearing the injustices and disparities that our communities of color, specifically the Black community, continue to experience. Having been elected to a seat on the Board of Supervisors just under two years ago, I now find myself in a position to address these injustices at a systemic level.

As community members seek to engage with their local elected offices, I am dedicated to elevating those voices who seek justice and asked residents across the County to share their experiences and suggestions regarding how we, as a county, might re-assess the way in which we provide public safety moving forward for all of our residents without discrimination and without the fear of losing another life.

This report presents the commentary of and recommendations from individuals and organizations who participated in this process. It highlights not only a collection of personal experiences with the County’s justice system, but also their recommendations to build a safer community that will truly serve and protect every person in Santa Clara County.

Their responses have been compiled into this report, which I hope will serve as a guiding document for County action to create and empower communities that thrive in THEIR image with very rare and limited engagement with the criminal justice system.

Just as I welcomed community members to share or listen during the conversations, I welcome you now to read the testimonials and recommendations provided by the community. These are their priorities.
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Executive Summary

We stand at an unprecedented crossroads, where a global health pandemic, stark economic hardship and racial inequities have bubbled to the surface something we have all known was here for generations and, painfully, have yet to adequately address. As the nation learned of and mourned the lives of Breonna Taylor and George Floyd, the latest in a long, horrific line of individuals who have been shot or otherwise killed during encounters with police officers across our country, many people awoke for the first time to the reality of the gross racial disparities in our nation and community. Tragedies like the murders of George Floyd and Breonna Taylor force us to reflect on what more we could and must do to ensure that every member of our community is safe and treated equitably and justly. The community has collectively and with one voice said that enough is enough. It’s time for change.

In response to this call for action, Supervisor Ellenberg began an initiative to engage county residents in three facilitated community conversations. These conversations engaged 480 individuals in meaningful dialogue around policies and recommendations to promote greater justice and equity both within and external to our public safety systems. Their testimonials, included in this report, span from a radical re-envisioning of the design and role of law enforcement to recommendations for county investment in community services.

In conjunction with the community conversations, Supervisor Ellenberg conducted 1:1 stakeholder meetings with 18 community organizations representative of the diversity of the county. Their policy recommendations are also included in this report.

After compiling input from community members and stakeholders, their prescribed public safety reforms were organized and categorized by District 4 staff. The community’s recommendations can be summarized in the following themes:

Crisis Response
Law enforcement frequently responds to calls that may not be within their purview, such as behavioral and mental health crises. Community members also may not know what agencies exist to properly help individuals in need. Residents recommended exploring an alternate dispatch system that distinguishes between individuals in crisis versus crimes in progress.

Re-imagining Law Enforcement
Community members shared their vision for a revised role of law enforcement (armed and unarmed officers) in a safe and thriving community, including a reduced or nonexistent law enforcement presence on school campuses and in public gathering spaces (ex.: parks).

Upholding Justice
Community members expressed the need for independent oversight that ensures accountability and transparency when it comes to the discipline and investigation of law enforcement misconduct. Residents also recommended expanded training for law enforcement in the areas of racial bias, de-escalation and non-violent law enforcement approaches when dispatched for non-violent dispatch calls, among others.
To continue engagement and build accountability with the community, Supervisor Ellenberg plans to seek support for a Committee that will Re-imagine Public Safety and Justice and will a) be charged with the advancement of these recommendations, b) provide input to the Board of Supervisors on other possible actions that are within the purview of County government, and c) report annually to the Board of Supervisors on the measurable progress made in creating a community that is safer and more just.

Prevention Across the Continuum
Community members voiced the need for more supportive programs that can divert residents, particularly youth, from becoming involved with the County’s justice system. Included was the prioritization of pretrial services, which focus on maintaining individuals in community rather than incarceration. Residents also recommended support for incarcerated individuals and their families, such as eliminating jail fees, fines and the cash bail system.

Healing the Community
Community members called for the reinvestment of funds to focus on the needs of vulnerable residents, such as before and after-school programs, health services (physical, emotional and mental health services), infrastructure improvement and programs designed to lead to thriving neighborhoods.

Strengthening the Community
Community members discussed the need to foster greater relationships between neighbors, community organizers and local government officials with the goal of amplifying their voices in County decision making.
Supporting the dialogue and uplifting voices

The three community conversations were expertly facilitated by Gwen Wright, Carolyne Miller Abdullah, and Gwendolyn Pointdexter Whiting.

These three outstanding women worked to create a safe space where participants’ voices could be uplifted to share their stories, perspectives, and recommendations for equitable change in Santa Clara County.

**GWEN WRIGHT** provides support to community and organizational leaders; local and state governments; and other groups, to develop and implement processes for more impactful collective decision-making and action planning. Gwen obtained her BA in Public Administration from Shaw University and MA in Public Administration from Baruch College, CUNY.

**CAROLYN MILLER ABDULLAH** brings over 20 years of experience working with a variety of informal and formal leaders from all backgrounds and sectors. She brings leadership on racial equity and its intersectionality to the fields of civic engagement, community development, social justice, and philanthropy.

**GWENDOLYN POINDEXTER WHITING** is an accomplished consultant who specializes in organizational conflict resolution processes, including teamwork, diversity, cross-cultural conflict resolution, mediation, and facilitation. She has done extensive training internationally and in the United States.
Public safety and justice through the eyes of the community

After compiling input from community members and stakeholders, their prescribed public safety reforms were organized into a collection by District 4 staff. Collectively, and in summary, here are the categories and recommendations that the Community and Stakeholders have offered to the Board of Supervisors for action.

**Crisis Response**
- Expand the County’s Mobile Crisis Response, and Psychiatric Response Teams.
- Consider broader qualifications for Mobile Crisis Responders (not limited to clinician level licensing) in order to expand impact.
- Analyze 9-1-1 calls and create alternative dispatch for people in crisis and not crimes in progress like Social Workers, Crisis Counselors, Human Trafficking and CSEC respondents.

**Re-imagining Law Enforcement**
- Establish independent police oversight and include Citizen representation on oversight body.
- Disallow carotid restraints.
- Eliminate no-knock warrants.
- Place a moratorium on the purchase by law enforcement agencies of military style riot gear including, but not limited to, tank style vehicles, tear gas, rubber bullets, and flashbangs.
- Expand implicit bias, cultural sensitivity, gender identity and sexual orientation training and measure impact of such training on officer behavior.
- Create policies that restrict the hiring of deputies (enforcement or correctional) who have discipline or misconduct records, including in the case of lateral transfers and create processes to remove deputies (enforcement or correctional) who have discipline or misconduct records.
- Expand and protect the rights of whistleblowers who seek to bring light department misconduct.

**Upholding Justice**
- Establish an independent office dedicated solely to the investigation and prosecution of law enforcement member misconduct.
- Reduce/eliminate gang enhancements in charging crimes.

**Prevention Across the Continuum**
- Expand and invest in programs that prioritize jail diversion including expansion of the Pretrial Services Department.
- Expand and invest in programs that support individuals as they reenter the community including the expansion of the County’s Reentry Resource Center and services.
- Eliminate justice system fines and fees that perpetuate cycles of poverty.
- Support the end of the cash bail system.
- Maximize community supervision resources as an alternative to incarceration.
- Interrupt the school to prison pipeline by removing police-in-school programs.
- Eliminate the incarceration of juveniles.
Healing Communities

- Reinvest funds from eliminated police-in-school programs to support school counselors and before/after school programs.
- Invest in community based public safety and health services such as Social Services, Rent Relief, Employment services, Public Health, Behavioral Health, Substance Use Treatment, Parental Support programs, Food Aid, Pedestrian Safety, and Parks and Recreation.
- Invest in services that directly impact racially disparate outcomes in health and wellbeing.
- Support age appropriate school programs that address systemic racism and bias.

Strengthening Communities

- Build community trust between community members and law enforcement by creating opportunities for individuals with lived experience to inform policy that impacts communities of color.
- Invest in culturally responsive spaces that promote inclusivity and provide community supports.
- Invest in programs that support neighborhood engagement to help build safe and supportive communities.
- Invest in infrastructure in communities so ALL have safe, well lit, well maintained streets, sidewalks and parks.
- Invest in after school programs, digital equity and pro-social programs for teens such as the creation of public art.
- Invest in childcare so more families will be able to work and more children will gain essential early educational opportunities.
- Create opportunities to encourage Civic engagement, including lowering the voting age and allowing noncitizens to vote in local school board elections.
Initiating the Conversation: Outreach and an Invitation to the Table

On June 19th 2020, Supervisor Ellenberg and staff began reaching out to community members, stakeholders, businesses, schools and neighborhood associations to participate in the Community Conversations on Public Safety. The groups to whom we reached out represent the County’s diversity in race, faith, age, socioeconomic, and political persuasion. The District 4 team sent hundreds of direct emails and posted to multiple social media platforms including Facebook, Twitter, Instagram, and NextDoor. This effort was further supported by the Board of Supervisors, including President of the Board Supervisor Chavez, Supervisor Cortese, Supervisor Simitian, and the Vice Chair of the Public Safety and Justice Committee Supervisor Wasserman.

Outreach and Media Summary

Direct Outreach via Email
- 89 currently elected Council Members and Mayors within Santa Clara County
- 41 Community Organizations
- 32 Neighborhood Associations
- 38 High Schools
- 10 Business Associations/Chambers of Commerce
- The Joint Chiefs of Police
- The Santa Clara County Central Committee and Santa Clara County Republican Party

Social Media
The District 4 office created:
- 22 Facebook Posts
- 23 Twitter Posts
- 4 Instagram Posts
- 8 posts to NextDoor (with a reach of 45,492 individuals)

In the Media
The Community Conversations were promoted by SF Gate, San Jose Spotlight, and The Mercury News
Each of these organizations received a direct email inviting their membership to participate in the Community Conversations on Public Safety.

**Community Healthcare Providers:**
Roots, AACI, Gardner, Behavioral Health Contractors Association

**Community Organizations:**
Coalition for Justice and Accountability, Council on American-Islamic Relations, Black Leadership Kitchen Cabinet, Si Se Puede Collaborative, NAACP, Asian Law Alliance, Silicon Valley DeBug, FLY, HERO Tent, San Jose Strong, Sacred heart, SIREN, Billy DeFrank, Jewish Community Relations Council, Indian Health Center, Silicon Valley Council of Nonprofits, First 5, Bill Wilson Center, African American Cultural Center, PACT, SURJ, BAAPALS, LEAD Filipino, MAIZ, Latina Coalition SV, PARS Equality Center, Muslim Community Center, Interfaith Council, La Raza Roundtable, Silicon Valley FACES, Trikone, Love Never Fails, 100 Black Men SV, 100 Black Women SV, SVLG, Korean American Community Services,

**Neighborhood Associations:**
Buena Vista, Cadillac Winchester, Seven Trees, Westgate Village, Moreland West, Burbank Community Association, San Tomas West, Midtown Connections, Willow Glen, Doerr, Hamann Park, Oster, Downtown Campbell, Pruneyard Dry Creek, Blackford, Winchester Ranch, Valley View Reed, Cambrian Community Council, Cory, Old Quad Residents Assoc., Branan-Kirk, San Tomas Area Community Coalition, Winchester Orchard, Shasta Hanchett Park, Eden, Lynhaven, San Martin Neighborhood Alliance

**Educational Community:** Igwe Santa Clara University Black Student Union, San Jose City College Student Association, San Jose State Black Student Union, California Teachers Association, SCOE, Prof. Terry Christensen, Prof. Jahmal Williams, Prof. William Armaline, Prof. Justin Boren, SJSU Human Rights Institute, LAHS Green Team, Climate Youth Ambassadors, AAUW's Young Women Leaders Morgan Hill, YWCA Silicon Valley, Youth Environmental Power Initiative, Campbell Youth Commission, Cupertino Youth Commission, Los Altos Youth Commission, Los Gatos Youth Commission, Morgan Hill Youth Commission, Mountain View Youth Commission, Saratoga Youth Commission, Campbell Union School District, Fremont Union High School District, FUSH Foundation, Gilroy Unified School District, Mountain View Los Altos HS District, Los Gatos- Saratoga Union HS District, Milpitas Unified School District, Morgan Hill Unified School District

**Political Groups:**
Bay Area Municipal Elections Committee, Santa Clara County Democratic Central Committee, Republican Central Committee

**Business Associations and Chambers of Commerce:**

**County Public Safety and Justice Departments:**
Office of the District Attorney, Office of the Public Defender, Alternate Defender, Superior Court, Office of the Sheriff, Probation Department, Department of Correction, Pretrial Services, and Medical Examiner-Coroner, Behavioral Health Services Department, Office of Women’s Policy, Office of Gender-Based Violence Prevention

**Santa Clara County Police Chiefs’ Association**
Social Media and Media Report
This is a detailed breakdown of the Social media effort conducted by the District 4 team

Community Conversations: Promotion/Marketing/Outreach

**Eventbrite:**
July 11 meeting: 104 registered attendees
July 16 meeting: 176 registered attendees
July 21 meeting: 195 registered attendees
Total registered attendees: 475

Each Community Conversation had the capacity for 200 attendees.
According to Eventbrite analytics, the page received 3,673 views.
After each Community Conversation a follow-up “Thank you” email was sent to registered attendees to inform them of the next Community Conversation, ask them to complete a brief survey to capture demographics and responses to questions, and to share what the next steps would be regarding the compilation and presentation of the draft report at the August 6 Public Safety and Justice committee meeting.

**Bitly:**
The Bitly link was created June 19 and had 981 total clicks. These are clicks from people who saw the link and clicked it rather than searching for the Eventbrite page. This link led registrants to the Eventbrite registration page.

**Facebook:**
The District 4 Office created 22 Facebook posts and 3 Facebook events that included the Bitly link to the Eventbrite registration page. The 22 posts were seen a total of 2,856 times organically, meaning they were not paid promotion. The posts with the highest view was Supervisor Ellenberg’s weekly video on July 17, which promoted the event and included the Bitly link on the post. The three Facebook events were viewed a total of 1,487 times. These Facebook events also led potential participants to the Eventbrite registration page. The following organizations and County agencies also promoted the Community Conversations:

- Office of LGBTQ+ Affairs on July 21, 13, 9
- Office of Women’s Policy on July 20
- San Jose Councilmember Pam Foley on July 16
- The LGBTQ Youth Space on July 16
- Silicon Valley Central Chamber of Commerce on July 15
- Willow Glen Business Association on July 14
- Campbell City Council candidate Sergio Lopez on July 10
- Supervisor Mike Wasserman on July 9
- Supervisor Joe Simitian on June 19
- Asian Americans for Community Involvement (AACI) on June 25
- San Jose Strong on July 20.

They created their own graphics that broke down what County role was in public safety and justice, Supervisor Ellenberg’s role and the purpose of community engagement. This was shared across Facebook, Twitter and Instagram accounts.
Twitter:
The District 4 Office promoted the event on Twitter with 23 posts, which included the Eventbrite registration link and biographies of the facilitators. The 23 posts were seen a total of 9,453 times. The posts with the highest view was a San Jose Spotlight article which mentioned the Community Conversation that was posted by the D4 Office on June 24, which promoted the event and included the Bitly link on the post. That post was seen 1,514 times alone.

The following organizations and County agencies also promoted the Community Conversations:
- Office of LGBTQ+ Affairs on July 13, 19 and 20
- The LGBTQ Youth Space on July 16 and 20
- Campbell City Council candidate Sergio Lopez on July 10
- Supervisor Mike Wasserman on July 9
- Supervisor Joe Simitian on June 19
- San Jose Strong on July 20

They created their own graphics that broke down what County role was in public safety and justice, Supervisor Ellenberg’s role and the purpose of community engagement. This was shared across Facebook, Twitter and Instagram accounts.

Instagram:
The District 4 Office promoted the event on Instagram with 4 posts, which included the Eventbrite registration link and biographies of the facilitators. The 4 posts were seen 760 times. These posts included promotion with the Supervisor’s weekly video, creating a special graphic for the Community Conversations and the facilitator’s bios. During the last night leading up to the last Community Conversation, the registration link was added to the Supervisor bio. Leading up to the last Community Conversation, the information was sent to all organization accounts that follow the Supervisor account.

The following organizations and County agencies also promoted the Community Conversations:
- Office of Immigrant Relations on July 15; used the graphic sent to them
- The LGBTQ Youth Space on July 17 (using Community Conversations graphic) and July 20 (using facilitators’ biographies).
- City of Santa Clara on July 21 with the facilitators’ biographies
- African American Community Services Agency on July 21 with the facilitators’ biographies
- San Jose Strong on July 20.

They created their own graphics that broke down what County role was in public safety and justice, Supervisor Ellenberg’s role and the purpose of community engagement. This was shared across Facebook, Twitter and Instagram accounts.

These organizations and agencies, including the Latina Coalition of Silicon Valley and Black Outreach San Jose, also shared the Community Conversation details in their Instagram stories. Please note that stories are only seen for 24 hours.
Nextdoor:
The District 4 Office had 8 posts to Nextdoor, which would only reach residents in District 4 who were signed up with Nextdoor and following the Supervisorial account. These 8 posts reached 45,492 people collectively.

Media Hits:

Notes:
While the promotion of social media was helpful, the District 4 Office found it best to promote to groups that utilized social media to amplify timely information. The District Office would like to express appreciation to the organizations and agencies that helped to promote the Community Conversations.
The three town halls engaged 429 individuals. This intergenerational group was made up of community members from each supervisorial district and included a broad spectrum of races/ethnicities and gender identities.

Over the course of the three meetings, 245 individuals participated in polling. These charts represent the aggregate of all three polls.

**Who is your County Supervisor?**
- Supervisor Mike Wasserman (D1) — 8% (16 of 195)
- Supervisor Cindy Chavez (D2) — 15% (30 of 195)
- Supervisor Dave Cortese (D3) — 9% (18 of 195)
- Supervisor Susan Ellenberg (D4) — 49% (95 of 195)
- Supervisor Joe Simitian (D5) — 13% (25 of 195)
- No Response — 6% (11 of 195)

**What is your Age Range?**
- 0-10 — 0% (0 of 245)
- 11-17 — 8% (20 of 245)
- 18-24 — 10% (23 of 245)
- 25-34 — 17% (40 of 245)
- 35-44 — 21% (50 of 245)
- 45-54 — 16% (39 of 245)
- 55-64 — 14% (39 of 245)
- 65 and Over — 8% (20 of 245)
- No Response — 6% (14 of 245)

**How do you identify your Gender?**
- Female — 63% (155 of 245)
- Male — 24% (58 of 245)
- Nonbinary — 2% (4 of 245)
- Prefer not to say — 5% (13 of 245)
- Other — 1% (1 of 245)
- No Response — 6% (14 of 245)
**What is your Race and Ethnicity?**

**Are you of Hispanic, Latino, or Spanish Origin?**
- Yes — 12% (30 or 245)
- No — 82% (200 of 245)
- No Response — 6% (15 of 245)

**How would you describe yourself?**
- American Indian or Alaskan Native — 4% (9 of 245)
- Asian — 20% (49 of 245)
- Black or African American — 7% (18 of 245)
- Native Hawaiian or Other Pacific Islander — 2% (5 of 245)
- White — 48% (118 of 245)
- Other — 2% (8 of 245)
- No Response — 16% (38 of 245)

**What do you think are the most crucial elements needed to create equitable and fair justice system policies?**
- Citizen oversight — 38% (94 of 245)
- Reinvestment of funds — 56% (139 of 245)
- Robust jail diversion policies — 47% (114 of 245)
- Improved and expanded whistleblower policies/programs — 32% (79 of 245)
- None of the above — 3% (8 of 245)
- Other — 13% (32 of 245)
AGREEMENTS

I will share this time with other community members.

I will allow others to speak their truth.

I will listen to understand.

I will listen respectfully. I may choose not to speak at all.

I will be mindful of how long I take up the air space.

I will speak from my experience.

I will not assume for others.

I will respectfully disagree if necessary, and say why.
The Voice of the Community

From the beginning of this effort, Community members were welcomed to participate in three facilitated conversations to engage in genuine and inclusive dialogue regarding their personal experiences with the justice system and their recommendations for policy change that create greater equity in those systems. At the beginning of each meeting the community was asked to acknowledge the, “I Agreements.” While simple, these agreements helped to create a safe environment for participants to share.

Meeting Goals

• To hear from a broad range of community participants (diversity in race, income level, profession, age)
• To ensure that participants feel that they were truly HEARD and that their voices matter
• To provide an opportunity for authentic sharing in small group conversations

The information we wanted to learn from community

• Their personal experiences with County public safety and/or criminal justice institutions (including personal or loved one’s experience with arrest and/or incarceration; working in system; loved one working in system)
• Answers to questions: what makes you feel safe and/or unsafe in your community; What would a safe, thriving community look like to you?
• Suggestions for community and government working together; policy / funding direction for County to improve sense of safety
Some community members shared their appreciation and recommendations for Law Enforcement agencies that work to build and support community relationships. There was also acknowledgment that law enforcement serves a critical role in responding to acts of violence and crimes in progress. Some community members shared their appreciation for Law enforcement’s role in addressing property crimes and responding to life-threatening situations such as active shooters.

Jan: I do believe that [people of color] have challenges in dealing with the SJPD. I do believe that there is education [for officers] that needs to take place. I also feel very threatened by the push to defund the police. I live in the Cambrian Park area of San Jose which up until 10 years ago was relatively safe. Now we are plagued everyday by crime. Cars are broken into. Home robberies are frightening. We have even had the mail truck robbed in broad daylight. However, I definitely agree that mental health and homeless issues should be handled by some other agency than the police.

Rebecca: I would also feel safer knowing that the lever of armed police officers could be reserved only for needed situations, and mental health de-escalation services would be the default, for example, when that was more appropriate.

Chelsea V.: I think it is essential for relationships that law enforcement reflects the community it serves; that officers have built relationships in the community so that de-escalation protocols/resources are more likely engaged before use of force.

Catherine C.: I love when I see police playing ball with kids. Connection matters.

Taryn U.: Several years ago, I had the opportunity to participate in a community police academy in another city; it was a great way for me to learn how officers are trained, and for the officers to see and know us as individuals over the course of several months. Sadly, no such program exists -to my knowledge - in San Jose.
Our Facilitators asked: Tell us what makes you feel safe in your community, what makes you feel unsafe, and what would public safety look like to you in an ideal community?

We have heard from people living in the same neighborhoods that some feel over-policed while others want more police for safety purposes. How can we reconcile these two competing concerns? Overwhelmingly, the things that community members shared made them feel safe had nothing to do with law enforcement. Things like fostering relationships between neighbors, promoting housing stability, supporting families, expanding access to community resources, and maintaining walkable streets and green spaces all foster a feeling of greater community safety.

Elisheva B.: Neighbors saying hello on walks and Intergenerational communication makes me feel safe

Dawn B.: Caring adults.

Rebecca: community events and opportunities and a social services also make me feel safe

AlexS.: Relationships within the community. I am close with a few neighbors and we watch out for each other. We had a hit and run in our neighborhood a few months ago and we were able to identify the vehicle

Winston A.: More convening like this - helps me to feel safe

Lana D.: As a high school student, having clubs and organizations provide an amazing resource for a safer community and people.

Kristan S.: People’s basic needs being met.

J. Pietrosilli: Good neighbors, of all races, make me feel safe in my home.

DominiqueW.: I feel safer in numbers, when people are out on streets at night etc., I feel better being out then. At my son’s school, I feel better with knowing there is a locked gate at entrances to his campus. With COVID, I feel safe that they are monitoring symptoms of workers

Samuel TM.: stable housing is paramount for safety. housing insecurity is terrifying, particularly for low income folks during the pandemic

Emmett M.: As a nonbinary, in a biracial relationship with another nonbinary person, police presence does not make us feel safe. I feel safe being in spaces with LGBTQ community members and allies, and a lack of police presence

Alba C.: Thank you for the space to have this conversation. I do believe having access to spaces like this one can also help with mental health as a beginning. Having spaces that are open and safe to speak out about anything, are essential for mental health. In schools, in community centers, in ymca and such and also available in various languages because safety also comes from understanding and language is often the barrier that gets in the way of the communication. Thank you.

Noehmi: A safe community is one that listens to its members. Local government should provide more opportunities to hear from the community what services and supports they need.
Claudiana: In a community that promotes safety, it doesn’t matter what race or socioeconomic class you are. Communities are made safe when all people have compassion in their hearts. We need Law Enforcement and government employees with hearts that want to care and serve others. We need to reconsider our hiring practices, because sometimes additional training and education does not guarantee the humane treatment of clients. We know that racism and discrimination exist in our community, so it is critical that services are culturally and linguistically responsive to the community’s needs.

Mishi: Social programs, bike lanes, fruit stands, libraries, things that nourish and nurture us.

Choe: Having a close neighborhood really does makes me feel safe, we check in on each other. I really appreciate special SIP during the corona, special fund for nonprofit org to help elder people who cannot come out to shop, having resources.

Veronica: The community organizations and nonprofits that have supported us, that involvement and that unity has made the community safe.

Mallory D.: I try to be outside in front of my house as much as possible to get to know my neighbors, become familiar with who they are and maybe exchange phone numbers, knowing that I can touch base with my neighbors’... that’s something that has been really valuable to me. Become engaged with the people that live next to you.

Andrea: Housing is really tied into safety and creating sustainable communities, especially in Mayfair where there has been a history of disinvestment. As a community we want quality affordable housing that is safe and creates family stability. We are advocating for community land trusts, co-ops, etc. working to ensure that the community is no longer impacted by gentrification. Strengthening tenants’ rights actions, especially around the end of the rent moratorium. Making sure that important information is translated and that the services are less intimidating for the monolingual immigrant community. Want folks to feel safe and that they can remain in their community.

Dilza: When we say safe, we mean clean streets, clean parks, accessible community centers that offer programs for families and children. Low wage earners need to be able to afford community programs where they are. Having sidewalks that are well maintained for the strollers and kids to play. The streets are used as dumpsters (mattress and couches) the city needs to maintain the streets. The park has had a broken swing for months, its been reported repeatedly to the city and no one fixes it. Most of the streets are filled with liquor stores with no access to quality grocery stores. How can we support the growth of public organic gardens in the community where people could grow their own quality foods.
In contrast, when asked what things made the community feel unsafe—many shared that the current structure of policing led to greater feelings of distrust and lack of safety in the community.

**Sera F.**: As a Trans Queer Woman of Color living in Campbell, I can tell you that when COVID hit—taking a bike ride in the community and getting vicious stares from the community did not make me feel safe. I can’t rely on the community for safety, and I can’t rely on the police for safety, so it becomes our responsibility as a community to create these safe spaces.

