



City of Santa Rosa

City Hall, Council Chamber
100 Santa Rosa Avenue
Santa Rosa, CA 95404

City Council Special Meeting Minutes - Final

Tuesday, May 4, 2021

1:00 PM

SPECIAL MEETING AGENDA FOR MAY 4TH AND MAY 5TH, 2021

1. CALL TO ORDER AND ROLL CALL

Mayor Rogers called the meeting to order at 1:06 p.m.

Present: 7 - Mayor Chris Rogers, Vice Mayor Natalie Rogers, Council Member Eddie Alvarez, Council Member Victoria Fleming, Council Member John Sawyer, Council Member Tom Schwedhelm, and Council Member Jack Tibbetts

City Manager Sean McGlynn read the following statement:

At the end May, early June last year in response to the tragic murder of George Floyd, the City heard from thousands of Santa Rosa residents. They expressed their pain, grief, and anger through marches, protests, public forums and correspondence. The City heard demands for change and challenged its leadership to review institutional structures that impact our local communities of color. The City also heard the community's concern regarding the Police Department's use of force during the early days of protest and civil unrest in Santa Rosa. In response to these powerful voices, the City Council committed to review the events of the protests and to implement actions for change. The City committed to an independent review of the Police Department's investigation into all reported use of force cases that occurred during the May and June 2020 local protests and committed to an independent review of the City's overall response to the protests and civil unrest that occurred during that time. The City also committed to implementing Santa Rosa's Community Empowerment Plan starting with robust listening sessions to engage in a deeper dialogue with our communities of color around law enforcement, equity in local government, and broader community issues. There is recognizably a long way to heal and make meaningful change ensuring Santa Rosa is a city of inclusion, diversity and equity for all our residents and visitors to feel safe and welcome.

2. STUDY SESSION - REVIEW OF CITY RESPONSE TO COMMUNITY PROTESTS IN MAY AND JUNE 2020

A. HUMAN RIGHTS COMMISSION REPORT

Members of the Sonoma County Commission on Human Rights will present the findings of the Human Rights Commission Report related to the May 2020 protests.

Jerry Threet, Chair of Commission on Human Rights, and Dmitra Smith, Former Chair of Commission on Human Rights read opening statements, presented the report providing protesters accounts of their experiences at the May and June 2020 protests and their demands of the Council and Police. Mr. Threet and Ms. Smith answered questions from the Council.

Mayor Rogers recessed the meeting at 2:09 p.m. and reconvened the meeting at 2:15 p.m.

Present: 7 - Mayor Chris Rogers, Vice Mayor Natalie Rogers, Council Member Eddie Alvarez, Council Member Victoria Fleming, Council Member John Sawyer, Council Member Tom Schwedhelm, and Council Member Jack Tibbetts

B. INDEPENDENT REVIEW OF POLICE DEPARTMENT'S INTERNAL AFFAIRS' INVESTIGATIONS OF SPECIFIC INCIDENTS OF USE OF FORCE BY OFFICERS THAT OCCURRED DURING COMMUNITY PROTESTS IN MAY AND JUNE 2020

The City Manager and OIR Group will present OIR Group's report on its review of the Police Department's internal affairs investigations of specific incidents of use of force that occurred during the community protests in May and June 2020. The Council will have the opportunity to ask questions, discuss, and provide feedback to staff.

Michael Gennaco and Stephen Connolly, OIR Group, presented findings from their independent review and their recommendations for change. Mr. Gennaco and Mr. Connolly answered questions from Council.

Mayor Rogers recessed the meeting at 4:20 p.m. and reconvened the meeting at 4:30 p.m.

Present: 7 - Mayor Chris Rogers, Vice Mayor Natalie Rogers, Council Member Eddie Alvarez, Council Member Victoria Fleming, Council Member John Sawyer, Council Member Tom Schwedhelm, and Council Member Jack Tibbetts

C. AFTER ACTION REVIEW OF THE RESPONSE TO PEACEFUL

PROTESTS AND CIVIL UNREST IN MAY AND JUNE 2020

The City Manager and Santa Rosa Police Department will present a report on the after-action review completed by Hillard Heintze, LLC, analyzing the City's response to the peaceful protests and civil unrest in May and June of 2020. The review encompassed protest activity and the Department and City's overall response. The Council will have the opportunity to ask questions, discuss, and provide feedback to staff.