**Jennifer**: My son Justin & I attended the George Floyd march on May 29 in downtown San Jose. The march was largely peaceful (although we did see some minor acts of vandalism). We didn’t start to feel like we were in danger until the police arrived. My son got very scared by the flashbangs and rubber bullets etc...and we eventually felt forced to go home. He has never felt scared of police before, and this shook his view of police. We were about a block away from the police line, and later watched videos from those closest to the police. My son was horrified to realize how much danger he would have been in had he been closer to the police. That’s completely backwards! My son should feel safer closer to the police. As white people, we are learning that Black people feel that way all the time.

**Justin**: I’m 13 years old, I still feel safe because me and my mom are white. At the protest I didn’t like how [law enforcement] acted. One of our friends got shot in the nuts. I didn’t like that all.

**Leo J.**: I’m a student at Los Altos HS. School officers have come onto my campus before and publicly arrested students of color. This occurred in our Quad so most of the school watched it happen. Why do they need to make it a public action and display it in front of the student body? I believe it portrays a bad image onto those communities.

**Molly M.**: I live in Willow Glen, I felt really safe until I became a mother of black sons. One of my sons was put in jail pipeline since second grade...let’s get to the root cause of why people are desperate and are in need. We need to listen to the people who are locked up.

**Laurie V.**: My son’s father was killed by University Police. I live in Santa Clara now, because I don’t feel as safe in San Jose because it is highly policed in certain neighborhoods. I feel like I have to watch my back, police need to be held accountable for killing people. I notice that the people officers are constantly pulling over are people of color. Every time an officer has someone sitting on the curb, they’re black or Latino. What’s the purpose of stopping them and making a big ol’ scene? You don’t see white men sitting on the curb during traffic stops. My son, who’s in 4th grade, said, “do you see the police with the pepper spray, guns and stuff, they’re here to protect us, from who? We are little kids, we’re in elementary?” We need to divest from law enforcement and re-invest in schools and children, our children are suffering.

**Yosh**: In this County, specifically in schools, I have had a lot of issues with police in schools. I’d always have to walk past a police officer, and they’d stop me for no reason, make up tickets for me. I would be late to class, and it would snowball from there. I know that the Latino kids at my school has similar experiences. When I would play baseball at other schools, police would stop me and question me. I can’t have the fear of police harassment linger over me.

**Maya A.**: I grew up in Los Altos and go to school at Stanford. They [Stanford police] have not made me safe. Stanford like any campus has a huge rape and assault problem. In my freshmen year, a police officer stalked me while I was walking, I was sexualized and harassed. Most of the cops are white male cops. All the times I have felt safe were spaces created by students of color or professors of color.
Mariana H.: I’m in college now out of state, but I went to middle school in Eastside. In my middle school there was police presence, there were a couple instances that I remember vividly—there were 13 yr old boys that were pinned to the ground because they were thought to have weapons or drugs on them but nothing was there, they were targeted, force was used on my peers. 14 yr olds were stopped by officers walking to the park because police thought they had weapons, when really they had a rocket they made in science class. We need to minimize or remove police officers because they antagonize us.

Gabbie: The prevalence and easy availability of guns in the United States, both in the hands of private citizens and police officers, makes me feel unsafe.

Janice: As a student I feel very unsafe knowing guns are so easily accessible and mental resources not, leading to a lot of school shootings.

Demone C.: Knowing that large swaths of my community are okay with violent and discriminatory policing makes me feel unsafe.

S. Gutierrez: Often times there is a underlying, deep seeded fear when a black person sees a police officer. So many thoughts of how this encounter is going to end. Often times the approach of the police is, aggressive, accusative, and just downright angry. This is intimidating and sets the tone for a horrible interaction.

Arianna S.: The police departments are trained more in combat and less in how to respond to mental health situations. I feel safer when I know there are people to call who will help in the correct way.

Alondra A.: I’m a student at Lincoln High school, but I have friends who go to school in East Side. Police target Latino and black students. The school district said they wanted to fill the achievement gap, the way it’s starting to look is a pipeline to prison. BIPOC are targeted and seen as ghetto when they speak up, the school districts see them as criminals. Having any type of law enforcement on campus causes stress on students, alot of us have very traumatic experiences with police. Invest in students not police. Invest in nurses and counselors on campus.

Kristen: My son was restrained in prone position when he was in 3rd grade. When I picked up my shattered child from school that day, he told me he must be a monster, because his principal and vice principal tried to kill him. He told me he couldn’t breathe. That is when I learned about positional asphyxiation and that this restraint was allowed in California Ed Code as an intervention for students with disabilities. Now, use of prone restraint is STILL in Ed Code, in a way that is harder to fight, because it is not specifying a group to use it on. BUT it is a restraint used on people of color and disabilities.

Sparky H.: SJPD were blocking one of my work’s gate and I identified myself and I asked if he needed help and he told me he had a right to park where ever he wanted and my worksite was full of criminals and I was a criminal to be protecting them. He said he was not going to leave and he was very threatening. This has happened to me more than one time in downtown SJ by the Drop-In Center. I am an older white woman and SJPD freaks me out when I am out on the street because of all the interactions I have had with them. They seem to be concentrated in certain areas. I used to tell my son, if you are arrested, don’t tell them who your mother is but call your dad.

Chelsea V.: I grew up in rural Florida. I’m a white woman with financial privilege, and although my step-dad was an abusive alcoholic, when he was arrested for his second DUI (there is mandatory 10 day jail sentencing for a second time offender in FL) he was able to *pay* a certain fine and was given the *privilege* of going to jail for 10 consecutive Saturdays instead… I remember thinking as a teenager that that wasn’t fair. That he shouldn’t be able to pay for that privilege to be able to keep his job and rent cars when a Breathalyzer was installed on his vehicle. That generational/white wealth was not fair or just.
Mishi E.: When police drive fast through my neighborhood, East San Jose, I do not feel safe. Police make me feel UNSAFE.

Rebecca: When people on my Nextdoor start describing people walking around the neighborhood as “suspicious” and it seems there is no reason other than race. I’m worried that they will a.) spread this inanity, b.) escalate by calling police

Anita K.: What makes me feel unsafe is knowing that we have police that can be brutal, biased and not held accountable for abuse of power. I have 2 sons and if they are in the wrong place or wrong time I know they could be easily mistaken as trouble makers & suddenly all our lives could change

Bryan F.: What makes me feel unsafe is the militarization of police. When they are wearing fatigues I wonder what’s up and often will go fast in a different direction.

Alex S.: what makes me feel unsafe is that the bad apples within law enforcement are not held accountable without massive public outcry...given the power we the public give law enforcement I have to assume the worst before making the call to law enforcement and also in my interactions with law enforcement

Mishi E.: Racism is baked into policing. A government funded California study showed that Black & Indigenous people receive fewer citations and more felonies/misdemeanors for the same crimes. When white people get a ticket. Black and Indigenous people are arrested. In California.

Christine C.: I live in Berryessa and have been there since 85. Having helicopters flying over at night and the police driving by constantly on this side of town does not make me feel safe. It makes me feel preyed upon. Having more open community spaces, libraries, free supports for families and seniors, counseling in the schools, help for the homeless, supports from community groups such as PACT doing "neighborhood walks" and De-Bug helping families...FLY, Bill Wilson, NAMI , Law Foundation of Silicon Valley...they help in my community.Put money into strengthening community needs and income inequality. Poverty is the great leveler.

Eimy F.: with school being virtual, I’m concerned that our youth will experience police encounters at a higher rate due to neighbors calling for seeing youth out and about who look “out of place”.
Our Facilitators asked: What do you think are the most crucial elements needed to create safe, thriving community, with equitable and fair justice system policies?

**Vaibhava:** Allocate police funds to schooling and helping homelessness, since it’s a prevalent problem.

**Bhavan C.:** Addressing Disparities—defund police and redirect funds towards supporting mental health, addiction recovery, housing, education, parks, libraries, arts, programs that serve our communities. Invest into community resources, to meet the needs of our communities otherwise we will continue to see vast disparities.

**Kristan S.:** Transformative justice solutions that acknowledge people’s humanity and focus on support rather than punishment. Solutions that focus on the root of the problem. The system of policing was born out of racism and to uphold capitalism at the expense of the oppression of others. You cannot change a system that is based on racism and oppression to be something it was never meant to be. It’s best to divest from the system of policing and invest in supportive solutions that focus on the root of the problem such as mental health services, affordable housing and programs that work in transformative justice and focus on support rather than punishment. That will be the most effective way of creating safety for all.

**roblese:** County and City governments need to have independent analysis of their annual budgets to review for “equity investments” and quit “investing” in corporation tax breaks or other breaks (like to Google, etc) and funneling more financial investment into poor neighborhoods and schools.

**Kevin M.:** More funding for the Mobile Crisis Response Team we already have but need more of

**J. Pietrosilli:** Education on racial discrimination is essential.

**Israel V.:** As a teacher, despite having a contract with SJPD, I can’t recall a moment when they were present. When we had an issue with students with behavioral issues, we have had more success with our part-time school counselor. Professionals that have very specific training with de-escalation and relationship building

**Maya A.:** The County must help us young people who spoke today by supporting our calls to get police off K-12 campuses in Santa Clara County. And re-directing funds that go into militarizing police departments, redirect direct that money to affordable housing, COVID relief, and mental health resources.

**Arnaud G.:** I would say what we are missing and need a lot more of is COMMUNICATION, DIALOG, COLLABORATION. The police is disconnected. It’s “Them” and “Us”. Race bias will fade away if the police force is close to the community which is diverse. In my opinion.

**Dawn B.:** We should consider after school programs and parenting support programs that may not be part of that space currently.

**Miracle T.:** Taking a holistic approach to what is going on in our county instead of community members getting the run around from different systems. Also, representation of the community in positions in the justice system.

**Elishe:** How do we work with the system we’ve got, reinvest and divest, what about having police officers on these calls? There is something to be said for coming to a common space.
Mahal T.: I think a policy similar to the CAREN Act introduced in San Francisco could be a simple step in the right direction. I’m concerned because friends have been racially profiled by Neighborhood Watch while walking in their predominantly white neighborhoods, even if they’ve lived there for years.

Catherine: Task forces are really powerful. They allow people to come to the table, it allows people to really stand up for their own ethics and beliefs. We need to empower people to be confident.

Jahmal W.: Crime is directly related to poverty. We have to really look at equity. Sure there are tangible solutions to look at reforming police but that will still exist in a system that polices black and brown lives. We have to look at police’s relevance to society. We need to look at our communities jobs/economic resources, we can’t act like there’s not enough money to take care of our citizens/residents. We need to talk about housing people. We keep putting a bandaide on larger issues. We don’t need this iteration of police that we currently have. Police were started as slave patrol. They continued to enforce Jim Crow laws, and they have consistently targeted poor, Black, and Brown lives. A new form of safety needs to be reimagined. Because changing parts of this system isn’t gonna work. This has to move in phases, and we have to believe that if people can live quality lives, that they can thrive. We aren’t providing that to everyone in this county, and we are ignoring that.

Laurie V.: For us to have equitable change, We need to get to the root problem of police getting the most money when our children are the most vulnerable, the police are against the people. The police have never agreed to sit across the table from community and impacted people to the hear from them/us. They have to live with the trauma forever. Our kids deserve more. The kids who have been traumatized... we need to invest in their mental health. SO when they go to school they know how to communicate appropriately and ask for help. We need to help families who are making ends meet. Those who are impacted the most need to be at the table. If you can’t hear who is hurting, how are you going to fix it?

Karen M.: I staff a mobile crisis unit. We need more clinicians, we see the values in the work that we do and we see the value of partnering with law enforcement in answering those calls We need to operate from a trauma-informed perspective. In the mental health world historically if you are experiencing a crisis call 9-1-1, it’s important that we find a system other than that – therapists, clinicians, ppl that have experience should be available for dispatch.

Aiko Y.: One thing that I was noticing is the lack of education on racial inequalities and disparities. How do we make this a school discussion and an in-home discussion? I’m not sure if we will be able to fight it with fix this and fix that in the criminal justice system, start in the schools.

Charlotte Q.: Police sweeps of homeless encampments are harmful. They lose important documents that they need to access services, and it criminalizes poverty and we’re responding to trauma and poverty with fines and jail time. It makes poverty inescapable.

Nadia V.: I grew up in Eastside and I’m a teacher there now. As a teacher I would like to see more community outreach, there was a program started by SJPD where they were reading to students in school districts. They are supposed to be here to protect and serve their community but they don’t know the community. That’s the disconnect. Why do children fear them? Because they don’t know them. I have never seen the streets so busy. I feel unsafe when I call SJPD and they don’t show up for 20+ minutes, I have to bring my children indoors because they can’t play in their yard.
Roblese: Over the last 30 years this whole area has turned in multiple families living in one unit, I don’t know who actually lives in my area. People are constantly cycling through. Housing is a contributor to safety and stability. I also don’t think an Individual with a gun should be coming to talk to teens. Whenever I’ve had to report anything to cops, the first thing they ask is what color they (the suspect) are. Recently I had to call for illegal fireworks in my neighborhood. They asked what color the person was that was shooting up the fireworks, why does that matter? When I say the color of the person there is more action, if I refuse to ID color or say white there is less or no response.

Miracle T.: I have experienced a positive outcome that came from a negative experience. I’m a member of the youth advisory council with the probation department. Being at the table and being the voice of my peers who have gone through the system. The council has helped me to come to the table with law enforcement and correction and probation to share my experiences. While I’ve experienced trauma, it has led me to help my peers. As a councilmember I am able to be that bridge with the community and the system. Its necessary that we continue to include youth voices at the table.

Mishi E.: Education programs are proven to reduce crime. More police do not reduce crime. Oakland and SF school districts have Restorative Justice programs. The Oakland program is used as a national and global model - and lost their funding in 2021.

Kristen: I would love for Santa Clara to have a task force on the school to prison pipeline.

Peaches M.: We need more mental health crisis response training. Models like Uplift Crisis Continuum for kids

Anita K.: I would love to see some common sense proposals that are adopted across Santa Clara County to hold police that abuse accountable. And have 911 operators trained so that police are not always called i.e. alternatives for mental health, homeless, etc. issues. Invest more in our communities so that all kids have hope for their future.

Winston A.: supporting and creating opportunities for youth need to be a part of these discussions moving forward.

Rebecca: Some kind of crisis intervention/de-escalation services team to answer many/most 911 calls

Charleigh H.: Community programs that work in tandem with law enforcement, elaborations on programs like Operation Ceasefire that reach out to provide reintegration opportunities before criminal penalties. The goal should be reducing police forces and put that toward strengthened community solutions to reduce crime. My life choices are altered because police never acted on the crime against me. Victims take permanent consequences for their decisions. I second that those impacted should get a seat at the table.

Roblese: The county has been dismantling the East Side Family Resource Center and it has become critically destructive to families who are trying to "keep it together" through the system. This needs to be reversed and more, similar centers IN THE COMMUNITY need to be developed for Social Service deliveries. Thank you for this chance to participate.
Our Facilitators asked: What strategies are best suited to foster better relations between the police and communities most affected by the criminal justice system? What new policies or reforms do you think the County should be focused on over the coming year? Please be as specific as you can.

Aiko: As a community member, I have had positive interactions with Campbell Police (able to call for help when I tried to get help for a homeless person, able to call when there is a car accident that needs help). As a small Asian woman and due to where I live, I believe my experience is drastically different from the communities I serve as a mental health provider. As a provider for at risk youth and families during the last 10 years, I have experienced police intervention for 5150 calls leading to death, harassment, an excessive use and presentation of weapons which traumatized my team and the families, youth reporting of police brutality, families scared to call police due to fear of immigration, harassment, or being punished by their neighbors. There is a great need for improved collaboration/communication between the systems (health, behavioral health, criminal justice, court system) so the people being served, esp with SMI, can be properly supported.

Veronica: Putting victims right at the table when decisions are being made, not just with a program but with everything. We need to center on victim experiences. There aren’t any representatives from the community, just disconnected people making decisions.

Catherine C.: Accountability and transparency. Institutional Courage!

Nick B.: Active community oversight boards with an empowered Independent Police Auditor.

Mishi E.: More funding to education, housing and transportation will makes us safer. If the Independent Police Auditor had investigative power THAT would make us all safer too.

Chelsea V.: Reallocated funding to education, housing, and mental health services would make us safer.

Lenny G.: Better, streamlined oversight processes over the police.

Leslie L.: I think education is crucial in this process and we’re not doing enough at all levels, including the police depts.

Jerome D.: Hire brave, educated, and qualified officers.

S. Gutierrez: Officers need longer and extensive training.

Sparky H.: More community agencies and neighborhood gathering places. Empower residents to support each other. Housing, education, more services focused with a race equity lens. We also need behavioral health interventions that use community-based agencies instead of police interventions. Diverting 911 nonviolent police calls to trained community agencies. Police are dropping teens off at Bill Wilson Center when they are responding to fights in the home. CBOs can do that without police being called.

Rebecca: I would feel so much safer if there was accountability and transparency in changing the practices and culture of the police departments. And de-militarize the police. The firepower is ridiculous.

Christine C.: About 40% of the jail population has been released due to CoVid-19. Pre-trial services says the recidivism rate is statistically insignificant. So, please look at the cost that went into arresting, prosecuting and incarcerating these people when you didn’t need to, and move that money to services for alternate sentencing services and communities.
**Maria:** I’ve worked in education for 20 years. One of the things that is so crucial, is if we are going to defund and move funding to the community, it should go to something that helps the entire family. We should think about what the parent needs, you can only help a child so much when you don’t think about the parents, the family, you need to have a place of support so that they feel like a part of the community and they know they have support in the community. Police should not be called into a school, especially when a child is not listening or complying. SJPD instead of having them on campus they could have a squad nearby in case of active shooter or something larger. We need to appreciate everyone that provides a service to the community, take time to build that relationship, we have to find a way for police officers to be part of the community. People may think that they (police officers) are not part of the community, we need to put the emphasis on relationship building.

**Jennifer T.:** I live in Milpitas and I’m an adjunct professor at SJSU, I’m in a privileged position. We need to prioritize race equity work in the budget. Because if it’s not seen in your budgets, how can we seem that it’s a priority. There are gaps in the resources community members need to be successful and thrive. When people in power don’t really understand the issues that people are facing, that’s where the miscommunication is.

**Sophia R.:** I live in Los Altos. I find more safety in my community of trusted loved ones. I feel unsafe with community policing. My experiences are more on the mental health side- I’ve had a lot of instances where I’ve had to look after my friends, or they have had to look after me. It would be really nice [to have] community programs that are focused on support systems outside of a mental health institution. It’s a lot to handle. When you call 911, even if you call the ambulance, the cops might show up. That’s scary for people experiencing a mental health crisis because they’re more at risk for violence. There’s not really a lot of alternatives, if you call a hotline, they might call the cops anyways. It would be great to look at that more and look at the alternatives and look at the community-based reports/programs.

**Suzanne G.:** Funding mental health services, my HS does not have adequate support for mental health treatment. We should also fund community centers and community health awareness councils, student health awareness, counseling and support services for youth. We do not need to escalate by calling the police.

**Mishi E.:** In San Jose only about 5% of calls are for violent/armed crimes. 95% of calls do not need armed people showing up.

**Choe:** Just a comment about out County... I feel so proud of our County Policy to protect our Latino community whether they are legal or illegal immigration status. EX: protect against ICE.

**Chelsea V.:** We need to end qualified immunity for police. If police departments won’t accept independent auditors on investigations of alleged police brutality, then a jury of peers should have that opportunity.

**Jennifer S.:** Re: working together to address disparities: Adding more police accountability is key to being able to work together. The govt are the ones creating the disparities. Community members are more than willing to “work together,” but it feels disingenuous when the community does our part (points out the problems), but the govt don’t address the problems, and often, there’s not even any law against the actions they’re doing that create the disparities. I guess what I want is more of our elected leadership to continue pushing for more laws targeting the actions that lead to disparity. It’s hard to “work together” when there’s no accountability and nothing that forces the govt to work with the community.

**Jennifer T.:** reinvestment into mental health services, oversight of law enforcement, and supportive education to create positive relationships between law enforcement and community members.

**Bhavan C.:** This is essentially just shifting our understanding of how we define our police and their purpose. We must simply adjust and improve what and how our police are serving.
S. Gutierrez: We should really hold them [law enforcement] accountable. Police need to be held accountable. Who is on our streets, who has had discipline, who are hot heads? We should be building community relationships with them, and they in-depth training to be prepared for the situations they are presented with. They [law enforcement] react in a very stressed out manner, they need to spend more time getting to know what citizens’ need

Urna B.: There are racist cops in San Jose, there is evidence of that, they should be off the force and the whole county should take into account that this is a problem. We have seen racist manifestos posted, and those officers are not being held accountable. My home is my community, SCC needs to offer more affordable housing so that we can continue to strengthen our community.

Rebecca: Maybe if the police weren’t busy over policing by randomly hassling people of color, they would have more time to respond to actual burglaries

Elisheva B.: Community grants available for young African Americans for various projects

Choe: County’s financial support for taking care of elders/seniors wellbeing is a huge part of Safely for helpless citizens who are not very independent. Ex: Thank you for special FUND to help feed Senior program. EX: KACS (Korean American Community Service food service for seniors during Covid-19)

Mishi E.: Free transportation, gives everyone access to resources and jobs. Green space, more parks, has been found to reduce crime. We need affordable housing. Crimes of desperation will increase as evictions continue. We need infrastructure to support people.

Julia N.: Include individuals with lived experiences when you are building programs. if we want to build an inclusive system, we HAVE TO LISTEN TO individuals who have been system-impacted. Not invite these individuals to a community call/voice their thoughts, but invite folx into leadership/ program development roles.

Christine: The plea bargain problem is often heard from families in our county. I believe DA points to his high conviction rate with pride when families report that in reality they are afraid to go to trial based on how the office presents their options, so they take a “deal”, when in fact they may very well be innocent. Using the plea process as a threat is a common story. Seeking a sentence for public safety reasons while taking pause to seek what will help encourage rehabilitation so the person can return to the community needs to happen. Life without the possibility of parole and 100 year sentences – how does that help?
To facilitate additional feedback, Supervisor Ellenberg encouraged individuals to send her emails with their testimonials and recommendations if they did not feel comfortable speaking up at the Community Conversation, or could not attend the events. From July 19th to July 31st the Supervisor received 51 emails from community members. These are their testimonials.

From: Rachel T.
Sent: Friday, July 24, 2020 10:29 AM
Subject: Community member input: Policing Policy Reforms

To Santa Clara County Supervisors:

Thank you for convening this important discussion on reimagining policing in Santa Clara County.
I hope to clearly and strongly express that as a Santa Clara resident and taxpayer, I am not comfortable continuing to fund racist policing in my community at the expense of essential services like housing, firefighting, transit, libraries, and community health. Increasing police presence, which has been the county’s approach in recent years, is not keeping us safe.

Specifically and immediately, and as a starting point only, I am asking that as elected officials, you pledge to do the following:

1. Commit to creating and funding alternative response teams with a community-led healthy and safety model instead of making police the first line on 911 calls on community health calls including mental health, domestic disputes, homelessness, substance abuse, etc.

2. Undertake a thorough review of police forces in the county and remove officers with existing excessive force complaints. They are liabilities to all of our safety and it is absolutely unfair that our tax dollars pay their pensions and that they keep their jobs. It is beyond time to clean house. Officers like SJPD’s Jared Yuan see the people it is their sworn duty to protect as their enemies and they have got to go — yesterday.

3. Take the pledge to enact the remaining 3 #8CantWait Use of Force policies from Campaign Zero, which are simple, common-sense, and can be implemented TODAY:
   a. Require officers to exhaust all other alternatives, including non-force and less lethal force options, prior to resorting to deadly force.
   b. Require officers to intervene and stop excessive force used by other officers and report these incidents immediately to a supervisor.
   c. Ban Shooting at Moving Vehicles.

4. Create a mechanism for community members representing our most vulnerable communities to join the independent review board on police use of force incidents.
Santa Clara County must protect our most vulnerable communities —people who are Black, Indigenous, Latinx and Arab, LGBTQ+, unhoused, disabled, impoverished, and more.

We need to prioritize creative alternatives that are actually focused on community safety, including education, mental health services and healthcare, affordable housing initiatives, substance abuse rehabilitation, mutual aid, community workers, conflict resolution services, transformative justice, and other vital community-based support systems. We have an opportunity to lead the way in creating a model for keeping ALL of our people free from oppression. If we call ourselves the hub of the nation’s innovation, let’s act like it on issues that are literally life and death. Let’s use the power of innovation we speak of so proudly to make our communities safe for ALL of our neighbors so it can become more than just an empty slogan, and truly a value we live by in ALL facets of our communities.
Thank you for the work you do.

Sincerely,

Rachel T.
Resident of Santa Clara
Supervisory District 4
City Council District 5
Hello Supervisor Ellenberg,

I participated in your virtual Community Conversation on July 21st and I want to thank you for hosting these meetings and even more so for bringing in professional facilitators.

I contributed some of my opinions during the meeting via the chat function, but I wanted to follow up and state clearly on the record that I am in favor of the movement to defund the police. Armed officers with military-grade weapons whose primary training is on finding criminals aren't the people that I want responding to mental health incidents, doing wellness checks, or being on school campuses. Even if some officers have good intentions, the very nature of their training/presence only escalates situations and make them more dangerous by bringing weapons into the mix. And as many of my community members attested to during the meeting, these concerns are significantly worse for people of color. We need to reallocate funding to provide communities with counselors, social workers, and resources to help those who are in vulnerable situations. And I think it is critical that those efforts are NOT nested within the police force. In a virtual town hall this spring, Police Chief Nikolai in Santa Clara mentioned their efforts to hire a mental health professional for the department. That sounds good in concept, but every day new stories emerge about the psychology and corruption within the American policing institution as a whole, including in our own Bay Area. Putting new community initiatives and resources under the umbrella of a broken system won't solve anything.

Thank you again for making efforts to hear from the community on this important issue. I hope that together we can make this a turning point to make our community safe for everyone.

~Gabbie B.
Resident of Santa Clara who works in Milpitas
From: Adia H.
Sent: Saturday, July 25, 2020 5:21 PM
Subject: Policing Policy Reforms

I couldn’t make the Zoom meeting this morning as I have been working 24/7 trying to get schools ready for reopening by keeping our educators and students safe. As one of your Black constituents the reforms thus seen this summer are not enough. Incremental change has gotten us nowhere. I am looking for substantial change. Real, tangible change. I want the City of San Jose and Santa Clara County to be a leader in redefining what policing can be in the future. I am reading headlines like this:

Black Activist Who Gave Anti-Bias Training To San Jose Police Struck By Rubber Bullets From Cop Within That Same Department

Black community organizer who conducted anti-bias training for members of the San Jose Police Department is speaking out after becoming a victim of excessive force by the same department during a protest on May 29.

Derrick Sanderlin may not be able to have children. This is outrageous and unconscionable! How is the city council not outraged too? I want to feel safe in my own community. I want to see more money for community services and social services which uplift our community. I want police officers who maim and kill civilians to be removed from the San Jose police force, which means renegotiating POA and Sheriff contracts. And why are taxpayers footing the bill for the lawsuits that follow? Make the police criminally liable and financially accountable. I think that police officers should get malpractice insurance just like doctors who practice medicine have to. Next, dismantle Covert Response and Street Crimes Units that have displayed the highest propensity for violence against Black and Brown communities and only function to criminalize poverty. Hire more social workers instead and invest in programs that help get people out of poverty and un-housed, housed.

We also need better police oversight structures: an all-civilian oversight structure with discipline power that includes a Police Commission and Civilian Complaints Office that are effective and have authority. Also, this means removing barriers for reporting and tracking police misconduct. For all stops by a police officer, require officers to give civilians their name, badge number, reason for the stop and a card with instructions for filing a complaint to the civilian oversight structure. As a Black woman who was pulled over eight (8) times my senior year in college, I was never afforded this courtesy. Nor any of the other times since. #DrivingWhileBlack

Dismantle the Mayor’s Youth Gang Task Force (which is just a front for surveillance) and put money into jobs training and community recreation centers. Youth only join gangs when there are no other better options. San Jose needs to give the youth opportunities for skilled employment and safe spaces to hangout. We should be building our youth up, not tearing them down by criminalizing them.

CARES Act funding, all $178 million of it, none of it should be going to SJPD or the Sheriff’s Department or anything SJPD or Sheriff’s Department related: not their buildings, not hiring new officers, not to their retirement fund, nada. In fact, disarm the police and sheriff’s. We do not need military weapons on civilian streets. They get misused and increase the propensity for escalated violence. Which means we need to restrict SJPD and the Sheriff’s Department from receiving any more funding for equipment from the Federal and State governments.

See Minneapolis City Council. See Boston City Council. Be Bolder. Try Harder.

Adia H.
“IT’s time for America to get right.” Fannie Lou Hamer
From: Barbara
Sent: Wednesday, July 22, 2020 9:02 PM
Subject: Community Conversation July 21

Hi Supervisor Ellenberg:
I just want to comment on what makes me feel safe in my home. I live in a retirement apartment complex and have security guards at our front door. I live downtown. The security guard does not wear a gun.

Barbara T.

From: Leslie L.
Sent: Wednesday, July 22, 2020 10:14 AM
Subject: Community Conversations: Town Hall on Public Safety in Santa Clara County

Hi Ms. Ellenberg,
I live in Campbell, near downtown, and just wanted to reach out and say that I appreciate your hosting the town hall meeting yesterday. It was helpful to hear from the community and especially from our younger population. I was struck by how many of them have had negative experiences with the social justice system, both in their schools and their communities and I hope that all of us can work to change this.
My personal goal is to get more involved at the local level so I can help influence change. By holding the town hall meeting yesterday, it definitely helped me to see your involvement in getting the community involved from across all of our neighborhoods. This is so important and hope you will continue them.
I’ll go on your website to see if there are suggestion from someone like me to get involved. I’m recently retired from Cisco, so have some time to help make positive and very much needed changes in our communities.

Thank you again
Leslie L.

From: Shawn L.
Sent: Tuesday, July 21, 2020 8:32 PM
Subject: Community Conversation Hello Supervisor Ellenberg,

My name is Shawn Lo, and I live in San Jose, CA.
Policing is broken. If you think that Jared Yuen can be fixed, you are mistaken. No one can fix the militarization of the police. No one can take away the bloodlust he felt for my friends that were peacefully protesting. The amount of UNDUE violence (of which there is no amount of violence that could ever be "called for) that the police have done to the people of San Jose and, more broadly, Santa Clara County is insane.
Defunding the police is the best way that we can reduce the harm that police inflict on our people. It has already been decided by the Supreme Court that police do not reduce crime. Then, it follows, what is the purpose of the police? It is evident that the police in its current state is simply a state-sponsored terrorist organization that brutalizes people, especially people of color. As an Asian- American, I constantly fear for my life when I see police in full riot gear. They only enact violence on my people and my friends, my community.
As a gay man, I have double never felt safe by the police. Countless lesbian, gay, bisexual, transgender, queer, intersex, and asexual people have been brutalized by the police on many occasions. Do not think that any of us have forgotten about the brutal stories.

Furthermore, the police enact financial violence on the unhoused populations in Santa Clara County. When the government is spending MILLIONS of dollars on the police, people continue to starve and die on the streets. While indirect, the blood is on the hands of the police. As if they didn't have enough blood on their hands already from killing Sean Monterrosa in cold blood, and deleting the camera evidence.
Defund the police. Of course, it is only the first step on the road to abolition, but that is a different conversation for a different day.

Shawn
Dear Supervisor Ellenberg,

First of all, thank you for providing the residents of Santa Clara County with the opportunity to voice our personal experiences and/or opinions on the subject of racial inequality. I am a resident of Saratoga, and I have been working with the organization San Jose Strong in which we aim to empower people of color by creating discussions and advocating for change in the oppressive systems of our community.

As a white straight male, I have faced countless privileges throughout my life that I have only recently begun to realize. I feel it is necessary to utilize my privilege to strive for education of my peers and equity within my community. With the suggestions of many influential people that I have heard from, this is what I believe we as a county should strive for:

1) I request the removal of police officers from schools, particularly those that have been targeted by local police departments, so that the students there may thrive in an environment where they are not seen as a threat by the very systems that were put in place to try to protect them.

2) Over-policing of majority Black and Latinx neighborhoods has caused members of these communities to be sentenced at a much higher rate than that of predominantly white neighborhoods, causing the racial wealth gap to grow with each day. I request that the entirety of Santa Clara County should adopt the Public Safety model of Sunnyvale, which trains all officers to be equally competent in the areas of fire, emergency medical services, and law enforcement. As of now, I do not believe that the law enforcement officers of Santa Clara County are appropriately trained to handle situations that demand an increased level of care, compassion, and mental health awareness. The standard role of a police officer has many responsibilities tied to it, and I believe we can better support our community if we had more Public Safety officers (rather than just LEOs) that were not centered around sending people to prison.

3) Similarly, I request that the County should hire many more "civil servants", professionals who are trained with degrees to support those who have been outcast from the community. These civil servants would accompany LEOs to calls such as domestic violence, homelessness, and even potentially traffic stops. We could take this one step further by allowing the civil servant to take the lead on these calls, and provide the LEO as a backup in case force is absolutely necessary.

4) We must recognize that our entire lives exist on land that was stolen from Indigenous People, such as the Ohlone, "the Chochenyo and the Karin in East Bay, the Ramaytush in San Francisco, the Yokuts in South Bay and Central Valley, and the Muwekma tribe throughout the region. Other Indigenous groups include the Graton Rancheria community (Coast Miwok and Southern Pomo), Kashaya, Patwin, and Mishewal Wappo in the North Bay, and the Bay Miwok in the East Bay" (Bay Area Equity Atlas). The entirety of our modern civilization has been built on forged treaties, stolen land, and genocide. Therefore, it is crucial that we begin to correct our education to be inclusive of the communities that have been oppressed. This involves actions such as land acknowledgements, improved history curriculum that accurately educates about the oppression of Indigenous People, and the replacement of oppressive European colonizers with Indigenous Leaders in the form of plaques and statues. By replacing plaques and statues that glorify colonizers, we are not "rewriting history", because these monuments could be moved to a museum to be education tools. When a monument is placed in public, it demonstrates to viewers that the person depicted is someone that our community reveres. This should not be any European colonizer responsible for murdering Indigenous People. Additionally, the Santa Clara County Board of Supervisors should also do everything in their power to protect the property known as Juristac or Sargent Ranch from being destroyed by mines. This is a sacred site that must be protected.

These are all reasonable steps that I believe can be taken to begin our fight for a more equitable and just community. It is our responsibility to fight for those that have been historically oppressed by the systems put in place that should protect them. As representatives of our community, Santa Clara County, I highly encourage you to address these points (or others with similar intents) so that our county can be a role model for other counties, states, and eventually the United States as a whole. Our society has a long way to go, and history can never be erased, but these are steps I believe we can easily take to move in the right direction.

Thank you for taking the time to listen to my comments.

Colin H.
From: Ali B.
Sent: Tuesday, July 21, 2020 7:23 PM
Subject: Community Conversations

Hi Supervisor Ellenberg,

Thank you so much for hosting these conversations and providing a platform for Santa Clara County residents to speak their mind.

As a white person, I have received numerous privileges and I feel it is necessary to utilize my privilege to strive for the education of my peers and equity within my community. With the suggestions of many influential people that I have heard from, this is what I believe we as a county should strive for:

One thing I would like to see improved in our county is greater recognition of the Native American peoples that are indigenous to this land. Going to school here, I was not educated as much as I should have been on their diverse cultures as well as the atrocity of colonization and genocide. I would like resources to educate our community members on who this land truly belongs to, through our public school curriculum, cultural centers, and programs open to the public. I would also like to see Native American leaders honored and recognized through any new monuments and plaques that might be put up. For tribal nations not federally recognized, the county should advocate on their behalf to achieve this recognition. The Santa Clara County Board of Supervisors should also do everything in their power to protect the property known as Juristac or Sargent Ranch from being destroyed by mines. This is a sacred site that must be protected.

Another issue I would like to see changed is the amount of resources we allocate to the police and how that adversely affects people of color and the community as a whole. Here are some points written well by my significant other that I would like to echo:

1) I request the removal of police officers from schools, particularly those that have been targeted by local police departments, so that the students there may thrive in an environment where they are not seen as a threat by the very systems that were put in place to try to protect them.

2) Over-policing of majority Black and Latinx neighborhoods has caused members of these communities to be sentenced at a much higher rate than that of predominantly white neighborhoods, causing the racial wealth gap to grow with each day. I request that the entirety of Santa Clara County should adopt the Public Safety model of Sunnyvale, which trains all officers to be equally competent in the areas of fire, emergency medical services, and law enforcement. As of now, I do not believe that the law enforcement officers of Santa Clara County are appropriately trained to handle situations that demand an increased level of care, compassion, and mental health awareness. The standard role of a police officer has many responsibilities tied to it, and I believe we can better support our community if we had more Public Safety officers (rather than just LEOs) that were not centered around sending people to prison.

3) Similarly, I request that the County should hire many more "civil servants", professionals who are trained with degrees to support those who have been outcast from the community. These civil servants would accompany LEOs to calls such as domestic violence, homelessness, and even potentially traffic stops. We could take this one step further by allowing the civil servant to take the lead on these calls, and provide the LEO as a backup in case force is absolutely necessary.

Thank you so much,
Ali B.
Hello Supervisor Ellenberg,

My name is Julia W., and I am currently a District 4 resident in Santa Clara County. I grew up in Los Altos and hold the entire SCC community very near to my heart. I am writing to express thoughts and input for the Community Conversations: Town Hall on Public Safety in Santa Clara County.

First, I urge you and your colleagues to actively listen to and center the voices of Santa Clara County’s most marginalized members. Our Black, Indigenous, and Latinx neighbors have consistently expressed frustration and fear towards our public safety officers throughout the county. Not only do their stories paint a horrible picture and justify why policing is inherently racist and toxic, but the Bay Area News Group recently released an investigation into Bay Area policing which illuminates these awful realities. According to their work, Black people make up 27% of those killed by police in the Bay Area, even though the Black population totals 7% in the region. Santa Clara County must act as a leader in the tide towards change, justice, and true equity. We must reimagine what public safety looks and feels like, and we must divorce those imaginations from anything tied to policing.

As scholar-activists like Mariame Kaba, Angela Davis, Ruth Wilson Gilmore, and Alex Vitale have expressed for decades, the very nature of policing—which is embedded into larger systems such as the prison-industrial-complex—exists to terrorize and criminalize the poor, Black people, Latinx people, unhoused people, sex workers, disabled folks, and mentally ill individuals. It is not designed to keep anyone safe, as evidenced by the fact that police do not actually prevent crime, they show up to the aftermath and usually wreak more havoc than what brought them to the scene in the first place.

The carceral logic which undergirds the concept of policing is inhumane and flawed—we must look beyond it and embed our communities within ideas of transformative justice. We must embody and honor everyone’s humanity and potential for growth, for love, and for care. We do not achieve this by pumping money into city budgets for armed and power-hungry people to roam the streets searching for their next target. You don’t need to take my word for it, you can read this Medium post by a former police officer from California on the matter. As this person elucidates in their writing, reforms like implicit bias training or crisis intervention training do not tackle the root problems intrinsic to the presence of a police force. They simply serve to perpetuate existing stratification, systems of oppression, and ultimately distract the populace from the real problem at hand: the existence of police in our society.

I will share an anecdote of why I didn’t report something to the police and why we must imagine new systems of preventing crime and ensuring public safety. My car was recently the target of catalytic converter theft—this happened twice within three weeks and followed a region-wide pattern. In this instance, no police officer was in our parking lot to prevent this crime. Even if one were present, I would assume they would have escalated the situation and the risk of someone dying at the hands of police far outweighs the inconvenience I experienced. What caused this crime, I’m guessing, is that someone was desperate for cash because they have experienced economic hardship from this pandemic, which is only exacerbated by the area’s horribly high cost-of-living. A police officer wouldn’t have prevented this crime, but a true social safety would have. I didn’t call the cops to report this incident, and even if it happened again, I wouldn’t. I believe there should be some sort of community-led group that works through these issues and figures out the root causes and needs.

Specifically, Santa Clara County—home to Silicon Valley and all the stratification the industry created through its “disruption”—most focus civic and communal energy on ensuring people are safe through affordable housing, living wages, and access to fundamental services. This area is already an epicenter of inequality, displacement, and gross exorbitant privilege. Now, as we navigate a global pandemic which has left thousands on unemployment and without health insurance, we must root ourselves in finding true community-led solutions to what we are facing.

Thank you for your time.

Sincerely,
Julia

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Julia W. (she/her/hers)

"We live to serve another day, and that’s a beautiful thing."
From: Sarah P.
Sent: Tuesday, July 21, 2020 6:22 PM
Subject: Community Conversations
Hello,

I was unable to attend the community conversations live, but I wanted to contribute a recommendation/question. I have been reading about the high cost to taxpayers with regards to police violence, including local forces such as SJPD - in the form of civil settlements as well as the benefits/retirement funds that police officers are still entitled to even if they have used excessive force.

I’m wondering what financial tools are available to curb police violence that would also decrease the financial burden on taxpayers. For example, what kind of substantive financial consequences for police might actually motivate change?

As a resident of San Jose, one type of experience that has made me feel unsafe is encountering someone in public who is clearly experiencing some kind of mental health crisis. Although I know that people with mental health issues are more likely to be victims of crimes rather than perpetrators, it can be hard to gauge the threat level in a stressful interaction (for example, being run at and yelled at while walking down the street). However, I wonder what it might look like to reallocate some of the funds going towards police violence (as mentioned above) so that we could support mental health needs, housing, etc., for those in our community who need it. Many of our unhoused residents are struggling with mental health needs that currently aren’t being met, which can be unsafe not just for others, but for unhoused individuals as well. Allocating funds for non-violent solutions to those issues seems like it would be a benefit to everyone.

Thank you for opening up the conversation,
Sarah P.

From: Keisha M.
Sent: Tuesday, July 21, 2020 6:21 PM
Subject: Community Conversations

Good evening Supervisor Ellenberg,

I would like to suggest that whenever there is a complaint against law enforcement from a member of the community for anything related to civil/human rights, race or inappropriate conduct, that the investigation would consist of people who don’t work for the agency in question or any other law enforcement who has a direct relationship with the agency in question. Two examples would be the DA and it IA.

My suggestion is for an oversight committee to investigate these complaints along with the budget allotment for law enforcement. Reason being is there has been too many complaints that have gone overlooked with no consequences with agencies across the nation, just look what happened to George Floyd. Two out of 4 officers had complaints that went to IA prior to the murder. Although they were supposedly reprimanded, they ultimately murdered an unarmed man in broad daylight for the world to see. I personally have filed a complaint with an agency in SJ only to have no response, no call back and no acknowledgement of my concern.

Also, another suggestion is for implicit bias training to be implemented twice a year as part of the ongoing training requirements needed to be an officer.

Thank you for your time and consideration.
From: Emily C.
Sent: Tuesday, July 21, 2020 4:41 PM
Subject: Community Conversation

Dear Supervisor Ellenberg,

I am unable to attend tonight’s meeting but I am thankful for the opportunity to offer my input. I am a Santa Clara county constituent from zip code 95070 and I believe in the defunding and abolishing of police and jails and reallocating those funds back into the community. I believe this can be done through listening to and engaging with residents about their needs, specifically uplifting the needs of low-income residents, Black and POC residents.

I’ve been proud of the work Santa Clara County has been doing to decriminalize drug use by funding programs to help people with addiction get the help they need rather than sending them to prison. By decriminalizing we are able to support community members in becoming sober and helping them get back on their feet, all it took was reimagining the way things had been done since the war on drugs began. In the same way, we can reimagine the way our communities work and the role police officers play within them. By moving funding away from police departments we are investing back into the community. This can be moving money into education, creating housing and programs for our homeless, funding mental health programs and social work, and working with local non-profits (specifically Black-led) to fund initiatives that support our Black community members.

There is so much work to be done in the Bay Area, trying to keep throwing money at police bias training and other similar band-aids will not work. We can protect Santa Clara residents by defunding the police and investing in programs that make their lives better.

No Santa Clara resident should live in fear that they could be a victim of police violence, please listen to Black and POC community members when they share their opinions and stories.

Thank you for hosting this event and for listening,

Emily C.
From: Rhea M.
Sent: Tuesday, July 21, 2020 2:51 PM
Subject: Community Conversation

Hello Mx. Ellenberg,

Unfortunately I am unable to attend tonight’s meeting but I deeply appreciate the opportunity to offer my input via email. I am a constituent from the 95126 zip code within your district.

I am in full support that we must defund and abolish our police and jail systems throughout Santa Clara County and beyond. I understand this work requires a slow and intentional uncoupling between police departments, community members, and politicians. As a result, I would appreciate seeing a feasible 5-year plan from you and your colleagues surrounding how we can begin the process of defunding and abolishing our police and jail systems.

I trust you are aware of the country-wide movements in support of Black Lives Matter and the awareness building around police brutality. This is not a time to maintain the status quo. “The way it’s always been” is causing irreversible pain, loss, and disadvantage to our Black and Brown community members at an alarmingly disproportionate rate to our white neighbors. The policing system in this country and county is racist. It is time to dismantle and focus on healing our community.

In this report I am envisioning, I would appreciate if police funds were moved towards:

• Affordable housing
• School counselors/the removal of cops from schools
• Affordable healthcare
• Job training
• Education and after-school programs
• Mental health professionals/first responders programming
• Substance abuse prevention and support programs
• The allocation of funds to Black-led agencies in the County
• Parks and recreation
• County Library support

This is not the time to propose further training for our police officers. We have all heard of what happened to Derrick Sanderlin. We do not need more implicit bias training. We need to take cops off our streets and start protecting our people through supportive programming and opportunity, not violent policing and imprisonment.

Thank you again for this opportunity to connect and listen. I hope Santa Clara County will take this opportunity to set the tone for restorative justice programming and progress in our state and beyond.

Best,
Rhea M.
She/Her
From: Jason H.
Sent: Tuesday, July 21, 2020 1:11 PM
Subject: Community Conversations

Hi Supervisor Susan Ellenberg,

Thank you for holding the community conversation series. I may not be able to attend so am sending you this email to provide input as a resident of downtown San Jose.

I’m troubled by the recent actions of the San Jose Police Dept and their use of force during the (mostly) peaceful protests back in May, in their attempts to disperse the crowds protesting the death of George Floyd and related Black Lives Matter movement. I observed some of the initial protests, which started peacefully but then turned violent. I saw individual antagonizers on both sides of the line, and I am not excusing anyone’s behavior, but there must be a better way to de-escalate and prevent future peaceful protests from becoming violent. There seems to be a disconnect between what is considered reasonable and necessary force and when to use it against unarmed people exercising their first amendment rights to free speech. For example, I’ve read and watched footage of some other cities whose police force offered escorts leading the BLM protesters or kneeling with them. San Jose was not one of them.

There are some efforts by San Jose city mayor Liccardio and council members to address the community’s concerns, such as recommend the ban of using rubber bullets (Kinetic Impact Projectiles or KIPs) as a means of crowd control, and the suspension or reassignment of certain police officers to desk work pending investigations of their questionable conduct during the protests or racist banter on social media. There are also calls to expand the Independent Auditor’s role and power into such investigations.

I’m not sure if the City Manager has implemented the ban on KIPs, but I’d like to see the county supervisors weigh in on this situation, and to address our community to continue this dialog on what other steps can be taken to help dial back the militant-type approach that the SJPD and other police forces in the county may have. On a related note, I’d also like to know how the Santa Clara County Sheriff’s office has addressed the recent BLM movement, such as undoing any racial profiling activities, banning the use of choke holds or knee on neck stances, and/or taking any action to address similar concerns expressed above. Regards,

Jason H.
San Jose resident

From: Jessica D
Sent: Tuesday, July 21, 2020 12:39 PM
Subject: Community conversation

Dear Supervisor,

I am 23 and a San Jose resident. I would like to add my voice to the community conversation and express that we need to redistribute Police funding so that our community is provided adequate resources to be protected. And by this, I mean only dispatching police officers to calls which require force. They are ill equipped to handle mental health and sexual assault calls. Give the funding to those trained to understand and help, not cause further injury through physical or emotional abuse.

Kind regards,
Jessica D.
Supervisors Chavez & Ellenberg,

I'm writing to you because I know the county will soon be making decisions on policing. I'm going to share 2 recent experiences I had and include recommendations where I see relevant. Both of these experiences took place in March, 2 weeks apart.

Experience 1:
I was on the phone with Kaiser and they decided to send SJPD to my house. Knowing the issues police have in San Jose (I'd call them "trigger happy") I decided to NOT meet SJPD at the front of my house. I instead decided to walk out my back gate and outflank SJPD. I didn't want to risk them shooting me. When SJPD pulled up with guns drawn, they literally had guns pointed at my pregnant wife and toddler. I'd chalk this up to a lack of training but there was at least 1 senior officer there with the other new officers. I "outflanked" SJPD and was taken by them after they came to meet me down the street.

Recommendations:
1) SJPD should NOT show up guns drawn for a 5150 call.
2) SJPD should NEVER point guns at a pregnant woman and 18 month old child.
3) SJPD has a terrible tactics issue. I'd like to clarify my next statement: I had no intention and I have no intention of ever doing what I'm about to say. I'm merely trying to highlight their tactical issues so SJPD officers are safer in the future. That said, had I had malicious intent I would have been able to use a weapon against literally every single officer on that call. They had narrow 45-90 degree security (focused only on my house) at best. What SJPD needs is 360 security when they handle calls. I am NOT saying someone needs to face away from the threat at hand. I AM saying they at least need to constantly check their surroundings for 2 reasons: 1) acknowledge new threats they hadn’t yet thought of and 2) Avoid tunnel vision. In the Marine Corps there’s a common saying - complacency kills. All of the SJPD officers that day were complacent.

Experience 2:
SJPD was on the way to come get me after I called them and on the way to Bird Ave to meet them I had a verbal altercation and then was attacked from behind with a metal bar. The beginning of the fight was a metal bar choking me on the neck. Luckily, I know how to fight and was eventually able to gain the upperhand. I grabbed the metal bar so my attacker couldn't take it away. As I walked down the stairs SJPD was pulling up and I tossed the weapon on the ground so they could gather the evidence. I was in a state of shock and I refused to talk with SJPD who off the bat treated me like an animal. They decided to believe the other guy who was clearly a junkie and took me to jail. Throughout the process, SJPD officers made fun of me for being thirsty. I was actually near the point of fainting from exhaustion (having just saved my life) and now on a hot day I was stuck in the back of a cop car with unprofessional officers standing outside making fun of me to my face.

After I got out of jail I gave a statement to SJPD. I just so happened to see a few of the officers that arrested me that day and from the tone in their voice as they said, "OOooh—that’s what happened!" that the story made sense. I reached out to SJPD Chief Eddie Garcia to let him know a killer was on the loose. His response to me was I should have gone through my lawyer. But I wasn't reaching out to get help with my case, I was reaching out to get a killer off the streets! In fact, I've got no doubt that person has killed before based on how calculated his actions were and I've got no doubt he will kill again. The SJPD Chief disregarded me and the result is a killer walks today and is likely killing more people.

What was frustrating is I explained that he pulled the metal bar off of his bike and SJPD didn’t even make an attempt to make contact with him to see the hooks he had on his bike to hold the weapon. I couldn't have given any more clear evidence that I was the one attacked.

I would like to highlight something that was done right that day. When SJPD first made contact with me they had a rubber bullet shotgun pulled out. That is EXACTLY how they should reply to mental health calls like mine. There exists a concept of escalation of force; lethal guns were not needed because I was clearly not a lethal threat. I just wish the officers from my 1st experience also understood that concept.
**Recommendations:**

1) SJPD needs to understand that a victim unwilling to speak or being in a panic does not automatically make them the guilty party. I would literally take a lie detector test today to prove my innocence and I guarantee the other guy would fail. But they deemed me guilty based on appearance alone. (That is called a lack of training.)

2) SJPD should never make fun of arrestees.

3) SJPD should first check the mental and physical condition of the arrestee. It doesn't matter if they don't like the person. If they need water, give them water.

4) SJPD should recognize when they've made a wrong call and fix it.

5) SJPD Police Chief should never disregard a potential criminal and reply with snide comments to someone trying to inform him.

6) If an officer is found to act unprofessionally, investigate and discipline accordingly. Today SJPD just pretends the issues don't exist, which leaves the officers with the impression they can continue to treat the community with disrespect.

In fact, I'm still on a mission to make right what was done wrong that day. I don't ever want an innocent person who was nearly murdered to be thrown in jail and face multiple felonies. And I won't stop until it's fixed, even if it takes me years. Below you will see the email exchange with the SJPD Chief and me where I tried to alert him to my attacker. I'm appalled by his lack of concern for the community and decision to not correct SJPD's stance on this case.