Robert Davis, Bob Boehmer and Chad McGinty from Hilliard Heintze, LLC presented the report and answered questions from Council.

PUBLIC COMMENT

Rigel spoke on being a victim of attacks, witnessing vehicle attacks, and his feeling law enforcement does not support the community.

Baylee spoke on feeling the reports being dismissive of what happened to community members last year, asked Council to ban use of teargas, non-lethal rounds, and to defund the police and reallocate funds to social services.

Alexis spoke on being alarmed with what she felt were mis-truths in the presentation and there being no mention of the sexual assault claims.

Michael spoke thanking Jerry Threet and Dmitra Smith for their report and the community members who protested, and on feeling the independent audit and after action reports having misinformation.

Zahyra, Ad Hoc Community Advisory Committee in Petaluma, spoke thanking Council Members who asked specific questions, and stated she felt the investigation was not thorough.

Kelsey spoke expressing hope the Council and the community are seeing the big picture of police brutality, mass incarceration, the raids on the shelter-less, and asked the police budget not be

increased.

Kathleen spoke on the amount of work still needing to be done in the community, wanting to see the evidence and body cam videos related to the Martinez case, the need to hire a new auditor along with a citizen oversight committee, and new use of force policies dedicated to de-escalation training.

Katrina Phillips, Vice Chair of Commission on Human Rights, spoke on not being contacted by the Council, Sheriff or Santa Rosa Police on their report, the lack of accountability, and trust being completely broken between the Police and the community.

Ted spoke on being an EMT and not seeing the amount of brutality at other protests he has experienced, on curfews being a violation to the right to protest, masking not being enforced in the jail, and the trend of militarization of Police needing to end.

Elizabeth Escalante, 2nd District Human Rights Commissioner, spoke on the Commission on Human Rights report not being read, referred to page 26 of the report where the Commission recommends supporting injured protestors demands, and her concern this is becoming a divisive political issue and not a human rights issue.

Lee spoke thanking Jerry Threet and Dmitra Smith for their presentation, the reports will confuse the public when the City settled the law enforcement brutality claims, and in opposition to continued funding of police.

Concerned Citizen spoke on police brutality and the need for more training and humanity.

Leslie Graves spoke echoing the comments that a policy needs to be in place abolishing the use of teargas and non-lethal rounds and the need to recognize any event can get out of control.

Jerry Threet spoke clarifying some points during a hearing, police not following up with the Commission on Human Rights, and the importance of accountability by police.

Colin spoke on his observation the Commission on Human Rights presentation had little interaction by the Council while the other presentations had more, asked what is the meaning of a "bad protester," and on not needing police.

Ian spoke on teargas being banned in warfare and the police being allowed to use it on citizens, in opposition to giving police more funding, the sheriff's office trying to prevent Measure P from being placed on a ballot, and the need not to have more police on the streets.

Jenny spoke on the people not being contacted by the police, reports of looting, the settlements the City paid, injuries to people, incidents not isolated to Santa Rosa, on the long term consequences of using teargas, and not feeling represented.

Noa spoke on uplifting the protesters and to defund the police and reallocate funds.

Elias Hinit, Sonoma County Black Coalition, spoke on not being surprised by the information provided, the auditor's report not saying what needed to be said, the public needing to demand what they want in their city, and people needing to be held accountable.

Melissa spoke on her concern with the stark difference of tone between the Commission on Human Rights report and the oversight report, not wanting more money to go to the Police Department, the community paying for the abuses of the Santa Rosa Police Department, and the need for deep systemic change.

Alan spoke on Chief Navarro's request for more budget to hire more officers.

Lily spoke asking why the study sessions were not held closer to when events happened, seeing first hand the accounts that happened at the protests, and to defund the police.

Sarah spoke asking how many people who participated in the listening sessions were attacked by Santa Rosa Police, the protesters not being allowed to wear masks when jailed during the pandemic, the community being blatantly ignored, the need for accountability, and to defund the police.

River spoke on the ineffectiveness of law enforcement.

Allegra spoke being disappointed in how the meeting was run, and the drawn out approach by the City on how to handle protesters better instead of holding police accountable.

Amber spoke on a citizen's right to be heard, their right to protest, in disagreement of the oversight report, that protesters being stalked and not being heard, and on defunding the police.

Chantavy Tornado, Founder of Love and Light, spoke on reliving the issues daily, especially in west Santa Rosa, the police not living up to their mission statement, the work of women of color in the community, and the need for Council to take a stand against white supremacy.

John Courage spoke on the rhetoric of looting, and being appalled by Council to continue the budget expansion of the police.

Veronica spoke on reports always favoring those who paid for them, police should not be militarized, and the need to allow the people to have a voice.

Ari submitted comment on protesters being seen as enemies, and how settlement money could have been used to help the community.

Sophia submitted comment on the lack of public accountability by law enforcement in the county, no charges being filed on the person who drove the white vehicle into a crowd, the kettling of peaceful protestors, masks being taken away when persons were jailed, and the independent auditor position needing to be filled immediately.

Cecelia submitted comment on the lack of accountability by not acknowledging the Commission on Human Rights report when it was released, the violence used against the protestors, and to demilitarize the Santa Rosa Police Department.

Kim submitted comment in support of the Santa Rosa Police Department, and the need to increase their staffing to address the increased demands in the city.

Josh submitted comment on this being an opportunity for the community, including the police, to come together to grow the community.

Angela submitted comment in support of the Santa Rosa Police Department, stating it is unacceptable for local law enforcement to be subjected to persecution by the same public they protect and serve, and asked for the Police budget to be refunded with more money.

Olivia submitted comment on the lack of public accountability by Santa Rosa Police during the protests in 2020, personal protective equipment not being supplied to the people who were jailed, the need to implement policies to ban teargas and less lethal weapons, to demilitarize the police, and the need to identify the officers who injured protestors.

3. ADJOURNMENT/RECESS OF SPECIAL MEETING

Mayor Rogers recessed/adjourned the Special Meeting at 7:06 p.m. to reconvene the meeting at 10:00 a.m. on Wednesday, May 5, 2021.

10:00 A.M., WEDNESDAY, MAY 5, 2021 VIA ZOOM

4. CALL TO ORDER/RECONVENE AND ROLL CALL

Present: 7 - Mayor Chris Rogers, Vice Mayor Natalie Rogers, Council Member Eddie Alvarez, Council Member Victoria Fleming, Council Member John Sawyer, Council Member Tom Schwedhelm, and Council Member Jack Tibbetts

5. STUDY SESSION

5.1 COMMUNITY EMPOWERMENT PLAN LISTENING SESSION REPORT

The Office of Community Engagement will present the Community Empowerment Plan Listening Sessions Report. No action is required, but Council may give direction to staff.

Magali Telles, Deputy Director Community Engagement, and Danielle Garduno, Community Engagement Coordinator, presented and answered questions from Council. Ms. Garduno provided a history of racism in the country and themes that came out of the Listening Sessions. Ms. Telles presented community recommendations from the Listening Sessions.

Mayor Rogers sought Council consensus declaring racism as a public health crisis.

PUBLIC COMMENT

Elaine Holtz spoke asking how changes will happen when they have been brought forward before.

Evan Phillips spoke thanking Community Engagement staff for their work, the ongoing trend on issues faced by the community and city where a lack of perspective is the order of operations, and expressed his perspective on the lack of cultural competence from the City and Santa Rosa Police Department.

Michael spoke on this being an accountability issue not a publicity issue, and the level of violence against the protesters being disproportionate to the level of violence against the police officers

who were in full body armor.