For the record, the attacker didn't even show up to our court case. No guilty person would have. Anyone with experience in law enforcement would see that I was the victim and he refused to make things right. I'm appalled he is who runs the PD for the 10th largest city in the US.

Thank you.

Respectfully sent,
Jeremy T
Gardner Neighborhood – Willow Glen
Subject: Community Conversation
From: "Nancy N"
Date: 7/16/20 2:35 pm
To: "Susan Ellenberg Trustee Area 2, SJUSD"

Hi Ellen

I appreciate the holding of a listening session with facilitators. The oral [sic] style of questions works well for this length of time. Recording does make people feel uncomfortable until trust is established glad for inclusion if options Sorry I need to leave early.

In Sunnyvale we have a different style of organization around public safety. It has EMT. Fire and Policing being engaged in Community Safety. Since fire and police safety officers rotate more they are seeing different segments of the entire community and the public views them a bit differently.

Our relationship from a school city perspective is different too. We had NRO assigned to cover schools . That has transitioned to a SRO model. One of the things I observed that additionally supported viewing the role of public safety was the formation of Challenge Team. While it began as offshoot if gang violence prevention in Sunnyvale it evolve to something more. As you know in bringing community together to help build creative solutions for youth you create a positive growth mindset. It moved us away from gang and crime prevention into understanding how different strategies can support family resiliency. When Public safety, city youth programs, school and community organizations are better aligned it has more impact. Public safety partners with us in community events, education about safe routes to schools, and tech cyber safety. They come when we ask or are required for specific enforcements as required.

So as far as policy impacting perceptions about personal safety and neighbor connection, I'd say here are a few that have an impact. VTA limited access from your neighborhood, frequency of service, cleanliness, and frequency of unsafe personal behaviors of riders. Unsafe sidewalks and paths in parks. Building high density housing

Nancy

From: Shanti N
Sent: Tuesday, July 21, 2020 10:32 AM
Subject: Community Conversation

Dear Supervisor,

My name is Shanti and I’ve been a South SJ resident for 20 years. I am writing to express my thoughts about health and safety improvements in San José.

It is my firsthand experience that SJPD does more harm than good to my community. As recently as Friday July 17 SJPD was brutalizing (literally, beating and shooting) innocent civilians walking on the sidewalk while people filmed and begged them to stop. An appropriate response to this would be to reduce SJPD’s funding and resources as much as possible and use their funding to support programs for our most marginalized community members. Don’t send them on traffic stops, use officers ONLY for calls requiring use of force. Please, I am begging you. I live in fear of the SJPD because I have seen how they are trained to instill fear in students in SJUSD schools. Our houseless community needs help, our undocumented community needs help, and our youth need help that you can fight to provide. Thank you.

Sincerely,
Shanti N
From: Nina R  
Sent: Monday, July 20, 2020 10:51 PM  
Subject: Community Conversation

Supervisor Ellenberg,  
Thank you for soliciting our thoughts. I am a San Jose resident and voter and a PhD candidate at Stanford, so I live, work, and vote in Santa Clara County. I am concerned about several aspects of how public safety is handled.

Firstly, we need to greatly increase mental health services, especially for mental health crises and for our unhoused neighbors, many of whom I regularly witness struggling with severe mental illness. I have called the county’s Emergency Psychiatric Services to get help for an unhoused woman in my neighborhood who was having a psychotic episode, and the operator told me to simply call the police on this woman. As this woman was having a mental health crisis and was Black, she was at very high risk for police violence, so I did not feel comfortable doing so. I grew up in Maryland, and in my home county, we have mental health crisis response teams comprised of mental health professionals and social workers that can arrive on the scene in situations such as these. I have personally used this service to get help for someone I know without directly involving police, and I can attest to its efficacy.

In addition, here in San Jose, Mayor Liccardo has been implementing law enforcement task forces that involve heavy policing of neighborhoods of color and racial profiling of Latino teenage boys and young men in particular. The county should do whatever is in its power to end these harmful and unjust programs. The county should instead provide grants to grassroots community organizations that can actually address the struggles being faced by youth in our county rather than patrolling, profiling, and incarcerating our young Latino and Black residents.

Finally, I am a member of the Rapid Response Network, and I would like to thank the county for their support of this initiative, which was created directly in response to needs voiced by our county’s undocumented residents. I also urge the County Board of Supervisors to meet with immigrant rights activists and racial justice activists to learn about and support other grassroots initiatives in our county.

Thank you for your time and consideration.

Sincerely,
Nina R

From: Veronica A  
Sent: Monday, July 20, 2020 11:47 PM  
Subject: Community Input

Hello Supervisor Susan Ellenberg,

My name is Veronica, I attend last Thursday one of the community public safety and justice forum you and your staff hosted. I spoke about the need for public organizations to gather community input in their decision making. I know you mention you were interested in having a more in-depth conversation on this issue.

Hope we can collaborate soon in the integration of community voices in public government agencies.

Warmly,
Veronica
From: Susan K  
Sent: Monday, July 20, 2020 10:41 PM  
Subject: Community Conversations

Dear Supervisor Ellenberg,

Thank you for convening this evening’s virtual gathering. I’m sorry I won’t be able to attend much of it due to a conflicting obligation. I am seriously concerned about my city, Campbell, and it’s approach to community safety. My concerns are as follows:

• The city has budgeted $250,000 for an armed “rescue” vehicle, a BearCat, an acronym which I believe stands for Ballistic Engineered Armored Response Counter Attack Truck. Many people wrote letters of opposition, signed a petition, and presented testimony at a City Council budget hearing, but the Council approved this expenditure anyway. It’s shocking to me that the council has agreed to this lease/purchase at a time when the BLM has highlighted the need to de-militarize police forces as a way to decrease unnecessary police killings of Black people and others.

• Aside from this ill-conceived purchase, the City Council has shown very little interest in meeting the moment when BLM should make all of us consider policies that affect Black Americans and other people of color. I and others have advocated for Campbell to adopt more policies that decrease use of force by police and may result in fewer killings by police such as those in the 8Can’tWait recommendations. The result of this pressure has been a glossy online brochure but little or no change of policy as far as I can tell.

If there is anything that can be done at a County level to motivate localities such as San Jose and Campbell to adopt more progressive policing policies, I would very much appreciate it.

Thank you for your consideration,
Susan K  
Campbell, CA
7/20/20

Dear Supervisor Ellenberg,

My name is Aram James, a member of CJA (Coalition for Justice and Accountability). We had a chance to talk briefly at a joint Skype meeting on the afternoon of July 15th. During our meeting we discussed the possibility of encouraging District Attorney Jeff Rosen to create a Police Crimes Unit in his office. My letter, below, was published in today’s Palo Alto Daily Post. The ideas expressed in the letter are mine alone, and do not speak for CJA. I look forward to discussing the ideas expressed herein in the near future.

Best regards,
Aram J

July 20, 2020

Dear Editor,

Regarding your headline story of July 16, No charges in violent arrest: I’m angered that DA Rosen has yet again failed to bring criminal charges against a rogue and violent PAPD cop. The suspect is PAPD agent Thomas DeStefano. Victim of DeStefano’s misconduct was Julio Arevalo, a Buena Vista Mobile Home resident. Arevalo was gratuitously brutalized outside of Happy Donuts on July 10, 2019. All captured for the world to see on video. Recently uploaded to YouTube. Watch the video! You be the jury!

Arevalo was, without cause, slammed to the hard concrete, lost consciousness, and bones around his eye were shattered. If ever-criminal charges for use of excessive force are warranted, this is the case.

We must consider recalling Rosen as our elected District Attorney. He is tone deaf when the alleged criminal is a cop. In the alternative, we must mount a political campaign to educate the public of the preferential charging practices Rosen routinely engages in when exercising prosecutorial discretion involving cops.

If Rosen is allowed to remain in office we must insist that he form an independent unit: a Police Crimes Team: one with no ties to local law enforcement and given the sole discretion to charge cops when the evidence warrants it.

This team would consist of investigators, retired cops, former prosecutors, defense attorneys, and former victims of police violence. All highly trained in the nuance of appropriate police practices and on the job conduct that crosses the line from good policing to criminal behavior.

Aram J
Palo Alto
From: Jerome D  
Sent: Monday, July 20, 2020 9:08 PM  
Subject: Community Conversation

This is not a people of color issue. The term people of color is outdated in its use to describe people of the Black American Experience. It is highly offensive, just as the use of the word "colored". It is a racial slur and an active form of erasure of our historic lineage. Race in America, and in the county of Santa Clara, has a long history of excluding American Descendants of Slavery (ADOS) for all opportunities. The racial bias we face from immigrant groups, as well as white Americans has kept us locked out of the American dream. Our citizenship should mean something. Mixing us together with "people of color" is disrespectful, and erases our 401 years of contribution to making this the greatest nation on Earth. We should be elevated to the status of elite, instead we are the permanent underclass of America, made to eat all the failures so that others don't have to. Santa Clara County has done a good job of shedding its ADOS population and must put forth new policies to rectify this racial injustice.

ADOS is a specific group with a specific justice claim, the #ADOS movement demands a specific agenda with policy prescriptions that address the losses stemming from the institution of slavery, Jim Crow, redlining, convict leasing, peonage, mass incarceration and immigration. The black agenda can be viewed at https://ados101.com/black-agenda

Santa Clara County has put both legal and illegal immigrants needs and wants before and above the native black ADOS population, and must reform not just police, but housing, employment, health, education, and media.

When examining the position of ADOS in Santa Clara County, we must look at the root of the causality chain. The root is that we are under economic genocide and if we had been repaired, by reparations, then we would not be the highest covid 19 cases. We would not be victims of police brutality. We would not be unemployed and homeless.

If the Board and it’s members truly believe that black lives matter, then they would look at correcting the economic position they put us in. Less than 3% of Santa Clara County is black. Santa Clara County has made ADOS a contagion to wealth and must bring forth a reparations plan that includes upfront cash payments to the descendants of American chattel slavery in Santa Clara County. Covid 19 has affected us the worst, and Santa Clara County should lead the nation in helping the ADOS community heal, and make it through this tough economic and health emergency.

This country and this nation can not morally move forward without fixing its biggest immoral and injustice legacy. I ask that the board be progressive and seriously consider specific set asides for what few ADOS people we have left here.

Protesting and reforming police is only putting a bandaid on the wound. The same energy white people have put into BLM needs to be directed to the only real solution to the "race issue" and that is reparations for the descendants of American chattel slavery.
From: Tiffany P  
Sent: Monday, July 20, 2020 8:23 PM  
Subject: Community Conversation

Dear Supervisor Susan Ellenberg,

I’m Tiffany, a longtime resident of Santa Clara County (2nd Supervisorial District). I’m writing to comment on the upcoming Community Conversation on Public Safety and Justice. Specifically, I believe that in order to achieve meaningful and longstanding change—change that benefits all members of the community and contributes to racial equity—we need to do the following:

9. Reallocate funds from police to community programs (top of mind are programs that support the unhoused and provide mental health services)

10. Support restorative and transformative justice programs; simply banishing all those who have done harm is not justice. While it may take time, I think we can incorporate restorative and transformative justice measures into our community, focusing our work on accountability, supporting survivors, and healing the community. Please see the [attached document](#) on incorporating restorative justice measures in schools.

Thank you,
Tiffany P  
San Jose, CA 95111

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From: KCS VH  
Sent: Saturday, July 18, 2020 3:39 PM  
Subject: Community Conversation

Supervisor Ellenberg,

The petty property crime in Cambrian Park in San Jose is out of control!

Can’t count the number of cars broken into this year, stolen bikes, broken into garages, stolen packages, and it goes on and on. I see this scum checking our car doors at night on our Ring cameras. Governments highest priority is to protect the electorate and provide a safe and secure place to live.

What are you willing to do to address this issue? The current situation cannot be allowed to continue. We need our elected public officials to uphold the rule of law and put these criminals behind bars. How can the public work with you to increase the enforcement of laws and how can we change the effects of Prop 36? What ever happened to San Jose’s “safest big city” slogan? Let’s work together to get it back!

We need more funding for police not less. We need tougher laws not weaker; that’s insane. Our community is working on a collective grass roots effort to get our neighborhoods back to a safe environment. How can the governor be thinking about closing 2 prisons down and releasing 8k prisoners when crime is soaring? Where is the priority of safety for your electorate? If all this falls on deaf ears, we will start to systematically replace those in office with people who will listen.

Kevin VH
Hello Susan,
I had a family emergency so couldn’t attend the recent conversation. Thank you for the opportunity to share in writing.
Regarding police response to mental health crisis calls, I suggest:

- Expanding availability of the mobile crisis unit by adding peer support workers to the team. The attached write up includes more information on issues related to police responding to mental health crisis and offers information on models from other jurisdictions which utilize peers in response to mental health crisis. Our mobile crisis unit is only available for the community M-F from 8:00 a – 8 p.
- Increase and expand CIT training. In a recent meeting with Curtis Ohashi, Kathy Forward from NAMI, Margaret Obilor, and consumer advocates we agreed that 40 hours a week is insufficient training for police called to respond to mental health crisis.

We are fortunate to have Curtis Ohashi in agreement to implementing peer support at Barbara Arons Pavilion. We have, as you know, success with crisis peer support provided at our peer respite. Now it’s time to include peer supporters on our mobile crisis units. There is no need to wait to hire “qualified” staff. Trained peers are well-qualified!

On a personal note, I am glad to see you out on the trails. Having witnessed the County BOS meetings, I see how long you all have to sit. Quite a feat in itself! Many thanks for taking such good care of our community!

Best regards,
Lorraine Z

Attachment language:

MOBILE CRISIS TEAMS INCLUDING PEER & PARAPROFESSIONAL SUPPORT a short list
Contra Costa Behavioral Health Services (BHS) MCRT includes licensed mental health clinicians, community and family support workers and a family nurse practitioner. https://cchealth.org/mentalhealth/mcrt.php
Array of efforts recognize need to address mental-health problems before they escalate to encounters with police
By ROBERT SALONGA | rsalonga@bayareaneWSgroup.com | Bay Area News Group
PUBLISHED: September 30, 2017 at 12:00 p.m. | UPDATED: October 1, 2017 at 3:03 a.m.
With increasing frequency, police across the country are the first and last resort for situations involving mentally ill people. Those volatile encounters can quickly turn deadly: One in four officer-involved fatal shootings nationwide involve the mentally ill, according to one analysis. In San Jose, nearly a third of the officer-involved shootings over the past decade involved this group.
As the deadly encounters continue, police and county officials have begun looking for new solutions. San Jose’s officers already get crisis-intervention training to help them handle situations involving the mentally ill, but training can go only so far, they say. This year alone, six of the city’s eight police shootings have involved people with mental illness. “The onus to deal with mental illness right now comes down to a police officer, and that is unfair,” San Jose police Chief Eddie Garcia said. “In a perfect world, a clinician responds rather than a police officer with 40 hours of (mental health) training.”
Civil grand jury study urges Santa Clara County police and officials to increase training and resources to keep up with rise in mental-health emergencies By ROBERT SALONGA | rsalonga@bayareaneWSgroup.com | Bay Area News Group
PUBLISHED: May 11, 2018 at 2:17 p.m. | UPDATED: May 14, 2018 at 9:03 a.m.
The grand jury found that nine of the 31 people killed in county officer-involved shootings between 2013 and 2017 suffered from a serious mental illness, and that 22 of the 56 total police shootings during that period — including those that were non-fatal — involved a mental-health crisis.
The grand jury report made several recommendations for county law enforcement to improve their responses to these encounters, including extensively documenting the presence of a likely mental illness after an officer-involved shooting. But most of the recommendations revolved around increasing funding and expanding crisis intervention and other training to defuse conflicts.
From: Stephanie  
Sent: Friday, July 17, 2020 10:26 AM  
Subject: community conversation  

Good Morning-  

The statistics show that as a whole, our city is one of the safer cities of our size, but we must do more to ensure there is equality for all zip codes across town. Years of redlining, highway systems and systemic racism have created pockets of our city that deal with more poverty, education disparities, higher non violent and violent crime. I have personally witnessed this- living in Willow Glen, moving away for 17 years, then being able to only afford a small cottage in the Vendome neighborhood just north of downtown on my return. When I have placed calls for assistance due to a threatening neighbor on drugs, watching a car get stolen, a nude homeless person where a school bus was about to let out kids, it takes a significant time to get someone out if at all. When my parents in 95124 called, I laughed and said no one came out right? They said someone was out promptly over a neighbor dispute. There are clearly not enough resources in parts of town that need help. It appears you can pay to be in safer parts of town, but if you don’t have enough money, you aren’t entitled to that same level of safety. Why are schools so vastly different depending on what part of town you are in based on your income? We must solve this- things are not getting any better by themselves.

Thank You,  
Stephanie

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From: Randy B  
Sent: Thursday, July 16, 2020 9:52 PM  
Subject: Thursday’s Community Conversations session  

Sup Ellenberg...  

I attended the session earlier today (Thursday) and found it to be very informative. It’s the second one I’ve listened to.

I had a few comments that I thought I’d make from the session...  
- I’m a 64-year-old white guy. Not sure anyone in that forum is interested in listening to what I have to say about all this. But maybe I’m wrong. I have never experienced anything that some of these people talk about...being afraid of the police or being harassed by the police...etc...etc. The last time I was involved with a police officer was probably 25 years ago when I got pulled over for speeding by a CHP person.

- I will say that there is obviously room for police reform and more accountability for some of the inappropriate actions that some of the police have done. I say ‘some’ because saying that all police are bad is not close to the truth.
- But I will say that there needs to be a better term used than ‘defund’ the police. It means a lot of different things to a lot of different people...and nobody is really calling for an entire police department to no longer be funded...are they?  

Some redefinition of what the police should be doing as opposed to activities that might be better done by some other sort of community responder does seem to be warranted.

- I noted the mention of reparations in the session today. That’s not really within the scope of what is being discussed here...is it? I think that’s an entirely different subject for another time.

Regards...  
--Randy B  
West San Jose
From: Mac F  
Sent: Thursday, July 16, 2020 1:15 PM  
Subject: Community Conversations

Hello,

I was on the call today and I would like to share one of the resources that helped me: https://www.iheart.com/podcast/1119-behind-the-police-63877803/

There is some explicit language so be prepared if listening to it at home. Personally I think we should be moving away from incarceration as a way to seek justice because it seems to exacerbate poverty, and cause violence rather than create justice for the victims.

Sincerely,
Mackenzie C.

From: Susan PJ  
Sent: Monday, July 13, 2020 7:56 PM  
Subject: obstacles to rethinking policing

Hello Supervisor Ellenberg:

I think many of us realize that the San Jose Police Department is asked to play too many roles, often roles for which officers have not had sufficient training or education, such as domestic violence calls, or calls for someone having a mental health break down. Having someone with the power of the state behind them AND carrying a gun sometimes is not conducive to a good outcome.

Mental health professionals may be the best people to handle such a calls. Unfortunately, mental health professionals are under the County Government, while the SJPD are under San Jose City Government. The challenge is how to have these two departments work together when they are under separate governments and separate budgets.

The challenge is how to get overcome these administrative and bureaucratic obstacles to better public safety. We need to rethink our whole approach to public safety. We need to demilitarize the police.

Thank you for your attention.
Susan PJ  
San Jose, CA 95128
Hello, my name is Falcon B and I’m a San Jose resident of district 6.

I am a Starbucks barista, former shift lead, located in San Jose. I have worked at 2 different locations and the experiences have been similar with my need for the SJPD. I said “former” shift lead because I have stepped down from the position, in part due to the lack of response by the SJPD to 911 calls I made when I was in danger as well as Starbucks employees and customers. I felt like I was not protected by my police force that I grew up trusting and relying on. I am a white woman, I have always been told to trust the police and turn to them when I needed help. Every time I have actually needed help I have not received it from the police that I trusted to protect me.

The last call I made to the SJPD is when a crazed man harassed and threatened to kill me and my coworker at our Starbucks location. My coworker and I were the only 2 working and we had both come in mid day. A man came in saying he forgot his back pack that morning while there and asked if anyone returned it. We checked and we did not find it. The man got upset and started yelling an swearing at us. We continued to look for the bag with no avail and he was starting to get scary. He threatened our lives and would not leave the premises for over 2 hours. I called the SJPD and told the operator what was going on. I told her I felt like my life was threatened. The SJPD NEVER CAME! No one ever even stopped by. The man continued to scream and threaten us and our customers and no one ever came.

I know that SJ is an active city with a lot of issues to deal with for police to respond to, I know this, but we have to do better. We have to reallocate funds to programs that can help support the SJPD so they do not have to respond to every call. If they had been freed up that day they could have come to really protect a citizen of their community. That man continued to come into our location and was banned due to his harassment of the employees, but local law enforcement was not involved even though he was violent.

Another call to the SJPD I had to make a few months before that experience was a quiet Sunday when a regular waked in. He happens to be a black man. He came in and was sitting in the lobby. A Latino man came in and met him. They started to get loud and arguing and a male coworker of mine, who is a black man, went to diffuse the situation. The two customers started throwing punches at each other after the employee was trying to calm them down. There I was, a woman (whose voice does not really count, but I’ll save that for another day) I had to decide what to do. Do I call the police as a responsible Starbucks supervisor? But the other part of me thought, “I could put all three of these men’s life in danger if I call the police.” That is the reality. It continued to escalate and I called the police. I purposefully did not mention the ethnicity of anyone involved. I didn’t want to be the reason someone got shot. The 911 operator asked me to describe the men. I said “One of them is our regular I recognize. He is about 6’0’, bald, clean shaven, and wearing mirror sunglasses with a black shirt. The man who I don’t recognize has a crew cut with brown hair, about 5’5, wearing a gray shirt. He has facial hair.” The operator asked me what the color of their skin was. I said, “I don’t see why that is relevant I don’t feel comfortable telling you that.” She said, “we need an accurate description.” I told her, “Our lobby is pretty empty, they are obvious, I don’t feel comfortable telling you that.” Again she told me they needed it for the report. At this I said, “Well, if you have to know, the man with the mirror glasses is black and the man with the gray shirt is Latino..”. and then I added, “and my Starbucks barista is black, he is in the middle of them, he is not involved in the altercation.” I said that because I knew by calling the police his life was in danger, all their lives were in danger. In this instance the police actually did come, only about 45 min later.... (not good enough, what if one of those men were actually dangerous). It was not an atmosphere of safety when they got there, but fear and worry. I was scared for our regular and his life... the police did not bring security like they are supposed to.

This is not the 911 operator’s problem, the fact she is required to get that information is part of the problem with the system. Callers into 911 should not have to give information about skin color if they do not feel comfortable to do so! The real problem is that I didn’t feel comfortable to do so. Silicon Valley is a place of innovation and problem solving. There is a problem within the system and the way that the police operate and prioritize, we can solve it. Not just patch it or put a bandaid on it, but SOLVE IT.
A few months before that a grocery sized paper bag was brought up to us as a lost and found item. When my manager looked inside to see if there was a name on anything in the bag he found boxes and boxes of fentanyl. He immediately called the SJPD. Two apathetic officers showed up HOURS later. They inspected it and it had a prescription on it so they informed my manager he could throw it out or return it to the owner. This was a HUGE supply of opiates that was most certainly for resale on the streets and this was their response. I haven’t gotten to the best part yet, the man who left the bag (he happened to be white) returned looking for it. The officers were still there and in fact gave the drugs back to him!

So do I feel safe with the SJPD? Not at all. Do I think they truly have my safety in mind, absolutely not.

Those are not all of my experiences... I have about 5 more. I have only lived in SJ for 3 years. I think you get the picture.

I have not even begun to discuss how the homeless are treated by the SJPD. Working at a Starbucks in SJ, I interact with the homeless population daily, it is part of my job, that is just the reality. I want to leave you with one last story of love and hope and friendship and being a real change.

At my store’s location we started getting a regular homeless woman stopping in. Her name is Dede (she is a white woman if you need to know). I began talking to her and getting to know her over about 1.5 years we developed a friendship. She showed me video of the SJPD and how they abused their power with her, harassed her because of the way that she looks, and physically injured her. My heart went out to this woman. She reminded me of my mother. She wasn’t on drugs or anything, in fact she had a little money, and she barely drank - just to get all of those assumptions out of the way. Dede could get bitter and start ranting but I always tried to steer the conversation into a positive light and if she was having a really bad day her coffee was on me.

One day I didn’t see her, then a week, then a few months. I was beginning to be worried about her. She showed up one day clean and with new clothes and even makeup on! She looked amazing, a light was shining in her. She didn’t even get a coffee but came up to the counter where I was at. I told her how beautiful she looked and I was so happy to see her and that she was safe. She told me that she was inspired to get her life together. She was motivated by her friendship with me and the community at St. Leo’s to make a change in her life. She said she was in town for just a few days but had tried everyday to see if I was working. She wanted to thank me for being a friend and supporter and through my positivity I changed her perspective on life.

Love and understanding is what makes real change in communities, not policing. We need more mental health and housing available for our homeless community here. The SJPD does not need riot gear or military grade weapons. They should be trained to never pull their gun out of their holster unless absolutely necessary, end of story.

I have not even mentioned the black lives matter protests and the way the police attacked the citizens they swore to protect, but I think there are enough people who will. I wanted you to hear my experiences as a citizen of SJ and how the SJPD have failed me on a personal level. Since we lived here I have asked my wife, “what do I do if there is actually something wrong and I need to call the police?” She basically just told me I better hope nothing bad happens and learn to protect myself. That is how little faith the community has in the SJPD. I heard that helicopter non stop to the point of several anxiety attacks, and they did not need it. They did not need to respond with aggression. They simply did not need it.

So yes, defund the SJPD, we need to build a better law enforcement devoid of corruption.

Sincerely,
Falcon B
From: Ganlin C  
Sent: Tuesday, July 21, 2020 4:54 PM  
Subject: Community conversations

Hi Yvonne,

I really appreciate Supervisor Susan Ellenberg and your time today to have the community conversation with us. In addition to what we have mentioned, I want to pass to you the following two experiences which I hoped to mention during the zoom meeting:

• In my culture, police does not involve in family matters. Therefore for many of our survivors, there’s this stigma that police won’t be a help to their domestic violence situations. When things happen at home, many of them choose to not call the police. They also have a hard time trust the police. Besides providing education to the law enforcement, we also need community education in different languages to let know that they could trust our law enforcement. I think both directions of education are important.