Kelsey spoke echoing previous comments on how this sounds like this comes from a public relations position, that the issue is drawing attention to the abuses that have been suffered and not talking about how to stop the harm, discussion on civilian oversight of the Police Department needing to be central to decision making, and the need for changes in a substantive, systemic way.

Kimberly spoke on feeling the day's presentations being unrelated to the previous day's presentations on the police use of force, and the issue of people being harmed by law enforcement is not being taken seriously.

Alexis spoke echoing the previous comment feeling like this is a band-aid, and that the City wants to be seen as being proactive and expressed her frustration.

Madonna spoke challenging the Council to participate in the Suscol Tribal Council's Historical Trauma workshop series on Zoom, opposes more funding for Santa Rosa Police, and on seeing police traumatizing the youth during the protests.

Katrin spoke on being a privileged white woman and thanked her daughter for waking her up from liberal complacency, being forever changed by the courageous actions of the youth who took to the streets, expressed disappointment with how Council handled the Commission on Human Rights report and presentation, the need for radical change, true civilian oversight, to ban the use of teargas, accountability from Chief Navarro and police, to defund the police, and invest in mental health services, housing, education and racial justice.

Leslie spoke echoing the comments for calls to action, to remove barriers for community members to participate in policy matters, the need for a civilian oversight committee, the hiring of an auditor, asked Council to put a stop to the Police Chief Ambassador Team

stating there is more need for the civilian oversight committee.

Lauri Anderson spoke on feeling the community engagement report being less important than the previous days reports, concern on the unaccounted number of projectiles that were used at the protests, the need to see change in Santa Rosa Police Department, and the Council to acknowledge the humanity of the people they represent.

Colin spoke echoing previous comments, the clearing of encampments, asked if the houseless community was asked what would help their community, and to stop the houseless sweeps.

Noa spoke uplifting previous speakers comments, her perspective the presentations were a performative action, she will not accept the vilification of people of color, to disarm, defund, and dismantal the Santa Rosa Police Department.

Sarah spoke on feeling the Council is not listening the people, and then she played the song "Haven't Done Nothin'" by Stevie Wonder.

Alissa spoke on being tired of platitudes, to ban teargas and rubber bullets, for the removal of Chief Navarro, to defund the police, and on her perspective the Council glossed over the Commission on Human Rights report.

Pamela spoke on wanting to be an ally with the people in the streets, the meaning of authentic empowerment, policy change that brings power, public safety versus enforcement, and advocated for a parking are for RV, vans and a tents.

Alan played the song "I Need A Dollar" by Aloe Blacc.

Veronica spoke on previously participating on the Community Advisory Board, stated if Council values community engagement, they will allocate funds to it, commended and thanked Danielle Garduno and Magali Telles for their work.

Concerned Citizen spoke on Council defeating the purpose of the two-day meetings without mention of police brutality and feeling nothing was accomplished.

Elias spoke on the need for accountability by the police, to reallocate funds from the Police Department to Community Engagement, the Office of Equity, or affinity groups and neighborhood groups to repair the relationships that have been broken, stated healing requires action and accountability, people need assurance that if something happened to them or a loved one, someone will be held accountable with serious action.

Elizabeth spoke on the need to restore the trust of the community by addressing the issue of accountability and referenced the recommendation of the Commission on Human Rights report to ban teargas and projectiles, and asked for humanity for the people.

Zahyra spoke echoing the comments of previous speakers, feeling the Council represents a system that has oppressed marginalized people of color, the need for transparency and accountability, and that a part of racial justice is about keeping Black and Brown communities alive.

At the close of public comment, Council made closing comments including their support to declare racism as a public health crisis.

Mayor Rogers recessed the meeting at 12:14 p.m. and reconvened the meeting 12:45 p.m.

Present: 7 - Mayor Chris Rogers, Vice Mayor Natalie Rogers, Council Member Eddie Alvarez, Council Member Victoria Fleming, Council Member John Sawyer, Council Member Tom Schwedhelm, and Council Member Jack Tibbetts

5.2 POLICE REFORM UPDATE

The Santa Rosa Police Department will present an update on the police reform actions that have been initiated since June 2020. No action is required, but Council may give direction to staff.