• About 1.5 years ago when I was still living in Milpitas, one day I saw some paint spray on the community map at the entrance of our condo complex. I didn’t know what that mean until a friend who grew up here told me that it was a sign of a gang. He alerted me to be careful when I was by myself. I didn’t know what to do with that. After I shared with my family, they were pretty worried. Eventually I moved out from that condo complex by the end of last year. As a recent immigrant, I wish there were some education (especially in my language – Chinese) about gang violence in this county.

Let me know if there’s anything needs more explanations. Thank you for being able to hear us and make our community a better place for the people of color! Best regards,

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GANLIN C

From: Joshua S  
Sent: Saturday, July 11, 2020 10:39 AM  
Subject: Community conversation

Hello,

Since I did not receive instructions on how to access the community conversation, I am emailing you my thoughts, concerns, and requests.

1. If you are going to have a forum, make sure it is accessible by providing access information. It is disrespectful to waste community members’ time and make false promises.

2. Defund the Santa Clara police department, which receives astronomical funding from the city in comparison to other public goods, and reinvest that money in public services like housing for our large homeless population with appropriate services to meet the needs of that population, mental health services, social workers who are better trained than armed police to respond to issues like sexual assault, mental health crises, arguments and domestic disputes, noise complaints, etc. We do not need nor can we afford armed police showing up to harm our community members. Police abolitionists have been working for decades on planning for and making these kinds of systemic changes and have data to back them up. Bring in vetted abolitionist experts to guide the way.

3. Schools should not reopen. We have more cases than ever and it is trending upward. As an educator, I should not have to put my life and the lives of my students on the line during a global pandemic. We can do the work online versus in person where people will spread the virus. There is plenty of evidence documenting athletes returning to school or summer school classes that ultimately result in coronavirus outbreaks. You literally have the power to save lives by keeping kids and teachers remote instead of in a physical classroom together.

As a community member, I am concerned about the direction of our city. As our leaders who hold power and influence, I implore you to make the tough decisions that prioritize the health and safety of our community members.

I would like a response to this email with next steps for the issues outlined above.

Sincerely,
Joshua S, M.Ed.
Subject: Community Conversations
From: diane
Date: Fri, July 03, 2020 11:36 pm

Dear Supervisor Ellenberg,

I signed up for one of the meetings, but in the meantime, I prepared a position paper on criminal justice reform and embed it in the email below. If you prefer an attached file, just let me know; it is a document on my system.

Criminal Justice

Much has been said recently regarding defunding & de-militarizing police departments of a portion of their budget and putting those funds instead toward social programs and people who can work with the homeless and mentally ill in safe, positive, and effective ways. I completely agree with these sentiments. I also agree that our bail system makes no sense, allowing those with money to get out of jail and those without to suffer inside. The judge should determine the risk to the community of the person arrested and release them or not based on that, not on any arbitrary dollar amount.

My focus in this document is on imprisonment, and this of course affects both police and court procedures as well. We currently have a ridiculously high incarceration rate in the US compared with every other country. A great many of those imprisoned are of no physical threat to anyone, because they are elderly, because they have been rehabilitated, or because they never committed a violent act to begin with. At the same time, we have in our communities men (mostly) who have abused their partners or children, who have threatened to kill online, or who have otherwise come to the attention of others as potential threats. There are almost daily mass murders and non-mass murders committed by these men that could have been prevented.

So, what we need to do is shift the focus of imprisonment from punishment to protection of the community.

First, when domestic violence comes to the attention of law enforcement, the answer should not be an ineffective restraining order. The perpetrator should be immediately imprisoned, and pressing charges should be up to the prosecutor based on physical evidence, not the victim who has been terrorized by the perpetrator. (I have read that every single mass murderer had a history of domestic abuse. While this is not to say that the reverse is true, that every domestic abuser will become a mass murderer, taking such men out of commission will save a minimum of one woman and a maximum of a large number of people.)

One often hears about prominent people receiving death threats from people who don’t like something they do or say. It should never be assumed that ‘this is the price of fame’. Every effort should be made to find these people and imprison them. This should be the fate of any sane adult who commits a violent act or threatens to do so. (Children often scream “I’ll kill you, or words to that effect, without any likelihood of following through. And the mentally ill need treatment, not incarceration.) On the other hand, for those who are not a threat to society, incarceration benefits nobody and does a lot of harm.

• People incarcerated suffer terribly and generally end up worse off than when they went in.
• The families of the imprisoned suffer financial loss (if the person was earning an income) and great social loss.
• Taxpayers pay a great deal for this incarceration with no actual benefit. And if the incarcerated person was a working taxpayer, those taxes are no longer being collected.

It’s far better for the punishment to fit the crime.

For example, a huge category of non-violent crimes involve financial loss, e.g., theft, fraud, vandalism, insider trading, etc. An easy punishment for such crimes would be a fine that is double the value of what was lost. For instance, if one steals a loaf of bread, the fine would be the price of two loaves of bread. And the person should probably be encouraged to sign up for Snap. If one steals millions from a pension fund, they will probably spend the rest of their days paying it back through payroll deductions. In the case of vandalism, there is a repair cost, so the fine is double that. If someone is using drugs, this is an illness that needs to be cured, not a crime. Mandatory rehabilitation will be far more effective than a prison sentence. Even a drug dealer is often driven by a need for that drug, so perhaps a fine for each customer and rehab. for the dealer. Drunk drivers should have to attend AA meetings and have their license revoked for a time, with more serious penalties for repeat offenses up to and including confiscation of all motor vehicles registered to that driver’s household. All of these folks were probably driven to this state by some combination of poverty, lack of economic opportunity, pain, depression, etc. and so would benefit from programs designed to turn people’s lives around.

Basically, every crime, misdemeanor, and infraction on the books needs to be looked at. And many of these things shouldn’t be on the books at all. For example, crossing an international border for a safer or better life is not a crime. Resisting arrest is not a crime, but simply an animal instinct we all have to being captured. Political protest is enshrined by the constitution, whether you call it what it is or “inciting a riot” or “criminal trespass” or any number of other terms used by police to justify arrest in their minds. Having dark skin is not a crime. Carrying an object is not a crime, and...
police need to re-learn what is a threat and what is a person going about normal business. Even carrying a gun is not a crime if the person is legally allowed to do so and is not actually pointing it at or shooting at anyone.

And for those things that a reasonable person would consider seriously anti-social, the penalty should be designed to prevent any repetition of the offense and should consider the magnitude of the offense. A minor offense should incur a minor penalty while a major offense should incur a much larger penalty. No penalty for a non-violent offense should separate the person from family or career.

Then, we need to fix the incarceration facilities.

Prison employees, at least as much as police officers, need to go through re-training. Their job is not to inflict years of abuse & torture on inmates, regardless of the crime committed. The loss of liberty is the primary punishment. The goal of prison employees should be to rehabilitate all those who can be rehabilitated and to keep the public safe by preventing escapes. Any employees with a history of brutality should be let go.

First, after release of all those who do not present a threat to society, each prison needs to be thoroughly cleaned, and kept clean, to avoid coronavirus and other diseases coursing through the prison. Solitary confinement has to go, as it drives sane people crazy and crazy people completely bonkers. But, those cells can be used, along with the regular ones, to give everyone their own cell, with walls, for current and future sheltering in place. Each cell should have an electric light & on/off switch, a phone, a computer, hot and cold running water, and be amply supplied with soap and reading material of the inmate's choice. Inmates will be able to call each other and their loved ones, for free, but like all of us, privacy can never be assumed. And someone *should* monitor as many calls & web searches as possible to thwart any escape attempts. Inmates should have daily access to a shower, fresh air, and exercise, with times staggered to maintain social distancing. This can be relaxed when no infectious disease is present, and in-person meals and classes can be held. During any sort of epidemic, meals can be delivered to inmates' cells, and classes can held online. Clothes and bedding should be cleaned regularly. Food should be healthy and allow some options, particularly for those with religious, allergic, and other dietary restrictions.

These accommodations are hardly luxurious, but they are basic enough to provide dignity and allow each inmate a chance to stay well, educate him or herself, and stand a good chance of being rehabilitated.

The US constitution may need to be changed, but essentially, all citizens, in or out of prison, should be allowed to vote. Not only are the views of inmates inimical to the democratic process, but having responsibilities and choices contribute to rehabilitation.

Inmates also need an anonymous complaint process, whether against guards or other prisoners. And these complaints need to be read and acted upon, while maintaining the anonymity of the inmate.

Employment during captivity should be encouraged, but not forced, with any income earned to go to the loved one of the inmate's choice. Employment keeps one busy and teaches a valuable skill. Once released, every effort should be made to get that former inmate employed in the area in which they are now skilled. Employment reduces recidivism, but currently, most former inmates have a very difficult time gaining employment with a living wage.

Societal benefits to these changes:
• Women's prisons will almost be shut down. Very few women are a threat to society. Even those who have murdered a man who was abusing or raping them is no threat to society at large. And most female jurors nowadays would think "serves him right".
• Men's prisons will probably have fewer inmates, bringing the US incarceration rate more in line with that in other countries and saving taxpayers millions, if not billions, of dollars.
• Families, and society in general, will be more whole and more able to pursue happiness, even if one member is working down a fine.
• Mass shootings will go down.

Sincerely,
Diane H
Santa Clara, CA 95051 (land of the Ohlone and Muwekma Ohlone people)
From: Jeri I
Sent: Saturday, July 11, 2020 10:59 AM
Subject: Community Zoom Meeting-Disappointed by You

Dear Supervisor Ellenberg:

I am very disappointed. I expected to hear from you. You are very capable of stepping up and running the meeting.

When you were campaigning and we met briefly at my home, I stated to you, “I support candidates who exercise good common sense, regardless of party affiliation”. I subsequently donated money to your election. I did not expect you to turn the meeting over to paid consultants and step into the background. I left the meeting after approximately 25 minutes. Your surrogates were there to elicit comments on how to defund the police/county sheriff and support the rioting and looting, and make our community even more unsafe. Most rational people in our communities want more police, not less. I am not a police officer but have always known that the SJPD is understaffed by several hundred officers for a city of its size. According to the County website, County Sheriff’s office has a total of 1473.

I also expected an update from you on what the County of Santa Clara is doing to get businesses open, etc. In my opinion, if you sponsor one of these meetings again, you need to step up to the plate. You are too tentative and, in my opinion, listened to someone who gave you bad advice.

I like you as a person, but you need to take control of your own meetings. Though the meeting was structured well, I did not get what I thought I had bargained for.

Mel & Jeri
San Jose CA 95124

From: Mel H
Sent: Wednesday, July 8, 2020 8:54 PM
Subject: community conversation

hi!

i am very confused and troubled to see and hear reports of the levels of force employed against peaceful protesters. why do the cops need access to tear gas and rubber bullets specifically when they are supposed to be trained in deescalation, not brutality?

please reconsider spending money on these types of riot gear. INSTEAD of riot gear, i would like to see more money invested in programs that seek to rehabilitate: education, subsidized housing, nutritional aid, etc.

in addition, here is a gentle reminder that marijuana has been legalized in the state of california. please reconsider the reasons why we have so many prisoners in our criminal system, and if the system we have in place is truly effective. i don’t believe it is. i believe that if we look at people with compassion, not greed, things will be better.

also, please please please please remember why you took office. i hope you’re not doing it for the money or accepting donations from certain organizations in exchange for favors or leniency.

your support and your morals cannot be bought, but your job can be voted on. be the person the people deserve.

in conclusion, i would like you to divest from the tactics that encourage police brutality (tear gas, police brutality, over policing poorer neighborhoods, etc) and invest in programs that have been proven to rehabilitate.

you are not boxed into our racist past.

sincerely but not silently,

melissa
san jose, ca 95125
From: Shawn F  
Sent: Thursday, July 2, 2020 7:13 PM  
Subject: Community Conversation

To Supervisors Ellenberg,

My name is Shawn F, and I am a resident of San Jose in Santa Clara County. For more than a month and in all 50 states, we've been gripped by protests calling for an end to racism and anti-Blackness, and a complete overhaul in our approach to American criminal justice. We are demanding that our voices be heard, and that real change be made to the way this city allocates its resources.

The fact that the police force encompasses over 895 million dollars of the county’s general fund is shameful and unproductive. Research shows that a living wage, access to holistic health services and treatment, educational opportunity, and stable housing are far more successful at reducing crime than police or prisons (Source: Popular Democracy).

There is not just a need for police reform, but police defunding, because the entire structure of the police force is inherently corrupt and ineffective. The average police recruit spends 58 hours learning how to shoot and only 8 hours learning how to de-escalate (Source: Campaign Zero). They are not trained or equipped to react to the vast majority of crises. Phillip McHarris (doctoral candidate focusing on race), argues that we must work towards a reality in which

1. Healthcare workers and emergency response teams handle substance abuse, domestic violence, homelessness, or mental health cases (and the related preventative measures);
2. Social workers and other trained professionals also handle homelessness as well as domestic dispute mediation and sexual abuse cases, and perform wellness checks (and the related preventative measures);
3. School counselors handle student conduct & truancy (and the related preventative measures);
4. Independent organizations to handle missing persons and perform internal investigations (it’s ridiculous that police departments perform internal reviews of themselves!);
5. Highway patrol to cite and enforce traffic violations; and
6. Community members and organizations to perform crowd control & handle nonviolent disturbances ("suspicious persons," loud parties, etc.)

Policies to “improve the police” are not enough, as there’s no evidence that implicit bias training or community relations initiatives help with reducing the abuses of policing (Source: The Nation). We need to reimagine public safety to prioritize alternatives to conflict rather than defaulting to violence.

We demand the

1. Immediate freezing of budget increases to the police force,
2. Cancelling of cadet classes,
3. Demilitarization of our forces, and
4. Reallocations of funds from police to community-led health and safety strategies.

Please defund the police. Do not be complicit in the disproportionate targeting of people of color. Propose and vote to expand on its current efforts in healthcare, affordable housing, and restorative justice. Let's support community wellbeing, rather than empower police forces that tear them apart. I am urging you to fund #CareNotCops.

Thank you for your time,  
Shawn F  
San Jose, CA 95148
From: hannah c  
Sent: Monday, June 29, 2020 3:53 PM  
Subject: Community conversation

Hello,

I am writing you to give you a small taste of how I feel about public safety and justice in California. We obey the laws and stay to our self. We have had a few encounters with police, most pleasant. We did have one incident that stood out to us. This was a few years ago so I’m only able to provide the info that stood out. My boyfriend and I were driving home in the morning after he picked me up from work. We were not far from home and my boyfriend had changed lanes, and we get close to the house and a cop rolls up right behind us, no lights no siren, so we go to get out of the car and the cop yells at us to get back in. This is where it get scary for me, from this point on the man is very rude, very condescending and just not at all human. We are poor brown Mexicans and it was dehumanizing to be talked down to and scary that this person could take away our freedom or make it harder to live. He ended up letting us go cause there was no reason to stop us in the first place, it seemed he was looking for an excuse and the rude tone was baiting. Lucky my boyfriend is very calm and rational, but it’s not hard to see why people don’t act rationally around cops. Not all cops are like this, but it’s the ones who are that need to not be in this position, they are imperfect humans and make mistakes unfortunately their mistakes are deadly, and have heavy consequences for poor people and people of color more often than people with money or white skin. This incident is no where near as scary as other places, or for other people but it’s real and I hope I’m conveying the message that there does need to be changes and that there are bad cops even here in Santa Clara that shouldn’t be allowed to have the power that they do. Thank you for listening. We appreciate the good but there shouldn’t be any room for people who didn’t truly care anymore.
Input to Supervisor Ellenberg’s Town Hall on Public Safety

From: Ron Hansen, PACT
July 9, 2020

Public Safety for Adults

Increase funding for Pre-trial Services

If there is anything that the SCC Criminal Justice System should have learned from our COVID-19 experience, one-third of those typically held in our jail system need not be there. In a grand, but unanticipated experiment, the District Attorney, Public Defenders, Sheriff, and Court drew down our jail population from about 3300 in early March to roughly 2100, a decrease of over one third (36%). The jail population has remained at roughly 2100 for nearly two months, despite ominous warnings from every law enforcement leader in the county that our community crime rate would rise accordingly. This crime increase has not happened, however, due in large part I believe, to the role that SCC Pre-trial Services has played.

While costs alone could drive this discussion (pretrial supervision costs approximately $15 per day per defendant, while pretrial detention (i.e., jail) costs ... $159 per day per defendant¹), the personal benefit to those released – jobs, family support, education – is equally, if not more, significant. If there are ways to eliminate incarcerating individuals without compromising community safety, this must be a priority.

Recommendation 1: Pretrial Services, at minimum, should escape the ‘20-’21 budget cutters, and if anything, should be one of the agencies with increased funding.

Recommendation 2: Begin a concerted effort to convince the Court, the District Attorney, and the Sheriff to thoughtfully re-examine their respective criteria for pre-trial incarceration.

Jail Staffing Needs

With the pandemic-caused reduction in the number of those held in our jails coupled with the near elimination in those from the outside (visitors, attorneys, teachers, volunteers, clergy, etc.) who need Correctional Officer escort, the requirements for jail staffing needs re-examination. While there may not be a one-for-one correlation between outside entrants and Correctional Officers, there certainly is a relevant correlation.

The March Average Daily Population (ADP as reported to BSCC) was 3018. The July 1st ADP (as reported by the Sheriff) was 2103. This is a reduction of about 1000 detainees. At $159 per detainee per day, this is a savings of nearly $160,000 per day, or about $4.8M per month. Even if there is only a one-half Correctional Officer per detainee correlation, $2.4M per month is important and should be accounted for.

Recommendation: In light of the significantly reduced jail population and its likely continued new “normal”, review and reduce the jail staffing needs accordingly.

Suspend the use of the Cal Gang database

The Cal Gang database is an expanding record of individuals are in or have affiliations with gangs in California. A 2016 audit of this database revealed gross errors\(^2\). At the local level, there is no oversight about who is identified or the accuracy of the information that is added. Unfortunately, just being included in the database allows the District Attorney to add gang enhancement charges to a case.

Recently, the Los Angeles PD with its 19,249 CalGang-identified individuals, elected to stop using the database\(^3\), because “recent audits and ongoing complaint investigations” called its accuracy into question.

In 2019, the San Jose PD had 1,233 individuals entered in the database, of which 349 were added in 2019 alone. The Santa Clara County Sheriff’s Department has identified 292 individuals.

Recommendation: Suspend the use of the CalGang database by the Sheriff’s Office and the District Attorney until OCLEM has reviewed and audited its use and accuracy.

\(^2\) For example, auditors found the names of 42 people whose birth dates indicated they were one year of age or younger at the time they were entered into the database. Of those, 28 were entered for “admitting to being gang members.” In addition, some agencies failed to fully implement a 2014 state law that requires juveniles and their parents to be notified before their names are added to the gang database so they could contest the decision.

Public Safety for Youth

*Establish a DJJ alternative site and program in Santa Clara County*

Governor Newsom, in his proposed 20-21 budget, directed the DJJ (state incarceration facility for youth) to close by Dec 31, 2020, with those previously sent by the Court to DJJ to now remain in or near their home county. In response, the Legislature has generally agreed with the Governor’s desire, questioning only its timing. Currently, the Legislature appears to want DJJ to cease operations in July 2021 or soon thereafter, with a final date still to be determined.

Few disagree that DJJ has done a poor job at rehabilitating those youth who are sent there, even after several institutional “restarts” over the past decade, all while increasing spending to over $300,000 per year per youth⁴. Keeping these youth near their homes in an effort to maintain connection with their family has been shown repeatedly to benefit the youth and their rehabilitation⁵.

Creating a local and effective alternative to DJJ is in the interest of not only those youth who need this level of intervention in their life, but also their family and the larger community. There are a couple of programs that are reportedly in place in southern California (e.g., Riverside Co?). These could be used as models, or as temporary options for use until our own programs are established.

Recommendation: Support the efforts of Probation to create an effective DJJ alternative in our county, or alternatively, to create a program in cooperation with one or more neighboring counties.

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⁵ [https://d1wqtxts1zle7.cloudfront.net/2091591/Effects_of_Visitation.pdf?response-content-disposition=inline%3B+filename%3DThe_Effects_of_Visitation_on_Incarcerate.pdf&Expires=1594327813&Signature=VATGVqCQ5ei9~W3fbMttEDM0DTi557Izb5mwsf6F7OHMY2hM9gdxCFFS578NRjtRgK5~SAs~p27EBsJSKHYg-Smr6H8U-ImlrHnfoW7le00U~VXHwV3YVTITRh1nJ6rB5uCuahBewhOSMh~XFNsAzsB24fwlCRQQkbFkmUJnUcaB77T3pKMuw4cqv5uHqXgpF5WUDG5XtMLQaSmCXXdotNQ9LCv1bH8KtO-tn4c-8sp-fVGbiulnvPM3Tiu8WZnzaGVJYWbrv~6fdOG3s0vKsokXcxF7RdA3fOOr6cG2eE~VFDvQqjROQU7~Q069laOBJODZ12I7uhQQ___&Key-Pair-Id=APKAJLOHF5GSLRBV4ZA](https://d1wqtxts1zle7.cloudfront.net/2091591/Effects_of_Visitation.pdf?response-content-disposition=inline%3B+filename%3DThe_Effects_of_Visitation_on_Incarcerate.pdf&Expires=1594327813&Signature=VATGVqCQ5ei9~W3fbMttEDM0DTi557Izb5mwsf6F7OHMY2hM9gdxCFFS578NRjtRgK5~SAs~p27EBsJSKHYg-Smr6H8U-ImlrHnfoW7le00U~VXHwV3YVTITRh1nJ6rB5uCuahBewhOSMh~XFNsAzsB24fwlCRQQkbFkmUJnUcaB77T3pKMuw4cqv5uHqXgpF5WUDG5XtMLQaSmCXXdotNQ9LCv1bH8KtO-tn4c-8sp-fVGbiulnvPM3Tiu8WZnzaGVJYWbrv~6fdOG3s0vKsokXcxF7RdA3fOOr6cG2eE~VFDvQqjROQU7~Q069laOBJODZ12I7uhQQ___&Key-Pair-Id=APKAJLOHF5GSLRBV4ZA)
Public Safety & Justice Department Recommendations and Updates

In advance of the August 6th Public Safety and Justice Committee meeting, Supervisor Ellenberg tasked Public Safety and Justice Departments (PSJ) with evaluating their policies and programs and to share what works, what doesn’t, and what we could be doing better in the advancement of equity and public safety. These are the summaries of each department’s presentation to the August 6th PSJC meeting.
Behavioral Health Services Department

The Behavioral Health Services Department supports a diversionary response to individuals in crisis and encourages the continuation of law enforcement training on De-escalation and Crisis Intervention.

• In addition to the Mobile Crisis teams which have been operating for the past year, the department continues to seek innovative ways to divert individuals to services in community rather than custody settings or forced psychiatric holds (when not necessary).
• The BHSD will be launching Psychiatric Emergency Response Teams (PERT) pilot in collaboration with local law enforcement, this program is currently funded through a two-year MHSA grant. PERT teams are made up of clinicians that riding along with law enforcement and respond to calls in real-time. The department is partnering with the Santa Clara County Sheriff, Palo Alto Police Department, Morgan Hill Police Department, and San Jose Police Department in the launch of this pilot program. PERT seeks to hire 8 clinicians who will comprise 4 teams. The department is encouraging the hiring of bilingual candidates to better serve our monolingual communities. PERT teams have 2 candidates for the unit currently.
• There is significant crossover between Law Enforcement and Behavioral health in that they often provide services to the same individuals. For this reason, Behavioral health provides de-escalation training for Law Enforcement officers and has trained over 7,000 officers. The department recommends this training continue and be expanded.

Pretrial Services Department

The Pretrial Services Department (PTS) provides critical supports that maintain public safety while laying the foundation for each defendant’s success. The goal of PTS ideally, is under the least restrictive conditions reasonable necessary, to ensure that all clients attend all court appearances without committing new offenses by providing SAFE pretrial justice services to all justice-involved parties; (Safe, Accessible, Fair and Effective Services for all).

Pretrial Services serves in a neutral role providing:

1. Informational support regarding pretrial risk assessment (safety, compliance and attendance)

2. Client Supervision support to mitigate the above mentioned risks

• The department continues to work to improve their services by surveying their clients for a better understanding of the supports they need to succeed while under PTS supervision and connecting them with such resources.
• The department has recognized that that there is no “one-size-fits-all” approach to PTS. Data has shown that the rearrest/recidivism rate is mostly driven by a small group of individuals with greater need for targeted wraparound services. Providing this high intensity level of services for all clients is an unnecessary use of funds. Also, as clients are pretrial and therefore, preparing for trial and not convicted of a crime, it is appropriate to offer supportive services with the “least restrictive conditions necessary” approach. Therefore, the department recommends that a step by step analysis of existing business processes and programs be completed to help determine the right programmatic prescription for each client that encourages greater success. Right-sizing services is critical, because the County may be providing/funding services for individuals that don’t need them, instead of prioritizing those dollars for individuals with greater needs for support.
• The department also recognizes the value of collaboration between public safety departments and recommends continued partnerships between PTS and Reentry Services.
Probation Department

The Probation department is committed to addressing systemic racism within its own systems, creating policies that eliminate disparities, and hiring a diverse staff representative of the communities they serve.

• The Probation Department acknowledges systemic racism in the criminal justice system; to combat these disparities, the Department is an active participant in the County’s Government Alliance on Race and Equity (GARE) project.
• The Department acknowledges that Probation services, as historically conducted, contributed to the cradle to prison pipeline. For over a decade, Probation has committed to disrupting this system by utilizing evidence-based tools and practices departmentwide to reduce bias and focus on proven strategies.
• Probation conducts robust data collection and analysis to drive system improvements. These data reports identify key decision and system entry points that highlight race and other demographic indicators. By doing so, Probation reviews their policies and seeks to end those that disproportionately impact people of color.
• The department continues to recruit and retain staff with lived experience and those demographically aligned with their clients.
• Probation will continue to review data and best practices and use those to make changes in real-time to develop a fair and more just system.

Office of the Sheriff

The Santa Clara County Sheriff is committed to fostering positive relationships with the community, promoting transparency, and creating a culture of accountability.

• The department actively participates in community engagement through various events. The Sheriff works to treat community members with respect and to foster greater community relationships. The Department intends to issue customer satisfaction surveys to provide the community with opportunities to give feedback on the Sheriff’s services.
• The department continues to enhance transparency and promote accountability by expanding the use of cameras through all jail facilities, patrol cars, and providing training to staff on the proper use of body-worn cameras.
• The Sheriff is committed to hiring Deputies, who are diverse, representative of their communities, and have the mindset to uphold the law with fairness and impartiality.
• The Sheriff has established a progressive training philosophy which seeks to ensure that all deputies are adequately trained in implicit bias and de-escalation; crisis intervention and suicide prevention; staff accountability and standards. The internal affairs division validates all training to ensure training adequacy. The department seeks opportunities to expand and improve upon training with partners such as the Behavioral Health Services Department, NAMI, and others.
• The Department is excited to participate in the launch of the Psychiatric Emergency Response Teams (PERT) pilot, they are looking forward to collaborating with the Behavioral Health Department to develop a progressive service model for those with mental health or behavioral health disabilities.
Office of Women’s Policy

The Office of Women’s Policy (OWP) continues to work to uplift the needs for services to justice involved women and advocate for the full diversion of justice involved girls and gender expansive youth.

- The department supports four critical programs that seek to build greater equity and just outcomes for incarcerated women and girls- Gender Responsive Opportunities for Women (GROW), National Institute of Corrections Workgroup, Jail Monitoring Program, and the Young Adult Deferred Entry of Judgement Program which is coordinated in collaboration with probation.
- OWP is committed to systemic changes and exploring programs that work to achieve policies rooted in race and gender equity that enable zero incarceration of girls and gender expansive youth in the County
- OWP recommends continued investment in these programs and alignment with justice partners to achieve this goal, beginning with examining the systemic changes that occurred for early release of adult and juvenile females due to the pandemic including exploring programs that can be sustained to reduce incarceration.

Office of Reentry Services

The Office of Reentry Services (ORS) is committed to providing the services and supports their clients need for a successful reentry into the community.

- The clients that come into the Reentry Resource Centers, are often coming from failed educational systems; about 26% of Reentry clients do not have a high school diploma. Establishing economic stability continues to be critical in a client’s success. One major contributing factor is the completion of a GED and educational/ employment advancement. Therefore, the department has invested in expanding educational programs in partnership with the Santa Clara Office of Education, San Jose City College, and Coursera.
- To address poverty, ORS has partnered to provide job readiness programming in collaboration with Goodwill Industries and Catholic Charities
- ORS recommends continued partnership with law enforcement to divert individuals from incarceration by supporting and investing in services like the Sobering Center.
- ORS recognizes the negative impact that incarceration has on communities, particularly on the children and family members of those incarcerated. In collaboration with the East San Jose PEACE partnership and South County Youth Task Force, ORS works to disrupt intergenerational cycles of violence and trauma. By prioritizing youth diversionary programs, the generational curse of incarceration can be ended by discouraging youth from making the same mistakes as their incarcerated family member and entering the criminal justice system.
Office of the District Attorney

The District Attorney is committed to implementing social justice reforms that will address racial discrimination and promote equity within the criminal justice system.

• After listening to community leaders, criminal justice reform advocates, elected officials, and neighborhood activists, the district attorney initiated the, “Bend the Arc,” reform effort which contains 26 policy and practice changes to address the disproportionate impact the criminal justice system has on BIPOC.
• The District Attorney has committed to working to end cash bail in California, ending the request of fines and fees from indigent defendants, the end of filing charges of Driving on a Suspended License for Failure to Pay Fines and Fees in Superior Court, automatically expunging criminal records of those who successfully complete probation, and no longer seeking the death penalty.
• The DA’s office will support greater transparency and accountability by creating a Public and Law Enforcement Integrity Team to investigate criminal misconduct of police officers.
• Every year the District Attorney works to support jail diversion by filing less criminal cases than the prior year. Substance abuse treatment, mental health, and other diversionary services bring accountability without incarceration. By partnering with social agencies to solve social problems, the DA prioritizes the incarceration of individuals that scare the community, and not for those the community is angry at.

Office of Gender-Based Violence Prevention

Established in September of 2019, the Office of Gender-Based Violence Prevention (OGBVP) addresses Sexual Assault, Domestic Violence, Human Trafficking, and works diligently to create survivor-centered, trauma-informed policy and evaluation to increase victim safety and batterer accountability.

• The department recognizes that COVID-19 has exacerbated and highlighted systemic inequities in vulnerable populations including for survivors of gender-based violence who suffer a pandemic of violence within a health pandemic.
• OGBVP works on protocols that supports collaborative cross-systems response to address the needs of clients.
• The department is also committed to investing in prevention policy, outreach, innovation, and education.
• Priority projects for the OGBVP to address disparate outcomes for victims of violence include: Establishing Permanent DV Housing, Evaluating the County’s response to Sexual Assault, Providing Survivor Engagement opportunities, Establishing an Electronic Database, and Centralizing the Intake process for DV Survivors. These projects are done in collaboration with a number of partners including, but not limited to, the Office of Supportive Housing, Office of Women’s policy, VMC, Destination Home, YWCA, and the Domestic Violence Advocacy Consortium without which the department would be unable to effect more just outcomes for victims of violence.
Santa Clara County Police Chiefs’ Association Recommendations and Feedback

On August 13th Supervisor Ellenberg attended the monthly Santa Clara County Police Chiefs’ Association meeting where she presented the Draft Community Conversation’s Report to Association members in attendance. The meeting was facilitated by Chief Ngo of Sunnyvale and members shared their perspectives and provided feedback on the report. Supervisor Ellenberg was cognizant of the fact that most departments were either in the process, or beginning stages, of addressing the critical issues outlined in the report with their respective City Councils. So as not to get ahead of those processes, the recommendations and feedback from all participants have been summarized to maintain individual Chiefs’ anonymity.

Behavioral Health and Social Supports

The Police Chiefs (“Chiefs”) agreed that there is a need for expanded Mental Health and Social Services supports when responding both to calls regarding individuals experiencing a behavioral health crisis and in their interactions with unhoused individuals. While some Chiefs shared their frustration with the delays in staffing Mental Health Mobile Crisis Teams and PERT teams, they were not disparaging of their collaboration/relationship with the Behavioral Health Services Department. Collectively, the Chiefs urged more commitment and prioritization by the County to address these delays and expand these types of programs.

There was shared frustration with the lack of community support services to which law enforcement can divert individuals experiencing mental health crises. Multiple Chiefs indicated that a 5150 hold at EPS seemed to be the only current option for diversion, but described this process as a “revolving door”. They explained that individuals in crisis are picked up by law enforcement and taken in for evaluation, only to be released the same day from EPS (without a hold), subsequently to be picked up again by law enforcement. This cycle is repeated frequently for individuals who the Chiefs have identified as high needs utilizers. One of the Chiefs poignantly shared that, while he is a man of means who can connect family members with mental health supports, many in the community do not have those options and must therefore resort to law enforcement to make service connections for family members.

In regard to community alternatives to law enforcement response, multiple Chiefs shared their interest in hearing from Behavioral Health providers and Social Workers whether they would prefer a joint or solo response to calls. The Chiefs stated interest and a willingness to explore options for working collaboratively or establishing a means to divert calls to community providers entirely. One comment highlighted that often law enforcement is called to respond to an individual who is expressing a mental health crisis through violence. In response to these types of situations, the department recommended supporting joint responses.
Training

Local academy recruits receive 40 hours of Crisis Intervention training. This training provides a basic understanding to officers of some of the more common presentations of mental illness and provides tools for deescalating individuals in crisis. Some agencies reported that this training is helpful, but also acknowledged that it certainly doesn’t make up for the knowledge and expertise of a qualified clinician. Because of the challenges mentioned above regarding staffing of teams to provide a joint response, some law enforcement agencies have begun providing additional training to establish specialized units that can respond to calls regarding individuals experiencing mental health crises.

Many departments agreed that training, such as Crisis intervention (CIT) and De-escalation, should be renewed regularly, similar to so-called ‘perishable skills’ such as firearms handling, driving, etc. The ability to respond to crisis skillfully is as important as the technical skill of driving. Some agencies have taken it upon themselves to provide this continual training, but this is not a standard across the board. Similarly, training on Community Policing which addresses racial profiling, anti-bias, LGBTQ sensitivity, and cultural awareness makes up only 24 hours of the 6 month Basic academy.

Community Connections

Departments were appreciative of the opportunity to read community members’ feedback and lamented what appears to be a growing divide between the community and themselves. They recognized that the lack of trust cannot be addressed unless there is an increase in community engagement and expansion of transparency on their end.

Transparency and Accountability

Some Chiefs have been proactive in establishing task forces that address diversity, equity, and inclusion. These Taskforces review hiring practices and address implicit biases in the department. Departments shared that they work hard to address problem officers within their agencies and feel hamstrung by review boards that regularly reinstate officers that have been fired by their Chiefs for misconduct. The Chiefs indicated their belief that they should have more authority when terminating officers who have violated internal policies and/or engaged in misconduct or abuse of force. The Chiefs were not in support of State level protections for officers that hamper transparency. One Chief shared, “One bad officer makes us all look bad, we need to have the authority to get rid of them.”

Officers in Schools

Multiple Chiefs expressed their sadness at reading community comments which called for the removal of resource officers from schools. While some acknowledged the existence of the school to prison pipeline, they felt that locally their agencies operate in partnership with schools to have a positive impact on students and campuses. These Chiefs hoped to be provided with an opportunity to explore this issue with schools and community so that together they could evaluate the value of these types of programs. One Chief voiced concern that pulling resource officers from campuses would have the unintended consequence of more citations being issued: “If officers are pulled away from campuses and only respond when there are calls for service, they won’t show up to provide mentorship. That won’t be their job; they’ll issue a citation and then leave.” This Chief echoed requests that Law Enforcement be provided the opportunity to discuss alternatives to removing resource officers from school campuses before any decision is made by school districts.
Over the month of July, Supervisor Ellenberg met 1:1 with 18 community stakeholder groups. These organizations serve our diverse community and provide a variety of resources, including legal representation; justice advocacy; medical and mental health services; food and cash aid; and other critical safety net services. In advance of each meeting, the Supervisor requested policy recommendations from the organizations. What follows are the recommended actions of every group that submitted a report.
Poem by Sajid Khan

Public Safety Isn’t/Is

I’m Sajid Khan. I’m a son of San Jose. I was born over at the old Alexian Brothers Hospital on Jackson & McKee. I went to San Jose High School just about 20 blocks from here. I live and raise my two sons here in San Jose. I became a lawyer and came back here to San Jose to represent the indigent criminally accused in this community as a public defender and have done so for the last 12 years.

I’ve seen the system fail to protect our community over and over and here’s what I can tell you about public safety.

Public safety isn’t kicking kids out of schools, separating them from their families, subjecting them to police trained probation officers to monitor and supervise them, locking them up in juvenile halls and further traumatizing them.

Public safety is quality childcare and guidance for hardworking parents, is investing in all our schools, not just the ones in Cupertino and Palo Alto and certain parts of San Jose.

Public safety is expanding school counseling programs so those exhibiting symptoms of turmoil receive treatment and services, is establishing trauma sensitive school models where we train teachers and staff to identify and appropriately respond to manifestations of childhood suffering.

Public safety is for schools to hold and hug kids, not expel them.

Public safety is not police officers in our schools that criminalize, intimidate, surveil and arrest our young people.

Public safety is social workers, therapists and life coaches in our schools that heal, support and inspire our youth.

Public safety is responding to crime committed by youth with social workers and therapists and means of healing, not with cages and punishment.

Public safety is to treat kids like kids and to never prosecute kids as adults, never commit them to adult prison terms and never cage them in adult prisons.

Public safety is to respond to violent crimes committed by young people with care and concern in youth specific facilities and programs, to recognize that their crimes are often the results of unhealed and unaddressed traumas not of their choosing and circumstances beyond their control like drug addicted parents, broken homes, absent fathers, unspeakable poverty, bullet ridden neighborhoods, blood stained streets, abuse, neglect, bullying, mental illness, and underdeveloped, adolescent brains.

Public safety isn’t gang policing where SJPD officers dedicate their lives not to help kids but instead to run roughshod through targeted, impoverished neighborhoods chasing, corralling, cuffing, interrogating and photographing young boys and teenagers for “gang” intelligence collection, “evidence” used by DAs as part of gang enhancement prosecutions and impositions of heavy handed prison sentences if those boys and teens end up committing crimes.
Poem by Sajid Khan

Public safety isn’t gang enhancements and gang prosecutions.

Public safety isn’t placing Latino and Black youth in gang databases merely because of where they live, who their family members are, what colors they might been seen wearing, because they have a childhood nickname or because they are seen congregating on a street corner with friends, and then branding them as gang members, as monsters, saddling them with gang enhancements and long prison sentences.

Public safety is recognizing that poor kids of color suffering from unhealed traumas, sprouting in violence ridden neighborhoods, stuck in broken homes, missing parents, are forced to choose red or blue for safety, for belonging, for housing and food.

Public safety is recognizing that these “gangs” and their members are merely manifestations of traumas and systemic failures that plague communities of color.

Public safety is investment in these communities, is dedicating resources and working to mend the brokenness of our young people, to remedy the roots of what can sprout into gang violence, to heal the hurt before it can inflict more pain.

Public safety isn’t the SJPD killing 18 people in our city in the last 5 years without any discipline or accountability.

Public safety isn’t officers harassing and violating communities of color with stop & frisks and pretextual car stops that often involved the infliction of excessive, dehumanizing force and violence upon people where officers beat, choke, punch, baton, tase, sic dogs upon, shoot at our fellow people before throwing them into the belly of our mass incarceration machine.

Public safety is holding police officers accountable when they violate the constitution, when they inflict violence on our communities.

Public safety is defunding the police so that we can use that money to restore the social services that, in the long term, prevent the crimes that necessitate police involvement.

Public safety is having the resources to create new kinds of first-responders- therapists, social workers, conflict resolution counselors- for situations that don’t require the gun, Taser, and nightstick.

Public safety isn’t the hiring of police officers who are aggressive, confrontational, combative, warriors with guns.

Public safety is the hiring of the compassionate, service oriented, kind, empathetic, problem solving, calm, detail oriented, composed people who serve and protect as peace officers, not law enforcement officers, people who serve as guardians, peacekeepers and protectors for the communities we love and live within.

Public safety isn’t tagging fellow human beings with felony convictions that rob them of their right to and capacity for redemption, that casts them into society’s underbelly.

Public safety isn’t labeling people as felons, offenders, strikers, convicts, gangsters, criminals and crooks, preventing them from true reentry and reintegration into society.
Poem by Sajid Khan

Public safety is forgiveness, rehabilitation, giving people chances, not defining them by the worst thing they’ve ever done.

Public safety isn’t mandatory minimums, life, LWOP (life without the possibility of parole) sentences where we send predominantly men of color to prison for life and lengthy sentences, separating them from their families and their families from them.

Public safety is honoring the humanity of even those who do the worst things, remembering their stories & contexts, healing their traumas.

Public safety is rethinking the metric that incarceration equals justice.

Public safety is crafting narrowly tailored sentences and treatment plans that may or may not include incarceration, that hold people who commit crimes accountable through community service and restitution but also honor their humanity and capacity for redemption, that helps heal the roots of their misbehaviors through the use of supervision, wraparound services, residential treatment facilities, halfway houses or counseling centers, concurrently promoting public safety and justice for victims.

Public safety is not caging people in our decrepit, remote, trauma laden prisons, separating them from their families, subjecting them to violence and scars.

Public safety is reimagining whether we need to incarcerate at all, and if we do, how and where we incarcerate by honoring the humanity of everyone held, ensuring their access to nature, their families, services, treatment, not holding them any longer than absolutely necessary.

Public safety isn’t punishment, vengeance, despair, condemnation and cages.

Public safety is accountability, healing, hope, humanity, redemption and mercy.

Public safety is a recognition and acknowledgement that Black Lives Matter.
The Black Leadership Kitchen Cabinet of Silicon Valley

The Black Leadership Kitchen Cabinet of Silicon Valley (BLKC) seeks to serve the multitude of needs of Black people throughout Santa Clara county. BLKC was created in 2005 by concerned community leaders as a means to address the broader social ills that were impacting the African American Community. We know many of these social ills have yet to be addressed and that the work continues. The rich history of Black people in this county and in this organization have consistently affected significant changes to enhance the African American community's health, education, business opportunities, promotional advancement, and cultural diversity.

The BLKC is made up of a broad cross section of over 50 community based organizations, agencies, churches, businesses, fraternities, sororities, social groups, individuals and community members throughout the county. We meet on a monthly basis to discuss issues facing our community and create strategies on how to best tackle these concerns.

Thank you very much to Supervisor Ellenberg for taking the time to hear and be willing to work collaboratively to address the needs of the African/African Ancestry, Black and African American communities within Santa Clara County.

As promised, we have provided you with an Executive Summary of a Reallocation and Reinvestment Proposal to ensure and increase public safety from a racial equity lens for the identified populations above. For further supporting data, please feel free to view the full proposal link below:

Reallocation and Reinvestment Proposal for Public Safety Executive Summary:

As a community, we have come together to bring forth in some instances and to reiterate in others, the demands we believe to be paramount in establishing trust between the police force and the African and African Ancestry citizens of the greater San Jose area. We are advocating for the divestment and reallocation of resources allocated to police and sheriff departments in Santa Clara County. The African and African Ancestry community is working with various community groups (ethnic and advocacy) to identify services currently provided by policing departments and propose alternative services to address those needs.

First, why is defunding necessary? We have as a country, on numerous occasions tried other approaches to reforming our police which have had little success. Initially, reform efforts took the form of investigative commissions looking into both police and political corruption. As is the case today, these commissions usually were formed in response to a specific act of outrageous conduct by the police. And, like today, those commissions upon investigating the specific incident in their charge, uncovered widespread corruption, misfeasance and malfeasance. Next the meaning of protect and serve must be reimagined. Additionally, each stop should be recorded and reviewed and officers that are found violating the rules will be retrained and if they persist dismissed from the force. Finally, the duties of police officers should be reimagined. Police dispatches will no longer send officers to locations where no crimes are being committed. Police officers should no longer respond to the following:

- Mental illness
- Domestic violence
The Black Leadership Kitchen Cabinet of Silicon Valley

- Living while black (a man dancing in the street, a suspicious person walking along a public street, etc.)

We carry forward the following demands which we believe will implement substantive change and safety for all residents:

- Creation of a response team equipped to deal with calls related to mental health and domestic violence; including calls related to homelessness.
- Implementation of de-escalation practices for officers and a use of lethal force as a last resort only when the officer’s life is in danger.
- Expansion to the authority of the Independent Police Auditor to include investigative and recommendation of actions in cases involving use of force. The IPA should coordinate with the DA’s office public and law enforcement team on these investigations.
- Revision of the policy manual specifically involving the use of force language and protocols to handle officer misconduct.
- Demilitarization of the police force through its budgeted acquisition of military equipment.
- Revision to the qualified immunity act given the guidance passed down from the Supreme Court.
- Dismantling of the Police Officer Association.
- Creation of a community advisory board to work in conjunction with the IPA and the police force.
- Removing all police from public school districts in the county.

This proposal reimagines how tax payer dollars divested from the police force can be reinvested to provide a more focused scope of police service while addressing the needs of the community as a whole. This approach can be accomplished by adding ancillary supports that are inclusive of but not limited to the addition of personnel equipped to handle the volume of nonviolent calls (i.e., mental health related needs and domestic disturbance), funding supportive youth and family programs aimed at African and African Ancestry citizens, and an advisory board that includes the community. As citizens of the greater San Jose community, we believe these sweeping demands are necessary to establish a balance of effective policing, improved public health and increased public safety for long-term positive relationships.[2]

July 15, 2020

Via Email

Supervisor Susan Ellenberg  
70 West Hedding, East Wing, 10th Floor  
San Jose, CA 95110

Re: Community-wide Conversation about Justice and Public Safety in Santa Clara County

Dear Supervisor Ellenberg,

Thank you for the opportunity to contribute to this important conversation. As you know, justice and safety has been the key focus of our work for the 20 years of FLY’s existence. Our vision is that all kids grow up valued and supported, and the pipeline to prison is replaced with meaningful opportunities for them to live healthy, free, and productive lives that make stronger, safer, and more vibrant communities for us all.

FLY started in Santa Clara County and it is still the largest of our three jurisdictions. We serve approximately 1,400 youth ages 11-24 here each year. FLY’s young people are experiencing incarceration, are on probation, or are in the community and considered at risk of justice system involvement. We have been a close partner with SCC Probation and the juvenile courts for many years.

Our interventions in SCC, which began with law classes in East San Jose, now include a court-appointed mentor program for youth referred from SCC Probation, a year-long leadership training program, middle school law classes and case management, reentry services for youth returning to the community after incarceration, a program for TAY youth in the Deferred Entry of Justice program, and the Youth Advisory Council that consults with SCC Probation.

In partnership with our youth, we have identified six key areas of focus for FLY’s policy work:

- **Reducing incarceration of youth through alternative programs and the closing of institutions.** This is particularly urgent during the COVID-19 pandemic. “Youth involved with the justice system are members of marginalized and vulnerable populations and are entitled to special consideration in response to the COVID-19 pandemic.” (American Association of Pediatrics) It should be noted that approximately 90% of the young people FLY serves are youth of color.

- **Eliminating police/other law enforcement violence in the community and removing police from our schools, where they are a major contributor to the prison pipeline.** “Black and brown youth are far more likely to be suspended from school than their white peers and long-term studies have revealed that students who are suspended for at least 10 days are less likely to graduate and more likely to be arrested and incarcerated by their mid-20s.” (EdSource)
Fresh Lifelines for Youth

- **Meeting the needs of Transition Aged Youth who have been involved in, are currently involved in, or are at risk of involvement in the justice system.** “Transition age youth are a particularly vulnerable subgroup in the juvenile justice system” (National Institutes of Health). “Addressing these youth’s specific developmental needs and the involvement of caring adults can substantially increase the likelihood that former youth offenders, with and without disabilities, will complete their education, become employed, and ultimately become productive members of society.” (National Collaborative on Workforce and Disability)

- **Addressing the adverse economic impacts of justice system involvement on youth and their families.** “Juvenile fees and fines are a regressive and racially discriminatory tax on low-income communities and communities of color, the very same communities who are being disproportionally devastated by the health and economic impacts of this pandemic.” (Berkeley Law Policy Advocacy Clinic)

- **Providing resources that promote public safety in our neighborhoods and reduce the violence that is a daily threat to our youths’ well-being.** “If you look into the backgrounds of children and youth involved in America’s juvenile justice system, chances are you will find histories of exposure to violence.” (U.S. Office for Victims of Crime)

- **Improving school climate and culture to promote equity, inclusion, and opportunity for youth of color and other marginalized youth including LGBQ/gender non-conforming/trans youth; youth experiencing physical, mental, or emotional disabilities; and youth with uncertain immigration status.** “Children’s potential knows no race, income, ethnicity, or gender. It is present across all communities and all lines of identity...But the circumstances children are born into—such as their parents’ race and how much money they make—too often predict the educational opportunities they will have before even stepping foot in a classroom.” (Teach for America)

There is much to be done in each of these policy areas and FLY’s staff, young people, and Board are all committed to using our experience and resources for this work. We would welcome the opportunity to partner with you and the Board of Supervisors in moving these and other issues of justice forward on behalf of all youth in our county.

In Community Spirit,

Susie M. Rivera, JD, MS, CPCC
Vice President of Youth Voice and Executive Director of Santa Clara County
Fresh Lifelines for Youth
Sacred Heart Community Service

Public Safety Vision: Conversation with Supervisor Susan Ellenberg
July 16, 2020

Sacred Heart Community Service
Founded in 1964, Sacred Heart Community Service has evolved into one of the leading local organizations responding to immediate needs of low-income families and individuals in our community. In 2009, we incorporated community organizing into our model in order to build the voice and power of our members in policy change and to share in decision-making.
The priorities outlined below are rooted in relationships with community members and represent their ideas and solutions to address systemic oppression and poverty.

Community Safety Vision
The foundation of community safety and security is an environment where residents are rooted, engaged, healthy and have meaningful economic opportunities. Persistent systemic racial divisions have exacerbated poverty and disparate health and educational outcomes particularly for communities of color. At best public systems have failed to adequately address these disparate outcomes, and at worst, our public safety infrastructure further brutalizes, violates, and disenfranchises large segments of our community. Therefore, county and municipal governments must refocus priorities on building the foundation for a safer community while crafting alternative crisis responses to public safety.

Security

Housing
- Suspend Rent / expand rent relief and homelessness prevention funding.
- Extend the eviction moratorium to the end of COVID19 pandemic and rent repayment grace period 12 months thereafter.
- Convert County lands to housing for unhoused people with diverse types of housing (transitional, permanent, sanctioned encampments, safe parking).
- Acquire and preserve existing affordable housing and create new affordable housing in all jurisdictions.
- Contribute to the Community Land Trust Fund.

Immigrant Rights
- Fully fund the Rapid Response Network.
- Universal Legal Representation for all individuals in deportation proceedings.
- Move the current deportation defense funding into the Public Defender’s Office (like SF and NYC). Use those funds to hire more public defenders who focus on immigration.
- Expand health care, food assistance, and income supports to undocumented immigrants.

Health/Well-being
- Expanded food, health care, and mental health services targeting low-income neighborhoods and schools.
- Targeted support for BIPOC focused community organizations responding to health and mental health needs of vulnerable communities.
- Expanded community based promotor capacity for health, mental health, and violence prevention efforts.
Sacred Heart Community Service

Safety

Crisis Response
- Alternative mental health, intimate partner violence, and child welfare response teams provided by community based organizations and promotores.
- Nonviolent crisis intervention training infrastructure for schools, neighborhoods, businesses, and community based organizations.
- Alternative community service infrastructure for property crime responses, and public event support.
- Enhanced infrastructure for homeless outreach support.
- Expanded anti-racist, cultural humility, and de-escalation training for crisis intervention personnel.
- Community oversight board and independent auditor for law enforcement.
- Terminate employment of racist law enforcement personnel (collecting and publishing use of force data, demographic stats, and misconduct complaints) and ban the hiring of personnel who resigned or were terminated for misconduct.
- Deploy oversight and harm reduction policies (demographic reporting, Campaign Zero reforms, public access to body camera footage, prohibit biometric video and warrantless surveillance, etc.), and end procurement and deployment of military equipment.

Dignity

Jails
- Immediate release of as many incarcerated people as possible by expanding 1170(d)(1) without excluding charges, expediting parole hearings, community all to parole-eligible sentences and increasing clemency grants to a weekly process.
- Updated and regular communication to our incarcerated loved ones on COVID-19, proper sanitation and social distancing guidelines, and any interventions regarding the COVID-19 impact on prison operations, housing, visitation, commissary, staffing, or programming.
- Adequate medical care and increased wellness checks to be provided; medical co-pays to be waived; and use of lockdowns be stopped as a method to address this emergency.
- Elimination of transfer and transaction fees, and suspension of restitution payments to purchase needed health supplies.
- Elimination of markup, limits, and transfer and transaction fees on commissary items and accounts.
- Access to free tablets for all incarcerated loved ones and current updates on COVID-19 provided to them.