Police Chief Rainer Navarro informed Council Captain Cregan and

Captain Litchfield would be addressing the recommendations found in the independent reports related to last summer's protests, provide an update on actionable steps the Police Department has taken on each of the recommendations, and actions taken towards reform measures and building community trust.

Police Captain Cregan presented information in response to the OIR Report, response to their recommendations and answered questions from Council.

Police Captain Eric Litchfield presented information on the Police Department's response to the recommendations of the After Action Report and answered questions from Council.

Mayor Rogers recessed the meeting at 3:00 p.m. and reconvened the meeting at 3:10 p.m.

Present: 7 - Mayor Chris Rogers, Vice Mayor Natalie Rogers, Council Member Eddie Alvarez, Council Member Victoria Fleming, Council Member John Sawyer, Council Member Tom Schwedhelm, and Council Member Jack Tibbetts

Chief Navarro reported on Department reforms related to policies, community engagement, training, equipment, and programs.

PUBLIC COMMENT

Evan spoke on the use of teargas against protesters by police, felt it was a conflict of interest for the Santa Rosa Police Department to police themselves, on the need to hire the police auditor, to ban use of teargas, rubber bullets, to divest from police and invest in community based programs.

Rigel spoke in opposition to LRAD being used as a weapon and urged Council to deny the purchase of them.

Allegra spoke questioning why the Santa Rosa Police Department was involved in the hiring of the auditor, and on the use of teargas

and rubber bullets by Santa Rosa Police.

Michael spoke stating the new policy changes were not meaningful or addressed the violence that occurred against the protestors, felt the Commission on Human Rights report was sidelined and barely mentioned during the presentation, and his concern about the use of LRAD.

Kelsey spoke on feeling the police were justifying their actions while stating they were committed to change not being true, on the need to remove the auditor from under the control of the Police Department, wants to see real oversight and budget priorities shifted from the police.

Lee spoke on feeling the Council ignored the Commission on Human Rights report, and to demilitarize the Police and ban the use of LRAD.

Ellen spoke on feeling Council showed no response to the Commission on Human Rights report and urged them to address the report.

Alan spoke asking for Chief Navarro's resignation and in opposition to the use of LRAD.

Colin spoke on being disappointed by the presentation, Chief Navarro not reaching out to the Commission on Human Rights, to defund the police, and his concern about the use of LRAD.

Elaine spoke on feeling ashamed and unimpressed with the Council, felt they ignored the Commission on Human Rights report, the Commission on Human Rights being volunteers versus the other reports being paid for by the City.

Diana spoke on her family being subjected to racism and brutality by the police and sheriff.

Alexis spoke on older generations who were subjected to the same kind of abuse, feeling the presentation was filled with lies and there being no point in having a conversation.

Scott spoke encouraging the Council to support the Police Department, felt police are taking action to try and meet with the community, and that accountability needs to go all around, not just by the police.

Leslie Graves spoke on being concerned about retaliation from police officers when her son went out during the protests, felt the Police Chief's Community Ambassador Team is headed in the wrong direction by not being available for the public to participate, and the equity officer needs to be part of the selection committee.

Ian spoke on LRAD systems being banned in another community, and asked Council to look at the protest in northern Ireland.

Fate Carroll spoke on being injured during the protest, not getting any information on the lawsuit, and wanting justice for what happened to her.

Madonna spoke on the Historical Trauma Workshop by Suscol Intertribal Council and she expressed her anger and being offended by the use of the comment "Powwow" by a Council Member.

Noa spoke asking Council if they thought police will check themselves, to stop blaming the public, feels this is an opportunity to divest from violence and white supremacy, the trust in the Council is fading, to disarm, defund and abolish police and to put the funding to community care.

6. ADJOURNMENT OF SPECIAL MEETING

Mayor Rogers adjourned the Special Meeting at 5:08 p.m.

Approved on: June 29, 2021

/s/ Stephanie A. Williams, City Clerk