Power

Engagement
- Automatic voter registration for all citizens who turn 18.
- Right to vote in municipal elections for all residents regardless of citizenship status (similar to San Francisco, Chicago).
- Expanded community engagement of low-income communities of color in key policy, funding, and land use decisions.
- Lived experience advisory infrastructure, capacity building, oversight and evaluation of County programs.
- Strengthen the capacity, authority of the Division of Equity and Social Justice to require racial equity analysis for policy, land-use, and budget decisions.
Public Safety and Justice

Introduction

- The LGBTQ+ community is the only minority that families reject. This is why LGBTQs call each other 'family' and the Billy DeFrank Center 'home', often their 'first home'. LGBTQs often refer to each other as siblings (gay men see transgender people as their siblings etc).

Safety is a huge issue for LGBTQs in all aspects of life, including having safe spaces organized and coordinated by the LGBTQ community.

https://justdetention.org/what-we-do/lgbt-safety/


https://www.lambdalegal.org/know-your-rights/article/youth-creating-a-safer-school


Recommendations

1. The Sheriff’s Department and San Jose Police should consider merging their Academies. I discussed this idea with Chuck Hill, an openly gay man, who is the Supervisor of the Community Service Officer (CSO) Program for San Jose Police and also teaches LD 42 Diversity and other classes for the San Jose Police Academy. Prior to working for San Jose Police, he worked as a police officer for Memphis Police where he was an instructor and training coordinator for their police training academy. He said that although the Sheriff’s and Police in Memphis had separate academies, they frequently conducted specialized training together which built a better relationship between the two departments.
It would mean the Sheriff’s Department would also benefit from the collaboration between the Billy DeFrank LGBTQ+ Community Center and the San Jose Police Academy. Recruits come to the Billy DeFrank Center to listen to (and ask questions) of a panel of LGBTQs about who they are. It is purely about their identities and how best to approach them, the use of pronouns, and not be afraid to make and correct mistakes. Then recruits can get a tour of the 11,000 square foot building, and they are told they are always welcome to come back to the Center, ask questions etc. This is not a forum to talk about LGBTQ experiences with the police - they address that in the safety of the academy.

The Police Academy and the Billy DeFrank Center together choose LGBTQ Panelists who do not have negative experiences or feelings about law enforcement, and all panelists are community people. We have learned County/City employees and elected officials are not a good fit as speakers.

2. Mandatory training for current and incoming staff on topics like unconscious bias, racial justice, and LGBTQ cultural sensitivity, maybe the same as what is taught in the Police Academy. Issues of racial justice and social equity need to be approached from an intersectional lens and that we – criminal justice workers and leaders – should consider the historical treatment of many disenfranchised populations, including Black, Indigenous, People of Color (BIPOC), LGBTQ, homeless and the mentally ill. This could be well done as part of ongoing training - maybe do an MOU with the Police Academy and join their Diversity Training, if the Academies do not merge.

3. As part of Diversity Training, teams of people in any law enforcement department, new and seasoned employees, visit a number of minority community Centers to learn more from those communities as part of their ongoing training and new employee orientation It would give law enforcement a better sense of the intersectionality of all the minority
MISSION: The Billy DeFrank LGBTQ+ Community Center provides community, leadership, advocacy, services and support to the Silicon Valley’s LGBTQ People and their Allies.

issues and how they often work together as organizations and communities. How this could be coordinated is a person from the law enforcement Department and the Billy DeFrank Center discuss which community centers would make a good broad beginning for their Department training.

4. Investigate the state of Protective Custody in the County jail. Are gay and transgender folks housed with other categories of inmates who may be homophobic or transphobic? Chuck Hill teaches Parent Project Classes for the Santa Clara District Attorney’s Office at Elmwood Jail and has voiced concerns about classes not being made available to gay or trans inmates as they are kept in protective custody with sex offenders and gang dropouts who are not permitted to participate in much of the training offered to inmates.

5. All law enforcement agencies have a tendency to rotate people through all job categories, which may not always work well for the people they serve. For example, dealing with domestic violence, substance use, mental illness, breaking up fights in LGBTQ environments issues with same-sex, transgender and other, and multiple relationships. Correctional Officers rotating through being on-duty with gay and transgender inmates in Protective Custody in the jail. Not everyone is suited in all categories and can hinder the work of the department.

6. Better screening for people applying for law enforcement jobs regarding bias especially against races, ethnicities, sexual orientations and gender identities.

7. Special attention needs to be organized to be aware of how transgender women, especially transgender women of color, have been historically, and continue to be treated negatively by all levels of law enforcement. Recommend that transgender women of color put together these recommendations.
8. That the County considers starting a CSO Program similar to the existing San Jose Police CSO Program. [http://www.sjpd.org/bfo/community/cso/](http://www.sjpd.org/bfo/community/cso/) and explore additional options for civilianization within their department as both a cost savings measure and a way to decrease armed responses to situations where it is not required.

9. Build or convert to create All-Gender Restrooms in any (all) County Departments accessible to visitors and staff.

Gabrielle Antolovich
Board President
Gabrielle@defrank.org
(408) 893-0533
San Jose/Silicon Valley NAACP Position on Police Reforms:

The recent killings of Black Americans, including Ahmaud Arbery, Breonna Taylor, and George Floyd, by former and current police officers have further exposed the need for immediate police accountability and reforms. We ask every resident of the Santa Clara County to join us in demanding that elected officials and policymakers, introduce and enact the following policies at the federal, state, and local levels which will advance police accountability and reform:

- Adopt a federal standard that requires the use of force to be used only when necessary as a last resort after exhausting reasonable options and incentivize states through federal funding mechanisms to implement this standard.
- Prohibit all police neck hold maneuvers, including chokeholds and carotid control holds.
- Prohibit racial profiling and require robust data collection on police-community encounters and law enforcement activities.
- Eliminate federal programs that provide military equipment to law enforcement.
- Prohibit the use of no-knock warrants, especially for drug searches.
- Change the statutory state of mind required to violate the federal criminal civil rights statute, 18 U.S.C. Sec. 242, from willful to reckless, permitting prosecutors to successfully hold law enforcement accountable for the deprivation of civil rights and civil liberties.
- Develop a national public database that would compile the names of officers who have been fired or had their licenses revoked due to misconduct.
- End qualified immunity, a defense that shields officials from being sued and has been interpreted by courts so broadly that it allows officers to engage in unconstitutional acts with impunity.
- Repeal or amend state and local laws that shield police misconduct disciplinary records from the public.
- Negotiate police union contracts provisions that ensure police officers are held accountable for misconduct promptly and appropriately.
- Reduce the budgets of police departments and redirect the funding to underfunded agencies, such as education, healthcare, and youth services.
- Remove police from schools and promote positive school climates through student support services.
San Jose/Silicon Valley Branch of the NAACP

The six NAACP Game Changers below address the major areas of inequality facing African Americans that are the focus of the NAACP’s work.

- Economic Sustainability
- Education
- Health
- Public Safety and Criminal Justice
- Voting Rights and Political Representation
- Expanding Youth and Young Adult Engagement
The Jewish Community Relations Council of Silicon Valley (JCRC)

1. **Introduction of your organization** The Jewish Community Relations Council of Silicon Valley (JCRC) is a coalition of 10 local synagogues and Jewish organizations in Santa Clara County. We build partnerships with other faith, ethnic, and community groups in a common effort to promote justice, fairness, respect and civil discourse. Our work is rooted in both Jewish and American democratic values, and involves education, advocacy and mobilization of our community, together with our partners.

2. **What you’re working on and what population you serve** Santa Clara County, among the 10 Bay Area counties, is home to the largest Jewish population—about 73,000 people. We are a diverse community: One-in-four households includes a person of color; one-in-ten households includes an LGBTQ+person; and 66 percent 35 and younger are in an “inter-group marriage”.

As a minority population, constituting about 3.8% of the County’s population, our efforts to ensure a thriving Jewish population are connected to the democratic and pluralistic nature of our society. Our work, rooted in our Jewish values, promotes justice and fairness for minority and disadvantaged communities in the Valley.

All of our policy concerns have been addressed in coalition, with partners that represent those most impacted. The areas include: immigrant justice and the role of ICE, affordable housing including Measure A and Measure E, voter education and participation, criminal justice reform including bail reform, restorative justice and re-entry resources, civil rights and anti-hate work, food justice and safety net resources, gun violence prevention, minimum wage and wage theft prevention, and gender equity and prevention of violence against women.

3. **County-specific policy recommendations** We appreciate the outreach to stakeholders and the community, because the most important value the JCRC seeks to uphold in this conversation is the centering of those most impacted. We do not hold all the answers, but are glad to provide thoughtful challenges, and to stand with you in this process of discernment through all it’s difficulties. While there is great opportunity in this unique moment, substantive change will take time. We encourage you to consider ideas that are disruptive rather than incremental, and that divest and reinvest in ways not previously explored.

**General recommendation** With budget shortfalls, and with community calls for greater equity, we would like to see our criminal justice system reoriented to reflect a rehabilitative and restorative justice approach. Not only does this align with our most fundamental religious values of respect for the humanity, dignity and human rights of every person, but it will focus our government on investment in resources for education, housing, employment, health care and other public benefits which ultimately will make our communities safer.

This community process, and others, are needed to explore what safety looks like to different individuals and communities. We believe this ultimately will lead to a rebalancing of budget
priorities, applied both to alternatives to over-policing of certain communities AND uplifting the housing, education, healthcare and employment access in those communities.

**Independent Citizen Oversight of Sheriff and Jail.** Since 2015, when racist and anti-Semitic text messages were revealed to be exchanged between Santa Clara County jail guards—even sharing images of a Nazi swastika and a lynching—the JCRC has joined with many partner organizations in calling for reforms in the Sheriff’s domain. We know there is a dangerous link between hate speech and violence, and we believe a cultural shift is desperately needed in both the jail and in the Office of the Sheriff. We strongly urge the implementation of 8 Can’t Wait reforms. Additionally, we recommend the implementation of a County-wide independent citizen oversight commission, with genuine authority to investigate and hold law enforcement accountable in a meaningful way. Ideally, the County would create a commission or board that every city in the County could resource or, alternatively, advocate for each city to create their own independent oversight commission or board.

**Behavioral Health Services re-imagined and increased** Divesting from policing and investing in behavioral health care is a goal we support. There are several mobile crisis intervention models (such as CAHOOTS) that should be explored with community input from those most impacted, including those experiencing homelessness, drug addiction, domestic disputes, school discipline and mental illness. Models that combine peer support/lived experience plus professional training for providers should be considered as effective and also practical solutions that allow the level of need to be met. Better connection between the county and community based organizations that share in delivering services would solve many problems. The system would benefit by greater inclusion of CBOs with smaller capacities and those run by Black and Brown organizations serving those communities. In general, hospitals, 911/law enforcement and community providers need to be connected. Additionally, we have concerns about the implementation of SB 11-peace office training in mental health--does it apply to all law enforcement, do they really complete it, can it be completed in 6 months rather than 2 years.

**Violence Intervention and Prevention Funding** We need more funding for community based violence intervention and prevention organizations. These organizations do more than prevent violence -- they provide access to education, job training, mental health care, general health care and, in the process of creating a healthy community, create a safer community. The people who provide all these services need to look like the people who need the mental health services.

**Increase Tracking of Hate** There is much discussion in the Jewish community on sacrifices we all can make (e.g. JCRC recently endorsed Prop 16 to reinstate affirmative action), but the one area we must allow no compromise is on the expression of hate and hate crime. Our county needs a clearer definition of hate and better tracking of who it is perpetrated against, with updates e.g. Asian discrimination during COVID, and hate directed against religious institutions e.g. Muslim and Jewish.
July 17, 2020

Supervisor Elinburg and Public Safety and Justice Committee,

My name is Kaylen Chase; I am a rising sophomore at Santa Clara University. I am the Big/Little and Outreach Coordinator for Igwehuike (Igwe), Santa Clara’s Black Student Union celebrating and promoting Pan-Africanism. On behalf of Igwehuike, I present the following:

At the end of the most recent academic year, our former Co-chair, Josephine Hubard, in conjunction with other members of the Igwe board created a petition demanding the details of the relationship between Santa Clara University and the Santa Clara Police Department as a result of the egregious mishandling and disregard for the lives of Breonna Taylor, George Floyd, and Ahmaud Arbery. The petition has garnered over 13,660 signatures to date. The petition sparked conversations between Igwehuike leaders, Santa Clara University administration, and Chief Pat Nikolai of the Santa Clara Police Department about the steps the University and Police Department need to take to ensure the safety and wellbeing of students, specifically Black students, on and around campus.

With all of the information gained and the experiences we have had, we believe it necessary for Santa Clara County to move forward in creating policies to dismantle the violent and unjust culture police systems were founded upon and continue to promote. With the understanding that the creation of new policies and systems are a process and cannot happen all at once, we present to you both short term and long term policy changes that aim to increase public safety and trust in local public safety officers. We urge you to do the right thing when you have the chance. Our eyes are on you, in this moment, to move us closer to the world as it should be rather than accepting the world as it is. Make the changes we need to create the world.

Short Term (how to deal with the police in the current system):

1. Following the lead of the Los Angeles Police Department, Pasadena Police Department, and many other departments across the country, **disallow** the use of carotid constraint as a technique to restrain individuals,

2. **Uphold** strict standards of accountability for police officers:
   a. Disallow the District Attorney from prosecuting police officers when under investigation; the working relationship between the DA and police departments presents an apparent conflict of interest,
      i. Create a standing pool of prosecutors, who have no connections to the police department, to choose from if it became necessary to bring charges against police officers,
   b. Strike an officers eligibility for pension payouts when defying public trust in egregious misuse of power including,
c. Set zero tolerance policies for acts including, but not limited to,
   i. Turning off body cameras on duty,
   ii. Incomplete and/or false incident reports,
   iii. Failing to announce and identify self as the police when serving warrants;
3. Reevaluate and amend the function and scope of police unions;
4. Discontinue the use and possession of military style riot gear including, but not limited to,
   a. Tear gas,
   b. Rubber bullets,
   c. Flash Bangs;
5. Create inter- and intra- state databases open as public record tracking incident reports of police officers creating a known and easily accessible record of patterns of behaviors;
6. Advocate for the end of qualified immunity both in Santa Clara County and the state of California as a whole;

As we shift to thinking about the world as it should be and not how it is, we must start to build the foundations of plans that allow us to create a more just society where certain individuals can abuse the law and their power and others live in fear of those individuals. To do this we must:

1. Study and analyze the underlying causes of 9-1-1 calls in Santa Clara County in an effort to lessen these occurrences, including but not limited to:
   a. Lack of resources for public schools leading to disproportionate shortages is educational opportunities,
   b. Lack of access to mental health resources,
   c. Lack of housing for citizens;
2. Once underlying issues are understood place importance on creating and investing into resources that aid in the relief and growth of communities within Santa Clara County;
3. Replace the police departments with a Community Safety and Peace Force composed of individuals trained and certified to handle the specific needs of community members including, but not limited to,
   a. Educators,
   b. Social workers,
   c. Mental health counselors and mediators,
   d. Crime investigators,
   e. Unarmed traffic officers,
   f. Rehabilitators for drug use.

Thank you for your time and consideration.
Community Conversations with Supervisor Susan Ellenberg

WHO WE ARE

California’s 1st Community Health Center.

Born of the Civil Rights Era, Gardner Health Service serves almost 50,000 Santa Clara and San Mateo county residents.

In 1967, the Alviso community, aided by Stanford Medical School, medical students and the U.S. Office of Economic Opportunity, built the Alviso Family Health Center, a community clinic, to fill the gap of nonexistent medical care for Mexican farm workers. When services were expanded into the City of San Jose, the name was changed to Family Health Foundation of Alviso, Inc.

Around the same time, in a separate community, a group in the Gardner neighborhood, aided by Stanford Medical School, medical students and Sacred Heart Church organized Gardner Health Center, a community clinic helping cannery workers. In the 1970’s, Gardner’s mental health program became a core service offered to youth. Gardner also provided Santa Clara County its first mental health program. In 1997, Gardner Health Center and Family Health Foundation of Alviso, Inc. affiliated becoming Gardner Family Health Network offering all primary care services and its subsidiary, Gardner Family Care Corp. providing Specialty Mental Health, Substance Abuse and WIC. In July 2019 the affiliates consolidated all operations under the nonprofit entity Gardner Family Health Network, Inc. doing business as Gardner Health Services.

OUR SERVICES

Gardner is one of the most comprehensive community health centers in California. We provide a full range of medical services, specialty mental health care and family support service programs.

Medical Service Lines:
- Family Practice
- Pediatrics
- Internal Medicine
- Women’s Health/ObGyn
- Podiatry
- Chiropractic Care
- Integrated Behavioral Health
  ➢ For patients with mild to moderate behavioral/psychological symptoms.
- Optometry
- Dental
- Pharmacy
- Healthcare for the Homeless Project
  ➢ Gardner is the only FQHC in Santa Clara County funded by HRSA to deliver this service.

Specialty Mental Health Service Lines and Programs

Youth Programs
- Asian Pacific Youth Program
- Differential Response Case Management
- Differential Response Therapeutic Services
- Family Court Services
- Family & Children Program
- Family Enrichment Program

Adult Programs
- Santa Clara Reentry Services (AB109)
- Adult Outpatient Ethnic Specific
- Adult Program
- CA Dept of Correction & Rehabilitation
- CALWORKS
- Cambodian Culturally Specific Family Services
Gardner Health Services

First 5
First 5 Family Court Services
Child Full Service Partnership
Intensive Outpatient Program
Student Linked Services
Therapeutic Behavioral Services
Transitional Age Youth Full Service Partnership
Differential Response Case Management
Differential Response Therapeutic Services
Family Strength Based Services
Full Service Partnership – Adult & Older Adult
Full Service Partnership – Criminal Justice
Older Adult – Prevention & Early Intervention
Post Release Community Supervision Program

Substance Abuse Programs
Substance Use Adult Outpatient Services Substance Use Adult Recovery Services Deferred Entry Judgement Services

Women, Infant and Children Nutritional Service Program

THE INDIVIDUALS WE SERVE

- 90% - live at or below 200% of the Federal Poverty Level
- 75% - are Medi-Cal, Medicare or a County sponsored program recipients
- 23% - are uninsured
- 51% - are Hispanic/Latinx
- 28% - are of another ethnic minority group
- 54% - report Spanish as their primary language
- 46% - are between the ages of 0-17
- 54% - are 18 or older

POLICY RECOMMENDATIONS

How to Minimize Criminal Justice Recidivism in our County
The real problem is inequality, poverty, trauma and lack of access to food, clothing and shelter. Poverty robs individuals of their essential needs, which leaves the mentally ill with no other choice than to commit crimes in order to survive.

The major issues with the system as a whole are the lack of resources available to chronically mentally ill individuals. The system does not provide each client with the essentials first to ensure their basic needs are met. The equation is very simple and is outlined in Maslow’s Hierarchy of Needs (picture on right).

Recommended Policies:
1. Provide affordable housing.
2. Extend the Length of Stay in the Mental Health Programs.
3. Utilization of Targeted Case Management Services (TCM) funds for target group: Individuals in Jeopardy of Negative Health and Psycho-social Outcomes. TCM services are defined as services furnished to assist individuals, eligible under the State Plan, in gaining access to needed medical, educational, social and other services.
4. Increase Substance Use Services capacity and Detox Programs.
5. Increase County-subsidize Transitional Housing Units (THU)
6. Improve collaboration and communication between service providers in order to coordinate client’s services.
The Coalition for Justice and Accountability (CJA)

The time has come for a Police Crimes Unit – by Richard Konda & Aram James on behalf of the Coalition for Justice and Accountability

The Coalition for Justice and Accountability (CJA) came into existence in 2003 after Bich Cau Thi Tran was shot and killed by San Jose Police Officer Chad Marshall. CJA has over the past 17 years been an advocate for humane policing practices including the banning of the use of Tasers by law enforcement. Members of CJA have participated on panels, addressing police misconduct, Taser task forces, city councils and other public bodies throughout the Bay Area. CJA has conducted workshops on police misconduct and also on the inherent dangers of Tasers.

The May 25, 2020 brutal, all most 9 minutes long, very public police torture and murder of George Floyd, set off, yet again, reexamination of both the history of police violence targeted at African Americans, and the present moment in our history (now) of more of the same endless police murders. Nothing seems to change, except the names of the victims.

Our nation had a similar racial justice and police violence reckoning after another very public series of police murders. Eric Garner’s murder on July 17, 2014 and the murder of Michael Brown on August 9, 2014 set that spark.

And, sadly, but predictably, there have been countless other, similar extrajudicial police murders, of both black men and women. And almost without exception, charges are not brought and almost never do convictions result.

After each police murder, there are renewed calls for police reform, body–worn cameras, bans on choke holds, ban on Tasers, demilitarization of the police, better vetting in the hiring process of new police, civilian review boards with more teeth, independent police auditors, and the wholesale review of all police practices. But nothing yet has come even close to ending the cycle of police violence.

Uninterrupted, for 400 years, from the beginning of American policing, with its roots deeply tied to slavery, with slave patrols, and related institutions, all with an unrelenting desire to punish, exclude, segregate and control African-American bodies and souls. All actions consistent with the peculiar notion to perpetuate white power, white supremacy, and each seemingly imbedded in our culture and institutions in perpetuity.

And most certainly imbedded in our criminal injustice system reflected not only by endless police killings of people of color, but a system of mass incarceration, larger than any in the world, grossly disproportionally caging African–Americans, and people of color.

Recounted in Eddie S. Glaude JR’s recently released book: BEGIN AGAIN: JAMES BALDWIN’S AMERICA AND ITS URGENT LESSONS FOR OUR OWN (2020) are Baldwin’s comments, directly to the editors in an Esquire Magazine interview in July 1968: ... (speaking to the editors as though speaking to white America)

“ In not trying to accuse you, you know. That’s not the point. But you have a lot to face...All that can save you now is your confrontation with your own history
If our country is to survive, the time is NOW to confront our long and unabated history of race based police violence.

Policy Recommendations

Absent a complete defunding or abolition of police departments, we must have concrete and measurable ways to hold police accountable for their violent and racist behavior. Reform alone simply is not sufficient. History has repeatedly taught us this lesson.

If police see that they will not be handled by prosecutors with kid gloves, but, rather, like other community members, routinely be charged, prosecuted, and if the evidence warrants it, convicted for their violent crimes, and sent to jail or prison. Trust in the criminal justice system will finally have a chance to develop in communities that for too long have been distrustful and estranged from a system that has given them no reason to trust it.

How do we get there? Every District Attorney’s office in this country must have a robust police crimes team. This team must be fully independent of law enforcement and be given the sole ability to exercise charging decisions (prosecutorial discretion) to prosecute police without political pressure from police unions, elected prosecutors whose election is often perceived as depending on not prosecuting bad cops or if they do, making certain that any punishment is sufficiently light that bad cops are allowed to remain employed. Employed with a license to continue to terrorize the very communities they’ve been sworn to protect.

The police crimes team would be a multidisciplinary unit made up of retired police officers, former prosecutors, experienced investigators, former criminal defense attorneys, former victims of violent police crimes, academics whose specialty is the history and practice of policing. Each member of the team would be highly trained in the nuance of appropriate police practices and on-the-job-conduct that crosses the line from good policing to criminal conduct.

This unit would also be charged with the responsibility of taking to jury trial each of the cases that the police crime team files. This would avoid the “trial for optics only syndrome.”

In the few deadly force cases that are actually taken to trial it is often a mismatch by design. The DA’s office, with no special unit trained to take on defense attorneys for the police—who often do nothing but defend police in their practice, are the heavy weight in the court fighting against an overmatched under trained prosecutor. No surprise that more often than not police who engage in deadly force and are actually charged walk free after a jury trial. The establishment of a robust police crimes team will finally even the odds for conviction.

For more information, contact Richard Konda at rkonda@asianlawalliance.org or Aram James at abjpd1@gmail.com
Council on American-Islamic Relations (CAIR)

The Council on American-Islamic Relations, San Francisco-Bay Area office (CAIR-SFBA), is part of the nation’s largest American Muslim civil rights and advocacy organization. CAIR-SFBA’s mission is to enhance the understanding of Islam, protect civil rights, promote justice, and empower American Muslims. CAIR-SFBA serves an estimated quarter million Bay Area Muslims by providing direct legal services to immigrants and victims of discrimination, working with the media, facilitating community education as it relates to civil rights and civic participation, and engaging in policy advocacy.

Legal Services:
CAIR-SFBA’s legal team has worked tirelessly on behalf of the American Muslim community to act as the first line of defense for empowering community members with the tools and knowledge to combat institutionalized bigotry. In 2019, CAIR-SFBA’s legal staff conducted 470 legal intakes with impacted individuals, families, and community members. Our legal staff also engaged in grassroots organizing, political advocacy, and direct legal services to redress civil rights violations. We filed and won lawsuits against employers, law enforcement, and government agencies for impinging on the civil rights of Muslim Americans because of their religious beliefs and ethnicity.

We now provide much needed immigration services on matters including but not limited to removal defense, naturalization, adjustment of status, family reunification, and asylum. We worked systematically to address harmful policies aimed at disenfranchising American Muslims through direct legal services, impact litigation, advocacy, and community education.

Our legal team works on cases dealing with such issues as employment discrimination, FBI and law enforcement harassment, hate incidences or crimes, school bullying or accommodation, travel issues, inmate advocacy, housing discrimination, public accommodation, or other issues/referrals. We have seen an 8.5% uptick in immigration cases statewide. Reports of school bullying, harassment, and discrimination in schools increased by 24%.

Civic Engagement
Through its legislative advocacy work, CAIR-SFBA aims to represent the interests of the American Muslim community before various government agencies at the local, state, and national levels. CAIR-SFBA also promotes legislative action alerts, distributes legislative fact sheets, submits testimony to Congress and the CA State Legislature, and sponsors a number of activities designed to bring Muslim concerns to the government.

The team builds networks and coalitions that promote justice and mutual understanding and supports domestic policies that promote civil rights, diversity, and freedom of religion and opposes policies that limit civil rights, permit racial, ethnic, or religious profiling, infringe on due process, or that prevent Muslims and others from participating fully in American civic life.

CAIR-SFBA aims to help voters navigate the ballot with voter guides, articles, special reports, and other tools. We also publish the voting records of California legislators on issues relating to Islamophobia, voting rights, and freedom of speech. We host Candidate Forums, where constituents get the chance to meet with elected officials and candidates running for local office, as well as dozens of voter registration drives across the Bay Area.

Our office has been actively involved in Census education through passing out thousands of flyers to community members around the Bay Area (pre-Covid), phone banking, hosting numerous webinars, and posting online resources.

Outreach & Education:
CAIR-SFBA aims to help educate and empower American Muslims through a variety of workshops in the areas of civil rights, civic engagement, media relations and more. We offer bystander intervention training, workshops in employment rights, dealing with law enforcement, student rights, immigration discrimination, travel issues, challenging islamophobia, and many more.

CAIR-SFBA aims to equip youth with the proper training and support to become agents of positive change. We host the Muslim Youth Leadership Initiative, Muslim Gamechangers Network, and Bridging Communities programs.
To address this systemic threat of racist police violence, CAIR calls upon cities to reevaluate the scope and purpose of their police departments, identify ways to decriminalize non-violent offenses, and otherwise radically transform the way cities serve and protect their communities. Too often, cities depend upon police officers to address non-law enforcement related matters such as mental health crises, homelessness, youth development, substance abuse, regulatory violations, and housing issues. The role of police officers in these and other situations must be curtailed, and investment in local communities must be prioritized. Cities also rely upon armed police officers to address non-violent offenses.

**CAIR Recommendations:**

CAIR urges city and county governments to radically redefine the role of police departments in their communities while drastically reducing and reinvesting police budgets. CAIR is advocating for #BudgetJustice by taking the following steps:

- Place a moratorium on further increasing police budgets and capital projects.
- Place a moratorium on hiring of additional police officers and staff.
- Reduce overtime spending.
- Place a moratorium on purchasing of new military surplus gear obtained through the 1033 program and other unnecessary tactical and riot gear. Place a moratorium on purchasing new surveillance, artificial intelligence (AI) and facial recognition equipment and software.
- Review and stop any program found to racially profile and target Black, minority and student communities.
- Cancel unnecessary contracts with governmental and non-governmental organizations.
- End police exchange and training programs with Israel and other foreign governments that engage in human rights violations, including violence against protesters, choke holds and other forms of police brutality.
  - Sheriff Smith and DA Rosen both went on trips for training to Israel along with the Bay Area Law Enforcement Delegation, that included prosecutors, police officers and judges.
- Eliminate police-in-school programs, and reinvest budgets into school counselors, as well as before-and-after school programs. Only use police officers in school settings to respond to violent incidents and external threats.
- Reduce the number of armed police officers that are on patrol.
- End police traffic stops except for dangerous suspected violations such as driving while under the influence and aggressive driving. Transfer ticketing authority for other offenses to unarmed traffic enforcement agents who would only seek police assistance in the event of noncompliance.

When cities invest in social services, they address many of the root causes that contribute to situations in which the police are called. Therefore, CAIR encourages city governments to increase spending in the following community services sectors that address those needs:

- Community based public safety programs
- Public health
- Social services
- Homeless services
- Public schools
- Employment services
- Affordable housing
- Rental relief
- Public transit
- Parks and recreation
- Street violence interruption and prevention
- Public libraries
- Arts and crafts
- Public gardens
- Property tax relief
- Pedestrian infrastructure

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Asian Americans for Community Involvement (AACI)

Conversation with Supervisor Ellenberg
Recommendations: Public Safety & Justice
July 20, 2020

Introduction
Founded in 1973, AACI is one of the largest community-based organizations advocating for and serving marginalized and vulnerable ethnic communities in Santa Clara County, especially the API community. AACI operates at two sites (Moorpark Avenue and Story Road) with a multilingual staff of 170+ members who provide primary care, behavioral health, and wellness services to the community.

Population Served and Current Work
AACI serves primarily low-income, Medi-Cal or uninsured, immigrants and refugees, and individuals and families living in Santa Clara County. Annually, AACI serves over 19,000 community members and provides care during 8,500 patient visits at its health centers. AACI’s clients are approximately 46% API, 16% Hispanic/Latinx, 15% White, 4% Black, and 19% Other/Unknown.

AACI serves patients through its health centers and offers Medi-Cal enrollment assistance through its Patient Navigation Center (PNC). Additionally, AACI provides individual, family and group counseling to children and adults, case management and linkage to resources, and psychological testing and medication support.

Within the Behavioral Health department, the Center for Survivors of Torture (CST) provides specialized psychotherapy, psychiatry, and medical, social and legal services to 120 asylum seekers and refugees, and reaches over 800 individuals through outreach services annually. These individuals and their family members, coming from 75 different countries, have generally experienced traumatic interactions with governing authorities in their home countries.

Asian Women’s Home (AWH) serves survivors of domestic violence and human trafficking, offering counseling, a 24-hour emergency shelter and crisis hotline, help with restraining orders, family law and immigration issues, and employment and housing assistance. Annually, AWH supports over 800 clients, responds to 2,200 hotline calls, and provides 4,400 shelter bed-nights.

Given who AACI serves, which are largely immigrant and non-English speaking communities, fear of authority and distrust of government or law enforcement serve as barriers to seeking services and achieving healthier outcomes. The current political climate and anti-immigrant/BIPOC rhetoric (anti-blackness, public charge rule, visa restrictions, xenophobia,
Asian Americans for Community Involvement (AACI)

etc.) show a need for cultural sensitivity and a reinvestment of resources toward programs supporting non-police intervention, especially in crisis situations involving a survivor of abuse or individual with mental health related issues. Our culturally and ethnically diverse client population, which includes survivors of trauma, violence and trafficking, and those receiving mental health services, deserve integrated and culturally appropriate services provided by non-police first responders to address and de-escalate crisis situations.

County-Specific Policy Recommendations

1. **Mental Health Crisis Response** - Invest in models to address mental health crises with de-escalation strategies and non-law enforcement intervention. Community wellness checks and mental health emergencies should be addressed by trained mental health professionals. In general, law enforcement should also be trained in Mental Health First Aid to be familiar with signs and symptoms.

2. **Domestic Violence Crisis Response and Resources** - Provide training to ensure first responders provide a culturally sensitive, trauma informed response, including education on racial and health inequities, and linkages between multiple forms of violence. Invest in in-language media campaigns to educate communities about IPV, including teen dating violence, and resources for survivors, including education around immigration protections for reporting violence.

3. **Reduction of Police Intervention and Violence** - Expand community-based training and response models that train community members to respond to and de-escalate a crisis situation and promote non-police intervention. Invest in training for educators, school counselors and other school staff in crisis de-escalation to avoid unnecessary police intervention on campus. Identify alternatives to police response and consider non-lethal forms of force when responding to non-violent 911 calls for service. Have greater transparency and community oversight of the independent auditor for law enforcement.

4. **Cultural Sensitivity Training** - Invest in cultural sensitivity and implicit bias training for first responders to combat racial profiling and unequal/inconsistent treatment of people of color who interact with law enforcement. Enhance recruitment of BIPOC to public safety positions to help build relationships with communities as well as inform co-workers and address implicit and explicit biases.

5. **Community Trust-Building** - Identify opportunities for building trust between community members and law enforcement. Create ongoing opportunities (with ample notice) for eliciting input from community members and individuals and family members with lived experience to inform policy issues that impact communities of color. Conduct informal, social interactions to build trust, at convenient, easily accessible sites in the communities.
Asian Americans for Community Involvement (AACI)

6. **Hate Crime Reporting and Investigation** - Promote safe and accessible reporting of hate crimes. Invest in the tracking of hate crimes against BIPOC and expand investigation and accountability measures to combat hate crimes and discrimination. Provide education and support to facilitate reporting by non-English speaking, immigrant communities of color, particularly undocumented individuals and survivors of domestic violence living in fear of deportation.
Alternatives to Police Responding to Behavioral Health Related Crisis Calls

Introduction of Behavioral Health Contractors’ Association
The Behavioral Health Contractors’ Association (BHCA) is a Santa Clara County-wide network of community-based, non-profit organizations providing essential mental health and substance use prevention, treatment, recovery, and supportive transitional housing services to children, adolescents and adults, under contract with Santa Clara County’s Behavioral Health Services Department.

Concern
In the wake of George Floyd’s death, there is a call for change in practices of police departments across the nation. Many in the community are advocating for diverting non-violent emergency calls that have a behavioral health needs, including crisis calls, welfare checks, or being under the influence of a substance in public to behavioral health experts. Our community currently relies on police for a wide variety of community crisis responses, many of which are related to mental health, substance use, homelessness, truancy, family conflict, welfare checks and a variety of other behavioral-based situations. This “catch-all” approach leads to needless escalation of situations and in worst cases, to death. We recommend restructuring services and adopting a trauma informed approach to respond which will best meet the needs of the children, adults and families experiencing a crisis.

Our goal is to reduce the level of police response to emergency calls that are not criminal in nature but are rooted in issues such as mental health, substance use, homelessness, truancy or family conflict. In cases where the person in crisis may fear or not trust police the situation may escalate upon seeing an officer. Racial bias also plays a significant role as police officers are more likely to use excessive force when responding to a Black person or other person of color. When crisis counselors respond to an individual in crisis, the person is more likely to accept help and the crisis de-escalates. Follow-up services can be offered to prevent future problems and calls to 911.

Current Practice
Adults in Crisis: Currently if an adult is in crisis, the most likely response is to call 911 and the police are dispatched. Santa Clara County Behavioral Health Department staffs a Mobile Crisis Response Team (MCRT) that is available to the community using a dedicated phone line; services are available Monday through Friday from 8am to 8pm. The teams are made up of licensed clinicians with training and expertise in crisis response and they accompany police.

Children and Youth in Crisis: Beginning January 2021, the model of crisis response for children in Santa Clara County, Mobile Response and Stabilization Services (MRSS), will include a 24/7 crisis hotline and mobile response teams, consisting of a licensed/licensed waivered staff, paired with another licensed/licensed-waivered staff or paraprofessional/peer, and under the guidance of a licensed staff consultant. Currently there are 2-3 teams available in the day/evening (8am – 8pm), and one team available overnight (8pm – 8am). If both teams are dispatched, then calls are diverted to local law enforcement agencies. It is important to note that if law enforcement transports youth, the current policy is to handcuff the youth when placing in the back of a police car. The State of California Corrections Department has standards for law enforcement that advises juveniles under 14 should not be cuffed; however, many police departments are not following this standard.

Community members, elected officials and law enforcement agree the current system does not meet the wide range of crisis needs in Santa Clara County.

Recommendations
To meet the needs of those in crisis in Santa Clara County we recommend a design that greatly expands the existing services that does not send police out on these calls. The scope of services needs to consider population size and trend/location usage, race and ethnicity, cultural and community representation, gender identity and LGBTQ, disability, and other aspects that affect how someone responds to a crisis. We must maximize our ability to expand crisis response by adopting a variety of community models that use not only licensed masters level clinicians but also community workers, peers, social workers, and medical support. Services need to be located in communities for better response time and need to reflect the community served. Also, many in the community do not trust government staff who may respond to their homes due to a 911 call. We recommend any expansion of the behavioral health crisis response teams be provided by community-based organizations who have the trust of the communities they serve.
The Behavioral Health Contractor’s Association (BHCA)

Following are recommendations for a system that addresses adults, children, youth and families. Different response systems may be appropriate but are based upon the same key elements.

**Triage**: We recommend developing a system to divert calls for behavioral health related crises by 1) maintaining a separate line for crisis calls related to children and youth, 2) create a new crisis response for adults and children by adding behavioral health specialists in 911 call centers to assess and triage non-criminal emergency calls to determine appropriate response.

**Mobile Crisis**: Expand crisis response by developing teams of individuals trained in de-escalation practices. Depending on types of crises, teams should include non-licensed or waivered clinicians, rehabilitation counselors, peers who are representative of the community they serve, medical workers, or trained substance abuse counselors. All need to be comfortable responding to crisis situations in community settings and people’s homes. These teams would be complementary to the existing team of licensed clinicians and would expand our ability to respond to the need in a County of our size.

**Training**: Implement ongoing specialized and robust training for these staff that includes de-escalation techniques, crisis intervention, suicide prevention, conflict resolution, interpersonal communication skills, and race equity understanding.

**Triage Emergency Calls**

**Adults**: Santa Clara County Communications is responsible for providing 911 and dispatching services for the majority of law enforcement, medical and fire agencies in the County. Currently 911 dispatchers are required to have training on how to respond to crisis calls. Our recommendation is to include behavioral health specialists embedded with dispatchers who can take control of these calls and conduct a quick mental health assessment and have specific protocols to divert calls to the appropriate crisis team. These BH dispatchers will ask questions to determine whether mental illness and/or substance use may be a factor in a call.

**Children and Youth**: Continue plans to use a 24/7 appropriately staffed call center to provide crisis intervention services (phone, text and chat). Crisis lines provide support based on the assessed need of the caller, including dispatching a mobile team.

The crisis hotline offers services in real time to youth, as well as caregivers, and community partners including mental health providers, teachers and law enforcement supporting a child in crisis. Rather than calling 911, those in need call a similar style number (337) to be connected to the crisis hotline (or 911 triages and transfers call to this line). It is necessary to better connect the 911 system to utilize this number as a place to divert calls as appropriate.

**Mobile Crisis Response**

**Adults**: We recommend a significant expansion of mobile behavioral health services to respond quickly 24/7. Depending on the type of crisis, teams should be comprised of non-licensed or non-waivered clinicians, rehabilitation counselors, peers with lived experience who reflect the community being served, substance abuse counselors, or social workers. All need to be comfortable responding to crisis situations which may include going into a person’s home and de-escalating high stress situations with someone who is experiencing a mental health or a substance use induced crisis. These teams should be rooted in, and dispatched from, community-based locations. To the extent possible, the existing MCRT of licensed clinicians should expand hours to be as close as possible to 24 hours a day, 7 days per week when a clinician able to assess and implement a 5150 hold is necessary.

**Children and Youth**: In addition to expanding capacity of the current mobile crisis services deploying masters level clinicians with peer counselors, our ability to meet the expanded crisis needs requires teams with different expertise. Like the adult teams, rehabilitation counselors, peers with lived experience, community workers, social workers, and substance abuse counselors may be part of a team. These teams also need experience working with families and be comfortable responding to crisis situations, going into a person’s home and de-escalating high stress situations that may include mental health or a substance use induced crisis. These teams should be rooted in, and dispatched from, community-based locations.


The Behavioral Health Contractor’s Association (BHCA)

Training

*Adults*: We need to explore the Eugene, Oregon CAHOOTS Model for expertise for on-going training which includes topics such as de-escalation, crisis intervention, suicide prevention, conflict resolution, and interpersonal communication skills. Specific training on race equity needs to be embedded in all teams.

*Children and Youth*: We need to explore adoption and implementation of a common child specific crisis intervention response system such as the Therapeutic Crisis Intervention (TCI) system. Hotline staff, mobile crisis responders, law enforcement and other entities responding to crises should be trained in a common identified model. We need to coordinate with other crisis lines located in the County. In addition, crisis intervention training will be available to families through group parenting classes, using the same model.

Elements/Principles Necessary for Success

The following elements/principles are pulled from the CAHOOTS model in Eugene, Oregon, which uses a combination of expertise from lived experience, and robust training in trauma-informed de-escalation and harm reduction techniques to provide support to individuals experiencing non-violent crises. Promising practices specific to responding to youth crises are included.

Our priority is on de-escalating crises without law enforcement involvement.

The goal of the mobile crisis team is to focus on safety and support in the resolution of the crisis as well as ensure a warm hand-off to additional services as needed. We recommend the following:

- Emphasize use of Peer Support. CAHOOTS has found that the lived experience component allows for responders to relate empathetically with the person(s) in crisis. A SAMHSA report [1] asserts that mental health crisis services should afford opportunities for contact with others whose personal experiences with mental illness and past mental health crises allow them to convey a sense of helpfulness first-hand.

- Assure all team members are trained in race equity, cultural issues in a community, gender identity, LGBTQ identity, disabilities, and other unique aspects in our community make-up.

- Assure team members have experience in responding to calls concerning homeless individuals and can make connections to services.

- Ensure staff has the capacity to support and assess individuals with developmental disabilities including Autism Spectrum Disorders.

- Provide follow-up services/linkage to support connection to ongoing care post-crisis to ensure crisis stabilization was sustained and support any further referral needs. This includes coordination with medical, behavioral health, and housing services as well as schools as appropriate.

- Creation of High Utilizer Protocol: Prevent recurrence of crises by evaluating and considering factors that contributed to the current episode and bring together natural supports, and service providers that will prevent future crisis episodes.

- Youth Transportation: Eliminate transporting youth requiring a higher level of care in police vehicles. Stop using restraints (handcuffs) on minors. As a de-escalating intervention, coordination of non-emergency transportation to another location (extended family, friends, respite) is needed.

Size of Systems

In building capacity, consider police ratios and costs of law enforcement (example: SJPD 2016, 9 officers/13 employees per 10,000 residents [2]) in developing commensurate non-police response staffing.

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July 30, 2020

We are families of Santa Clara County who have been severely harmed by the criminal punishment system. Our loved ones have been snatched away forcefully and violently by law enforcement, our children are growing up without their parents, our loved ones’ names are dragged in the media. We fear our loved ones will die in jail during a lethal pandemic.

In the memory of those we have lost to the system, including the spirit of George Floyd and Breonna Taylor, and countless names across the country that has created this transformative moment, we want to present this vision of hope and justice - a new definition of safety for Santa Clara County.

For weeks, we gathered — parents of those locked up in jail and juvenile hall, the formerly incarcerated, those of us who’s loved ones were killed after calling 911 — to talk about our shared experiences. From this community process we created analysis and turned pain into solutions. We authored this report as a tangible local policy expression of Black Lives Matter.

We call on the Board of Supervisors to divest from the harms of the criminal punishment system, and to invest the resources into Black and Brown community led models of safety, restoration, and healing.

We know what it takes to be safe. Safety, and how it is defined, belongs to us. We present the following public safety proposal.

DIVEST

DIVEST FROM THE DISTRICT ATTORNEY’S OFFICE (DAO)

Ultimately, there is no other agency or elected official that is more responsible for mass incarceration and the culture of harassment and brutality at the hands of law enforcement than District Attorney’s Office. These are the practices of the DAO we need to divest from first:

- Remove the activities under the Bureau of Investigations Unit that conducts “officer-involved shootings” and fire investigators who were former police officers.
- Reject the DAO’s new proposed Public and Law Enforcement Integrity Team and explore accountability mechanisms outside the DAO.
- Remove the Victim Services Unit out of DAO and make it its own independent department.
- Eliminate the District Attorney’s Gang Prosecution Unit.
- Eliminate the DAO from petitioning youth to be transferred to adult court.
- Divest from the DAO’s practices of over charging, use of enhancements, and pursuit of life sentences and Life WithOut Parole (LWOP).
- Eliminate the DAO practice of challenging state-passed laws intended to decarcerate and promote rehabilitation and fairness in the criminal justice system.
- Terminate recently hired prosecutors in the DAO from San Francisco and all prosecutors who have a history of prosecutorial misconduct.
- Divest from the DAO practice of retrial when the first trial results in a mistrial.
- Move the Conviction Integrity Unit from the DAO and place it as its own independent office.
DIVEST FROM THE OFFICE OF THE SHERIFF // CORRECTIONS DEPARTMENT
Given the alarming health concerns particularly during COVID-19- from impacted community inside and outside--this is what we want you to divest from within the Sheriffs and Correctional department budgets:

- Eliminate funding for the new Jail.
- Redirect any current and future COVID funds from the Sheriffs and Corrections office towards Public Health to manage the safety of our loved ones inside.
- During COVID pandemic, end transfers to and from prisons.
- Shift funding to increase visiting opportunities.
- Remove the Grievance Process/Department from the Corrections Department.
- Defund gang investigation and gang units for patrol and correctional officers.
- Remove youth programs from within the Sheriffs Office.
- Eliminate funding for increased personnel and overtime use.
- Remove deputies (enforcement, correctional, and administrative) who have discipline and misconduct claims in their records.
- Require deputies to carry their own liability insurance.
- Stop the Sheriff from applying for or accepting military equipment.
- Revamp the classification system and program delivery based on needs, not charges.
- Stop housing youth whose cases originate in juvenile hall.
- Eliminate the use of AD-SEG.

DIVEST FROM THE PROBATION OFFICE
As we push to decarcerate, our efforts should also include limiting the system controls in the community such as probation. We must reimagine what ‘release’ means -- to allow our loved ones access and support to the tools and strategies we need to survive, thrive and build our community, free from systemic control. Towards that end, we call to divest from Probation by:

- Eliminating court and system fines and fees from individuals.
- Separating juvenile probation from adult probation and placing it under the care of a county department whose main focus is the health and development of children and youth.

INVEST
Reallocations into Existing County Departments
If the County follows the above demands and divests funding from these problematic aspects of the county budget that actively hurt and harm our communities, there is funding available to invest into county departments, offices and other community initiatives that instead seek to help, heal, and support our communities.

INVEST IN THE OFFICE OF THE PUBLIC DEFENDER, THE ALTERNATE DEFENDER AND THE INDEPENDENT DEFENDER OFFICE. We ask that these Defender Offices be properly funded to adequately staff and represent our community and provide legal justice. To invest in our defenders, funding should go to:

- Hire more defense attorneys.
- Expand the Pre-Arraignment Unit.
- Increase the defender offices’ budgets to provide collaborative opportunities to build between community and defenders.

INVEST IN PRETRIAL SERVICES
Pretrial is essential to our court system because it is through their office that our loved ones are able to be safely released and fight their case out of custody. We ask the County to allocate more funds
towards this office because we have seen it run understaffed and it is critical to have a well resourced office to fully do its duties to assist loved ones return to court. To invest in pretrial services, funding should go to:

- Increase Staffing.
- Increase Partnerships with Community Programs.

**INVEST IN RE-ENTRY SERVICES**
The Re-Entry services should partner with other agencies and community organizations that help people getting released integrate into their community easier. In addition, the Re-Entry office should be housed separate from any law enforcement agency. This is why community members feel more comfortable with the Faith Based Re-Entry providers. The best way to operationalize this support system to invest in community partners and increase faith based partners to fulfill this needed work.

**INVEST IN THE OFFICE OF SUPPORTIVE HOUSING.** To support those who are unhoused and/or teetering at the brink of homelessness, we demand funding for more accessible shelters, case workers who are trauma-informed, and rent relief and other opportunities for people to stay in their homes, particularly when they are at risk of eviction and houselessness—especially during COVID-19. Lastly, we demand the county supports the South Bay Community Land Trust, which seeks to enable and empower people to buy and own their own land at affordable rates.

**INVEST IN CUSTODY HEALTH.** There should be no cuts to this department, particularly during a pandemic. Instead, we demand that there is an increased ratio of medical staff to individuals inside, and the expectation to provide regular physicals with each person, so as to provide preventative health care, not just reactionary health care. Finally, all medical grievances should be directed to and reviewed by an outside agency, such as OCLEM, instead of the Sheriff.

**INVEST IN BEHAVIORAL HEALTH.** Behavioral health is an essential part of this county’s work, but they are underfunded. The proposal we support is the non-police crisis response plan presented by the Behavioral Health Contractors Association. Our community demands behavioral health staff that are properly trained, that they are on call 24/7, and do not include law enforcement. There also needs to be adequate and expanded mental health programs for those facing incarceration and those who are released.

**INVEST IN AN INDEPENDENT VICTIM’S ASSISTANCE UNIT.** The Victim’s Unit must be funded to become an independent office, separate from the DAO and any law enforcement entity. The definition of “victim” needs to be expanded to include, but not be limited to, families who lost loved ones to law enforcement violence, those who have been wrongfully convicted, and wrongfully accused.

**SHIFT FUNDING TO TRUSTED COMMUNITY PROGRAMS.** We believe in shifting funding from agencies that have caused harm and back into community programs that we trust, including:

- Community-based programs that help reduce incarceration, especially in the pretrial stage.
- Community-based programs for individuals being released from incarceration led by trusted organizations led by/ comprised of formerly incarcerated individuals.
- Community-based alternatives to police responding to behavioral health crisis calls.
- Community-based alternatives to DJJ (Department of Juvenile Justice) and other forms youth confinement.

We appreciate your thoughtful consideration of our proposal. And we look forward to working with you to translate this community driven process into actionable policy decisions that will animate the power and promise of Black Lives Matter into a public safety vision for Santa Clara County.
THANK YOU!

It is with deep gratitude that I acknowledge everyone who contributed to this report.

The residents with whom I spoke or from whom I received emails, as well as the many community-based organizations that engaged with my team, have laid the groundwork for community engagement and community-prescribed recommendations that have the real potential to create a safe and thriving community for every resident in the County of Santa Clara. Thank you for investing time and careful thought to move this initiative forward. I look forward to continuing on this journey together.

I’d like to extend a heartfelt thank you to our facilitators. Carolyn, Gwen, and Gwendolyn provided order, great insight and a safe space for residents to share their thoughts, personal experiences and recommendations. They were mentors to me from both a process perspective and by providing a reflective lens, questioning what I wanted to accomplish and helping me gain clarity on the goals of this initiative. It was they who suggested opening the conversations with the series of agreements found on page 18 of this report. The quality of the conversations were better for their leadership.

Finally, I must thank my incredible team. To a one, the D-4 office staff are smart, thoughtful and equity-oriented policy makers and communicators. Every member of the team played some role, whether by engaging directly with the initiative or by picking up work in order to allow others to focus their attention here. In particular, I’d like to call out Yvonne Jimenez, my very competent and experienced policy aide for public safety and justice. Yvonne picked up my initial germ of an idea, turned it into a vision and ran with it. She was ably supported by Basil Saleh, David Fernandez and Jasmine Leyva, who handled outreach, communication, registration and questions regarding the initiative. Angelica Ramos-Allen also supported that outreach work and expertly managed all of our tech issues, logistics, polling, and general exterior smoothness of the entire operation. Yvonne coordinated and joined me for the 18 stakeholder meetings and had the primary responsibility for compiling this report. All of us working together created the questions that were posed during the conversations. Each of my team members brought a unique lens, life experience and personal perspective to this work and I value this diversity immeasurably. To all of them, I extend my gratitude for stepping into this journey with me and continuing to work toward real impact in our community.

I believe in this work and I believe in the community’s vision for a just and safe place to live, work and thrive. I look forward to seeing what we can accomplish together.